

# Memorandum



DATE October 31, 2008

TO Members of the City Council Legislative Ad Hoc Committee: Dr. Elba Garcia, Vonciel Jones Hill  
Linda Koop, Pauline Medrano, Ron Natinsky, Dave Neumann, Mitchell Rasansky, and Steve  
Salazar

SUBJECT State and Federal Lobbyists – Contract Renewals

On Monday, November 3, 2008, you will be briefed on the proposed contract renewals for the City's state and federal lobbyists. Attached are the briefing materials for you to review prior to Monday's discussion.

Please contact me if you have any questions.



Mary K. Suhm  
City Manager



**BRIEFING TO THE  
LEGISLATIVE AD HOC COMMITTEE**

**STATE AND FEDERAL LOBBYISTS -  
CONTRACT RENEWALS**

**November 3, 2008**





## PURPOSE OF BRIEFING

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- To review the current City of Dallas legislative support process.
- To review successes and recommend renewal of contracts for legislative services with:
  - Barbara T. McCall Associates (Barbara McCall)
  - Alcalde and Fay (Hector Alcalde and Paul Schlesinger)
  - Hillco Partners
  - Randy Cain
  - Kwame Walker
  - Susan Rocha
  - Jesse Romero

## BACKGROUND

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- The City of Dallas federal/state intergovernmental program is designed to:
  1. Enhance the City's ability to influence legislative issues that impact local government;
  2. Support passage of the City's federal and state legislative programs;
  3. Maximize federal support/resources for programs and special projects unique to Dallas;
  4. Increase the City's influence/presence with various organizations such as 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; and
  5. Link City and federal/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 including the Mayor and City Council, the City Manager, an Assistant City Attorney, City staff, and seven lobbyists (two federal/five state).

## MAYOR AND CITY COUNCIL (State and Federal)

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

## CITY MANAGER (State and Federal)

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### *Background:*

In 1996, an Assistant City Manager position was created as part of the City Manager's re-engineering. One of the primary responsibilities of this position was to oversee intergovernmental relations. In 1998, this responsibility was moved to the First Assistant City Manager. In 2004, the responsibility was moved to the City Manager.

### *Activities:*

- Develops relationships and partnerships with federal, state and local government agencies/officials;
- Liaisons with federal, state and local government, foundations, and various state and national groups (NLC, TML, USCM and ICMA);
- Provides management/legislative coordination for the City on state and federal issues;
- Identifies sources of grants, monitors application submissions and obtains grant awards;
- Advances miscellaneous special projects and programs; and
- In conjunction with the City Attorney's Office:
  - Implements and monitors the City's legislative program;
  - Acts as federal legislative lead; and
  - Provides state legislative back-up.

## ASSISTANT CITY ATTORNEY (State and Federal)

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### *Background:*

Since the early 1980's, the City Attorney's Office has served in a lobbying capacity for the City of Dallas.

### *Activities:*

- Develops and implements the City's legislative program;
- Advances miscellaneous special projects/programs;
- Forms coalitions on legislative matters with state and national groups (NLC, TML, USCM and other cities); and
- In conjunction with the City Manager's Office:
  - Implements and monitors the City's legislative program;
  - Acts as state legislative lead; and
  - Provides federal legislative back-up.

## CITY STAFF (State and Federal)

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### ***Background:***

In 1994, the Office of Intergovernmental Services (IGS) was created as a new function in the City of Dallas organization with the primary responsibility of developing relationships and partnerships at all levels of government and with other agencies.

### ***Activities:***

- Oversees federal legislative initiatives;
- Works closely with the City's lobbyists to monitor Congressional activities that affect the City;
- Assists in the development of the City's federal and state legislative programs;
- Identifies potential City programs/projects for funding, which includes determining city council and city management priorities, and seeks out all potential funding sources;
- Monitors the Texas State Legislature and works closely with the Assistant City Attorney assigned to State legislative activities;
- Develops relationships and partnerships with federal, state and local government agencies/officials; and
- Liaisons with federal, state and local government, foundations, and various state and national groups (NLC, TML, and USCM).

## TEXAS CITIES LEGISLATIVE COALITION (TCLC) Barbara T. McCall Associates (Federal)

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### *Background:*

The City joined TCLC in 1988 to protect Dallas' interests on all pending federal legislative and executive actions. TCLC (Barbara T. McCall Associates), founded in 1984, is currently comprised of the Cities of Dallas, Austin, Arlington, and Denton.

### *Activities:*

- Monitors federal legislation impacting TCLC cities and works with the Texas Congressional Delegation and the Executive Branch to advance interests and priorities of the cities;
- Works closely with national municipal organizations, e.g., NLC, TML, USCM, and ICMA to ensure awareness of the cities' positions and agendas;
- Briefs City of Dallas Council Members at annual meetings of NLC, and at any other time requested by the City. Visits Dallas at least two times annually; and
- Works closely with City officials and staff to develop legislative and grant strategies.

## ALCALDE AND FAY (Federal) Paul Schlesinger and Hector Alcalde

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### ***Background:***

When the City of Dallas 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. To successfully achieve these legislative initiatives, the City contracted with Paul Schlesinger and Hector Alcalde of Alcalde & Fay, a government and public affairs lobbying firm based in Arlington, VA. This firm possesses extensive knowledge, background and contacts in the fields of transportation and infrastructure and Army Corps of Engineers water projects. To date, the firm has helped secure over \$183 million for the Trinity River Corridor Project.

### ***Activities:***

- Provide 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 biennial Water Resources Development Act legislation to advance the project;
  - Assistance with other components of the Trinity Project as directed by the City Manager.

RANDY CAIN (State)  
KWAME WALKER (State)  
SUSAN ROCHA (State)  
JESSE ROMERO (State)

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***Background:***

In 1995, the City added contract lobbying assistance for state legislative activities. Four individuals currently provide this service as directed by the Assistant City Attorney.

***Activities:***

- 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; and
- Draft legislation as directed by the City Attorney.

## HILLCO PARTNERS (State)

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### *Background:*

The City of Dallas identified a need for services related specifically to Dallas water rights and issues. Hillco Partners, a well respected firm with specific water knowledge in the agency and legislative arena, was selected to provide legislative services in regards to Dallas water rights and issues during the 80<sup>th</sup> session. During the interim session, Hillco Partners assisted City staff in preparing the City's Legislative Program for the 81<sup>st</sup> Texas Legislature, and the firm will assist the City in implementation of these recommendations during the session. They have offices in both Austin and Washington, D.C.

### *Activities:*

- At the direction of the Assistant City Attorney and/or the City Manager, represent the City in dealings with elected and appointed officials, legislative staff, and interested stakeholders at the state level on matters identified by the City that relate to various aspects of providing municipal water and wastewater service with a particular emphasis on protecting water sources, revenue streams, permitting authority and home rule authority.
  - Provide analysis and tracking of government actions and decisions which could have an effect on the governmental affairs strategy as it pertains to municipal water and wastewater services.
  - Advise the City on legislative actions contemplated and taken with respect to identified issues and goals. Assist in the development of a strategy to accomplish the City's government affairs goals and objectives relating to municipal water and wastewater services.
  - Assist in developing both a short-term and long-term legislative agenda with regards to water policy issues that impact municipal water and wastewater services.
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- Advise of upcoming meetings, hearings, briefings and other formal or

informal sessions in a timely manner as to allow the City the opportunity to participate in advocacy efforts in furtherance of its legislative agenda on water issues.

- Assist in the support and passage of legislative initiatives that are proposed and identified by the City prior to the regular legislative session of the Texas Legislature.
- Assist in opposition efforts of legislation or other initiatives that arise that could have a negative impact on the ability to carry out governmental and proprietary functions relating to municipal water and wastewater services.
- Identify and implement strategies to enhance the City's profile with targeted individuals and entities including the arrangement of periodic visits and/or functions with key legislators and staff.
- Provide information to and educate decision makers with regard to interests and government affairs objectives relating to municipal water and wastewater issues.
- Monitor, by attendance at meetings and otherwise, state legislative and regulatory bodies considering legislation and/or rulemaking which could impact government affairs objectives and interests relating to municipal water and wastewater issues.
- Monitor and track legislation that impacts municipal water and wastewater issues during the regular session and any called special sessions of the Texas Legislature.
- Assist in preparing city officials who testify before the Texas Legislature.
- Assist in the coordination, development, and implementation of the City's legislative agenda on municipal water and wastewater matters.

## **Fiscal 2008-09 State and Federal Lobbyists Contract Renewals**

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|                                  | <u>Amount</u>                  |
|----------------------------------|--------------------------------|
| Barbara T. McCall and Associates | \$160,000                      |
| Hector Alcalde                   | \$73,800                       |
| Paul Schlesinger                 | \$43,650                       |
| Randy Cain                       | \$75,000                       |
| HillCo Partners                  | \$75,000                       |
| Kwame Walker                     | \$45,000                       |
| Susan Rocha                      | \$15,000                       |
| Jesse Romero                     | \$15,000                       |
| <b>Total</b>                     | <b>Not to exceed \$502,450</b> |

## RECOMMENDATION

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- Recommend renewal of contracts with the City's current lobbyists on the November 10, 2008 City Council Agenda.

# **APPENDIX**

## **STATE AND FEDERAL LOBBYISTS RECENT SUCCESSES**

## BARBARA T. MCCALL ASSOCIATES

### Recent Successes

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Worked to secure an authorization of the "Balanced Vision Plan for the Trinity River Corridor," including interior drainage, in the Water Resources Development Act of 2007 (PL 110-114) at a total project cost of \$459 million (\$298 million federal) with language crediting the City for work already completed on the project.

Worked to secure an authorization of \$40 million for water and wastewater infrastructure in south Dallas and neighboring cities in the Water Resources Development Act of 2007 (PL 110-114).

Secured funding for the following City projects in FY 2008 appropriation bills:

- \$783,000 for Prisoner Re-entry
- \$94,000 for police technology
- \$98,000 for Woodall Rodgers Freeway Deck Plaza
- \$98,000 for Upper Trinity – Dallas Floodway
- \$1.311 million for Upper Trinity River Basin
- \$12.587 million for Dallas Floodway Extension
- \$484,000 for Trinity wastewater reclamation study

Drafted testimony and provided support for Councilmember Vonciel Hill's testimony before the House Transportation & Infrastructure Committee on reauthorization of the Brownfield's Program.

Worked with Representative Eddie Bernice Johnson to include language in the House-passed FAA Reauthorization bill (HR 2881) to allow the use of Passenger Facility Charge (PFC) funds for intermodal access projects at five airports as a pilot program; also worked with her office on a colloquy with Transportation & Infrastructure Committee Chairman James Oberstar putting him on the record in full support of including Love Field in that pilot program.

Authorization of the Energy Efficiency & Conservation Block Grant (EECBG) in the Energy Independence & National Security Act (PL 110-140) and inclusion of \$295 million for EECBG in House Energy Department Appropriations bill (unnumbered draft).

Retained the "Texas city carve-out" in the reauthorization of the Internet Tax Freedom Act in December, 2007

Passage of Amtrak reauthorization bills that would support improved intercity passenger rail in both the House (HR 6003) and Senate (S 294)

Monitored housing foreclosure legislation (HR 3221) that includes a \$3.9 billion supplemental CDBG appropriations for the purchase and rehabilitation of foreclosed homes

Worked with Mayor Tom Leppert to help him secure a position on the US Conference of Mayors Advisory Board

Worked with Councilmember Steve Salazar to secure a position on the NLC Board

Worked with Councilmember Pauline Medrano to secure a position on the HELO Board of Directors

Assisted Councilmember Linda Koop with writing comments on the New Starts proposed rule

Assisted staff in addressing HUD concerns re: reuse plans for the Murchert Naval Reserve Center.

## ALCALDE & FAY

### Recent Successes

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A particular highlight of the past twelve months was enactment of the Water Resources Development Act (WRDA) on November 9, 2007. This legislation contains a provision authorizing construction of the Dallas Floodway project, as defined by the City's Balanced Vision Plan, and with the addition of our needed interior drainage work. The project's total authorization is \$459 million, with a federal share of \$298 million. This compares with a federal share of about \$51 million we believed we might anticipate if project construction were authorized in accord with the ongoing feasibility study.

The FY '08 Appropriations bill contained \$12.792 million for construction of the Dallas Floodway Extension. The President's budget request included no such funding. The same legislation included \$1.431 for the Upper Trinity Study (including the Dallas Floodway) compared with \$100,000 in the Administration budget.

The budget the President submitted to Congress earlier this year for FY '09 contained \$207,000 for the Upper Trinity study, entirely for the Dallas Floodway, and failed to include funding for the Dallas Floodway Extension. The funding bill reported from the House Appropriations Committee contains \$6 million for the Dallas Floodway Extension, and \$600,000 for the Upper Trinity study, of which \$207,000 is for the Dallas Floodway component. The Senate Appropriations-reported legislation contains \$1 million specifically designated for the Dallas Floodway, and \$13 million for the DFE. With regard to the DFE, it might be pointed out that the House and Senate numbers are identical to last year; a year in which we wound up with \$12.782 million in conference.

## **RANDY CAIN**

### **Recent Successes**

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**Worked on the following items included in the City's legislative package:**

**SB 105** Law school bill (also Law School authorization in HB 3057)  
Worked with bill sponsors and UNT staff to pass bill in Senate, get bill out of House committee and placed on House calendar. Worked with City Attorney's Office to get amendment drafted for HB 3057 amendment.

**SB 526** Parking ticket fine collection legislation  
Worked with House author to get bill out of committee and on House calendar.

**SB 350** Junk vehicle amendment  
Worked with Senate and House sponsors to amend bill to make it easier for City to remove junked vehicles from property.

**SB 3**, et al, Water bills  
Worked as directed by City legislative director to assist in passage of water bills.

**SB 1693** Inland Port bill  
Worked as directed by City legislative director to monitor and modify language in the bill.

Relating to the funding of convention center hotels in certain municipalities

- Tracked and monitored 78 bills filed during the regular session that could have been amended to repeal the state statute allowing Dallas to build a convention center hotel.
- Reviewed every bill and amendment filed in regular session regarding possible repealer legislation.
- Worked with the City Attorney's Office regarding legislative language in various bills and amendments that might have affected current state law.

- Worked with San Antonio to try to increase state contribution to convention center hotel construction on HB 3694 and SB 765.

## **WORKED TO OPPOSE THIS LEGISLATION**

### Appraisal Caps and Revenue Caps

Various legislation that would have imposed appraisal caps or revenue caps on local governments.

### **SB 46** Storage fees for stolen cars

Would have prohibited City from collecting storage fees in certain circumstances.

## **OTHER ACTIVITIES**

### TEXAS MUNICIPAL LEAGUE LEGISLATIVE POLICY COMMITTEES

Monitored the legislative policy committees as they held meetings in Austin in May through September of 2008.

Attended the Legislative Resolutions Committee meeting at the TML Annual Conference.

### Legislator Functions

- Attended over 100 state legislator functions during the contract year.

### Miscellaneous

- Assisted City Attorney's Office with various Legislator and staff requests.

## **HILLCO PARTNERS Recent Successes**

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The following is a brief recap of the accomplishments Hillco Partners helped the City of Dallas achieve this past session.

### **Passage of SB 3 (along with HB 3 and HB 4)**

HillCo Partners worked closely with the authors (Sen. Kip Averitt and Chairman Robert Puentes) of these bills to ensure that the City of Dallas is able to adequately address future water supplies. We negotiated numerous beneficial provisions contained in these bills, while at the same time working to defeat numerous detrimental amendments. For example, we worked to ensure that all reservoirs included in the 2007 State Water Plan were designated for future construction and that the land sites for construction would be protected until the sites are needed. In addition to the reservoir designations, we also worked to ensure that the environmental flows sections of the bill did not negatively impact existing water supplies and rights that the City of Dallas currently depends on to serve its citizens. HillCo Partners was basically involved in every aspect of the passage of SB 3 on behalf of the City of Dallas.

### **Education on Water Conservation Efforts**

As part of our overall strategy to assist with the passage of SB 3, we met with leadership and members of the Senate and House Natural Resources Committees to demonstrate to them the vast gains that the City of Dallas has made with water conservation efforts. By the end of the session, members who once opposed our efforts to pass SB 3 switched their positions based on the information we were able to provide.

### **Defeat of Negative “Water Reuse” Proposals**

Over the course of the legislative session, HillCo Partners worked to defeat proposals that would have greatly impacted the ability of the City of Dallas to

utilize “reuse” to meet future water needs.

### **TCEQ Policy Change Regarding Water Main Breaks**

Prior to session, HillCo Partners, working with City of Dallas staff, was able to achieve a policy change at the Texas Commission on Environmental Quality. This policy changed the way the TCEQ treats water main breaks and prevents the City of Dallas from being fined for water main breaks that they cannot prevent. Finally, this policy change led to the dismissal of existing regulatory enforcement proceedings that were seeking to recover fines from the City of Dallas.

### **Worked to Promote the Appointment of City of Dallas Representatives to Key Water Committees**

It is anticipated that within the next two weeks that Jodi Puckett and Ramon Miguez will both be appointed to separate basin and bay stakeholder committees by the Joint House and Senate Committee on Environmental Flows. These appointments will ensure that the City of Dallas will have a seat at the table in establishing reasonable environmental standards while at the same time balancing the need to properly manage water supplies.

We worked diligently in both the House and Senate to promote the two City of Dallas nominees to these highly sought-after positions. Our work on the City's behalf included meeting with all members of the Joint Committee and briefing House and Senate leadership on the need for the City of Dallas to be prominently represented in the process.

### **Worked to Ensure the City of Dallas has Opportunities to Provide Input on Key Water Issues**

Over the interim we have asked for and received opportunities from various legislative and administrative bodies to listen to the City of Dallas' policy

positions on numerous water issues. Most notably Senate Committee on Natural Resources and the Joint Committee on Water Funding both held hearings in the City of Dallas Library and invited City Staff to share their expert opinions on several important public policy issues related to water.

### **Assisted in Monitoring State Level Actions impacting City of Dallas Water Supply Issues**

During the course of the past year, HillCo Partners has interacted with executive, administrative and legislative leaders to determine if any actions are being contemplated that might impact future water supplies for the North Texas Region. For example, we have undertaken discussions with the Governor's Office and the TWDB on matters relating to the Lake Fastril litigation.

### **Attended and provided e-mail updates/ summaries to staff in All Natural Resources and Joint Committee on Water Funding**

Members of HillCo Partners have attended every interim hearing that could potentially impact the City of Dallas' legislative agenda as it relates to water issues. During the course of these hearings we have answered questions regarding the City of Dallas' policy positions and assisted in gathering factual materials. In addition to our education efforts, we are also monitoring for any indications of proposals that the City might oppose in the upcoming session. For example, the opponents to reservoir construction have stated they will attempt during next session to undue some of the successes we achieved in SB 3. Most notably they have indicated they will push for alternative water sources to be fully utilized before new reservoirs can be constructed.

### **Continued Efforts to Educate Legislative Members on North Texas Water Conservation Efforts**

HillCo Partners has taken every available opportunity to share information and

educate state legislative, executive and administrative leaders on the gains that the North Texas Region as a whole has made with regards to water conservation. We highlight these efforts due to the fact that telling the City of Dallas' "water conservation story" has been a key component to our legislative successes over the past years. In order to continue these successes we must ensure that members understand that the City of Dallas is committed to achieving greater water conservation overall. Our education efforts have been successful and we anticipate this aspect of efforts to be ongoing.

## KWAME WALKER Recent Successes

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### 2007 Successes

Kwame Walker & Associates attended and monitored the various pieces of legislation which were brought before the Committees. Included in the Committee's agenda was HB 1887 by Representative Truitt and sponsored by Senator Whitmire. Kwame Walker & Associates lobbied on behalf of the City of Dallas to pass into law this piece of legislation.

HB 1887 requires offenders to serve a minimum term of six months in county jail or one-year probation on their second offense, and after the third offense of burglary of a motor vehicle, the punishment will be enhanced to a state felony. This bill also provides additional financial support to the renamed Automobile Burglary and Theft Prevention Authority to safeguard against auto theft or burglary, study problem areas in regard to auto theft or burglary within the state, mandate a plan of action to address those problems, and to establish educational programs to educate automobile owners on preventing auto burglary or theft.

This piece of legislation was passed by the legislature and has been effective since September 1, 2007.

Attended and monitored all hearings of the Senate Committee and Urban Affairs Committee.

Kwame Walker & Associates attended and monitored the various pieces of legislation which were brought before the Committees. Included in the Committee's agenda was SB 350 by Senator Ellis and sponsored by Representative Noriega. Kwame Walker & Associates lobbied on behalf of the City of Dallas to pass into law this piece of legislation which included one of the City of Dallas' junk vehicle legislative priorities initiative.

SB 350 changed the definition of “junked vehicle” in the Transportation Code so that a vehicle must be lacking both an unexpired license plate and a valid inspection sticker in order to be defined as a “junked vehicle”. SB 350 also removed the automatic hearing requirement before mandating the abatement of an abandoned motor vehicle. Instead, SB 350 authorizes a person to receive a hearing only if the person requests a hearing before the date on which the nuisance must be abated or removed.

Other pieces of legislation worked on monitored:

- Photographic monitoring systems
- Tracked Sec. 351 of the Tax Code which includes Dallas in the population bracket to allow the use of both the hotel occupancy tax and state portion of the sales tax from a Convention Center Hotel to help finance the construction of that hotel.
- **HB 3 and HB 4 dealing with the water policy of the State.**
- Opposed Revenue/Appraisal Cap legislation which included HB 190, HJR 27, HB 2553, HB 3534, SB 1638, and HJR 53.

### Interim 2008 Successes

Represented the City before state agencies, legislators, and Senate and House committees as requested by the City Attorneys Office.

Attended and monitored all hearings of the House Environmental Regulation Committee and the Senate Intergovernmental Relations Committee.

During the interim of 2008 Kwame Walker & Associates attended and monitored various interim committee/interim charges.

Attended and monitored the Senate Finance Committee of the Subcommittee on Property Appraisal and Revenue Caps. Reviewed the property tax appraisal system, including the duties and responsibilities of chief appraisers and

appraisal districts, any abuses that occur in the appraisal process, the impact of HB 1010, 80<sup>TH</sup> Legislature, Regular Session, relating to appraisal districts crossing county lines and any benefits from requiring more uniformity in appraisal standards used by appraisal districts.

Attended and monitored the Senate Intergovernmental Relations Committee. Studied and made recommendations on Texas' housing programs, with particular focus upon: Increasing the effectiveness of the Texas Department of Housing and Community Affairs' Housing Tax Credit Program.

Monitored the expansion of the Housing Trust Fund by the 80<sup>th</sup> Legislature; reviewed the funds of other states to develop recommendations for a permanent funding source for the Texas Housing Trust Fund.

Reviewed the title insurance requirements relating to the purchase of a home under an installment contract or contract for a deed. Studied title insurance requirements and costs in Texas as compared to other states. Studied the provision of fire and emergency medical services through Emergency Service Districts (ESD) and make recommendations concerning the provision of those services, and for reconciling potential conflicts due to overlapping taxing jurisdictions in the areas of the state served by ESDs.

Reviewed the process for the creation of Municipal Utility Districts (MUDs) and other special districts and investigate whether the creation of a standard municipal utility district statute is feasible and whether it would enable the legislature to more efficiently evaluate proposed districts during the legislative session.

Monitor the implementation of legislation addressed by the Intergovernmental Relations Committee, 80<sup>th</sup> Legislature, Regular Session, and make recommendations for any legislation needed to improve, enhance, and/or complete implementation. Specifically, report on changes made by SB 968, relating to financing tools for certain obligations of The University of Texas

System and evaluate the need for further changes to Chapter 1371 Texas Government Code.

Attended and monitored the Senate Transportation Committee. Evaluated the state's homeland security efforts and the state's recent \$140 million investment in law enforcement to help secure the border and study and make recommendations to deter transnational and drug-related gang violence and crime, including the use of injunctions and any possible improvements to Chapter 125 of the Civil Practices and Remedies Code, relating to membership in street gangs.

Examine the roles and best practices among individuals, state and local governments, hospitals and other health care providers, and the insurance industry for disaster planning and first response efforts.

Study and make recommendations for improving management and oversight of Metropolitan Planning Organizations (MPOs)

Study Comprehensive Development Agreements (CDAs) and make recommendations to ensure the maximum benefit to taxpayers.

Study and make recommendations relating to the status of current and planned toll road projects in Texas, the use of public-private partnerships to build new roads and/or transit services, and the market valuation process.

Study the effectiveness of the Trans-Texas Corridor (TTC) and make recommendations for its future role in providing additional roads in Texas.

Monitor the implementation of legislation addressed by the Transportation & Homeland Security Committee, 80<sup>th</sup> Legislature, Regular Session, and make recommendations for any legislation needed to improve, enhance, and/or complete implementation.

Attended and monitored the Senate Select Interim Committee on Economic Development. Inventory economic development programs and incentives, including tax abatements, offered by state and local governments.

Review the costs and benefits of using the Texas Enterprise Zone Program as an economic development tool for local communities to partner with the State of Texas to promote job creation and capital investment in economically distressed areas of the state.

Attended and monitored the House Committee on Local Government Ways and Means. Study whether Texas law should be amended on the methods used to determine the "place of business" of retail operations under Chapter 321, Tax Code, governing municipal sales taxes and whether better defined procedures and limitations should be enacted to assist the comptroller in determining reallocation of sales tax revenues from one municipality to another.

Examine the procedure for appraising property for property tax purposes.

Attended and monitored the House Urban Affairs Committee. Assess the current senior housing market and available options for affordable senior housing.

Study and evaluate the levels, methods and alternatives by which the state funds all affordable housing programs, focusing on administrative cost-effectiveness to determine greater returns on investment, savings and efficiency.

## **SUSAN ROCHA**

### **Recent Successes**

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The Speaker of the House, Tom Craddick, issued his interim charges for House Committees in November 2007. The Lt. Governor issued the Senate interim committee charges late January 2008. Once the charges for these interim committees were set we knew which committees were going to hold hearings on the "hot topics" for cities during the interim.

### **Interim Committee Hearings**

#### **February 2008**

- The Senate Committee on Transportation and Homeland Security held hearings regarding state funding appropriations for TxDOT. Issues involved toll roads and claims by TxDOT that no funds were available to local projects.

#### **March 2008**

- Attended the New Braunfels Chamber of Commerce Legislative Day attended by Senator Wentworth, Senator Ellis. US Senator Kay Bailey Hutchinson and Commissioner Jerry Patterson, Texas General Land Office.

#### **April 2008**

- Monitor House Pension and Investment Committee hearing regarding additional contributions by employees to ERS to make up for the projected short fall in the fund and discussion regarding GASB 45.
- In April, Speaker of the House, Tom Craddick, appointed members to the Select Committee on Property Tax Relief and Appraisal Reform. It was the mission of this committee to hold hearing across the state to receive comments regarding property tax relief and appraisals.

- Monitor House Committee on Elections regarding voter fraud and possible voter I.D. legislation.
- Monitor Senate Committee on Natural Resources for city issues including TCEQ and river authorities across the state.
- Monitor interim hearing by Senate Intergovernmental Relations Committee regarding city issues including MUD's and ESD's.
- Monitor the House Committee on Local Ways and Means for city issues including membership of appraisal boards; discussed possibility of elected members.
- Monitor House State Affairs on interim charge asking for recommendations on greater cooperation between local authorities and the federal government on enforcing immigration laws.

### May 2008

- Attended the TML Policy Committee on Municipal Revenue and Taxation in Austin. Also in May, there were three days of interim committee hearings that I attended.

### June 2008

- Senate Natural Resources Committee hearing on Water Development Board; Water Conservation Advisory Committee; reclaimed water purple pipes.
- House Committee on Elections regarding electronic voting technology – benefits and risks, security and accuracy, voter confidence and paper trails.

### July 2008

- Monitor House State Affairs charge on the use of state funds to advertise government programs and services.

We continue to be vigilant regarding any attempt to erode our home rule authority.

**During the 80<sup>th</sup> Legislative Session, we monitored bills that attempted to limit a City's authority to regulate land use including:**

HB 3054 by Corte relating to the adjudication of claims arising under written contracts with local governmental entities.

SB 1677 by Hegar that would have made certain land use regulations a "conservation easement" which would have the same meaning as a taking under law.

HB 1732 & HB 1736 both by Kuempel that would have limited a city's ability to regulate McMansions.

All these bills required monitoring and testimony in opposition by city officials. In addition to these broad State-wide bills that affected municipalities, there were several bills that specifically impacted the City of Dallas. These bills included:

SB 46 by Nelson that would have required a city to waive storage fees and notice fees for recovery of stolen vehicles.

HB 1742 by Giddings as filed would have made some detrimental changes to the Urban Land Bank Demonstration Program Act.

SB 1296 by Wentworth regarding charitable property tax exemptions.

SB 1906 by West, Buddy that would have required an election if the city council adopted a policy providing that law enforcement personnel would not respond to any alarm signal indicated by an alarm system.

HB 2299 by Paxton that would have mandated a specific type of technology for water conservation for all cities.

We also monitored bills that may have resurrected the nuisance abatement

issue from the last Legislative Session that was targeted at the City of Dallas; amendments that would have restricted the use of red light cameras; legislation that would have affected reinvestment zones, or the convention center hotel tax provision.

We gathered support from other large Texas cities for HB 526 by Goolsby that would have assisted the City's ability to collect fines from the City's enforcement of parking violations. While unsuccessful during this Legislative Session, it did bring to the forefront the large amount of outstanding, unpaid parking violations. HB 2084 by Hill which would have removed the transit sales tax from the sales tax cap for the DART area was unsuccessful this Legislative Session. So was HB 257 by Carona relating to limitations on the combined rates of transit and other local sales and use taxes that would have exempted most mass transit sales taxes from the two percent cap on local option sales taxes.

## **JESSE ROMERO**

### **Recent Successes**

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During 2007, my main focus was to monitor the issues of appraisal caps and water. Over this time, I attended various meetings on the issues in Austin and San Antonio. I advised Mr. Larry Casto, on all the particulars of the events, the players involved and what it would mean for the City of Dallas.

During the 80<sup>th</sup> Regular Session of the Texas Legislature, I worked on the following issues for our city:

#### **Appraisal Caps:**

I monitored the legislation filed and attended committee meetings as assigned by Mr. Casto.

#### **Water:**

I monitored the legislation filed and attended committee meetings as assigned by Mr. Casto.

#### **State Parks Bill HB 6 (Hildebran):**

HB 6 was an omnibus bill whose general purpose was to address the waning funding for state parks by seeking to dedicate the sporting goods sales tax revenues to them. There was a provision of the bill that sought to allow Texas Parks & Wildlife to apply for federal grants for projects and maintenance of existing parks within the jurisdiction of municipalities with populations above 500,000. I was successful in ensuring that the City of Dallas was not adversely affected by these provisions that would have allowed Texas Parks & Wildlife to apply for grants from the federal government for projects within a municipality's jurisdiction without sharing those funds with that jurisdiction.

#### **Red Light Legislation:**

I worked on two bills in House Urban Affairs, HB 985 (Isett) that sought to revoke the use of traffic red light cameras, and HB 1052 (Calligari) that sought to post warning signs to motorists that red light cameras are in use. Knowing how

important our City's use of red light cameras are in deterring accidents and increasing public safety throughout the city; we moved to prohibit HB 985 from passing committee and worked with Rep. Calligari and the members of the committee to ensure the bill was fair to all. We were successful in killing HB 985 and in making HB 1052 a better bill before it was signed into law by Gov. Perry.

### **Air Pollution:**

I worked to defeat both SB 1317 (Jackson) and HB 3952 (Wayne Smith). The legislation sought to prohibit cities from protecting the air quality for its residents by prohibiting municipalities from issuing air pollution regulations outside their boundaries. SB 1317 did pass the Senate and advance to the House, but it did not make it out of House Calendars. HB 3592 never made it out of House Urban Affairs.

### **Inland Port / Alliance Airport:**

SB 1693 (Nelson / Brimer) proposed to set up an inland port authority that could tax and issue bonds to develop the area around Alliance Airport north of Dallas. We opposed the legislation as it initially sought to circumvent our ongoing efforts with the Wilmer-Hutchins development. As the bill moved through the Senate, we worked to keep Dallas in play in terms of our ability to participate & benefit from Alliance or Wilmer-Hutchins. The bill passed the Senate and was substituted in House Transportation by Rep. Krusee (R-Taylor). During the waning days of the session, the bill was overwhelmingly defeated 133 to 8 on second reading and died there on the House floor.

### **Scrap Metal Legislation:**

SB 642 (West) addressed the growing problem of copper theft and how it and other scrap metal is bought and sold at metal recycling centers. I worked to make sure that language in the bill dealing with local law did not infringe upon our City Ordinances that are stricter than those called for in the bill.

### **HB 526 (Goolsby):**

Would have helped Dallas, and other municipalities, collect overdue parking

ticket funds owed to it by placing a motorist's vehicle registration on hold until they paid their fines. This continues to be a big problem for us and around the state. I worked to disseminate positive literature to legislators and their staffs when the bill was introduced and as it made its way out of House Transportation and onto the House floor. Unfortunately, the bill was killed on a point of order

During this interim in 2008, I have continued to monitor issues relevant to our city and work under Mr. Casto's direction. I have attended and reported upon some hearings on water, secured witness lists and information the city needed on a hearing on air quality and helped the city obtain vital information on a recent Sunset Commission report on State Affordable Housing Corp. as it related to litigation our City is involved in.