

AD HOC LEGISLATIVE COMMITTEE
DALLAS CITY COUNCIL COMMITTEE AGENDA

TUESDAY, OCTOBER 13, 2015
CITY HALL
COUNCIL BRIEFING ROOM, 6ES
1500 MARILLA
DALLAS, TEXAS 75201
3:30 P.M. – 4:30 P.M.

2015 OCT -8 AM 8:54

DALLAS, TEXAS

Chair, Councilmember Lee Kleinman
Vice-Chair, Deputy Mayor Pro Tem Erik Wilson
Councilmember Tiffinni A. Young
Councilmember Adam Medrano
Councilmember Jennifer S. Gates
Councilmember Scott Griggs
Councilmember Rickey D. Callahan

Call to Order

1. Approval of Minutes

BRIEFINGS

2. Federal Legislative Update
Ralph Garboushian (via teleconference)
CapitalEdge Strategies
3. Federal & State Fiscal Year
2015-2016 Lobbyist Contracts
Larry Casto
Assistant City Attorney, City of Dallas

Brett Wilkinson
*Director, Office of Intergovernmental
Services, City of Dallas*

Adjourn



Lee Kleinman, Chair
Ad Hoc Legislative Committee

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.

A quorum of the City Council may attend this Council Committee meeting

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.

Legislative Ad Hoc Committee Meeting Record

The Legislative Ad Hoc Committee meetings are recorded. Agenda materials are available online at www.dallascityhall.com. Recordings may be reviewed/copied by contacting the Legislative Ad Hoc Committee Coordinator 214-670-5363

Meeting Date: Monday, February 9, 2015 **Convened:** 3:02 pm **Adjourned:** 4:18PM

Committee Members Present:

- Carolyn Davis
- Philip T. Kingston
- Jerry R. Allen
- Tennell Atkins
- Dwaine Caraway
- Lee M. Kleinman
- Rickey D. Callahan
- Sheffie Kadane
- Vonciel Jones Hill

Executive Staff Present:

Committee Members Absent:

N/A

Other Council Members Present:

N/A

LEGISLATIVE AD HOC COMMITTEE AGENDA

1. **Call to Order: Councilmember Davis**

2. **Review of the Legislative Program for the 114th Session of the United States Congress**

Presenter: Brett Wilkinson, Managing Director, Office of Intergovernmental Services, Ralph Garboushian, Capital Edge

Action Taken/Committee Recommendation(s)

Councilmember Kingston requested a list of the Dallas delegation that would be sympathetic to environmental issues

3. **State Legislative Update**

Presenter: Larry Casto, Assistant City Attorney

Action Taken/Committee Recommendation(s)

4. **Upcoming Agenda Items**

February 25, 2015

5. **Adjourned:** 4:18PM

Memorandum



DATE October 9, 2015

CITY OF DALLAS

TO The Honorable Members of the Legislative Ad Hoc Committee: Lee M. Kleinman (Chair), Mayor Pro Tern Erik Wilson (Vice Chair), Tiffinni A. Young, Adam Medrano, Jennifer S. Gates, Scott Griggs and Rickey D. Callahan

SUBJECT **Federal Legislative Update**

On October 13, 2015 the Legislative Ad Hoc Committee will receive a briefing on the federal legislative update. The briefing will be provided via teleconference by Ralph Garboushian, CapitalEdge Strategies.

The briefing materials are attached for your review.

Please let me know if you have any questions or require additional information.

A handwritten signature in blue ink, appearing to read 'R. S. Evans'.

Ryan S. Evans
First Assistant City Manager

c: Honorable Mayor and City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Eric D. Campbell, Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

Federal Legislative Update October 13, 2015



Major on-going federal issues for the City of Dallas:

- * Funding for core local government programs
- * Reauthorization of highway and transit programs
- * The Internet Tax Freedom Act
- * Sales Tax fairness
- * Protection of municipal bonds
- * Prevention of unfunded mandates and preemption of local authority
- * The Trinity River Corridor Project



Congressional Deadlines

- * FY 2016 began on October 1 and Congress has yet to send President Obama any of the 12 annual appropriations bills (continuing resolution through December 11)
- * The federal government will reach its statutory debt limit sometime in early November
- * Federal highway and transit programs expire October 29 and the Highway Trust Fund that finances them will be close to a zero balance by next spring
- * The Internet Tax Freedom Act expired October 1 (extended through December 11)
- * Federal aviation programs expired September 30 (extended through March 31, 2016)
- * The authorization for the Export-Import Bank expired in June
- * The Administration is moving forward with regulations related to fair housing, clean water, clean air and overtime pay



Budget Overview

FY 2015

- * The Murray-Ryan Budget Agreement gave congressional appropriators a common discretionary spending cap that avoided sequestration and forestalled major spending cuts for two years (FY 2014-FY 2015)

	City of Dallas Allocation				
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Core Local Government Program					
CDBG	\$16,270,526	\$14,720,740	\$13,921,262	\$13,572,496	\$13,457,745
HOME	\$7,480,380	\$4,700,686	\$4,240,210	\$4,365,818	\$3,956,627
Urban Areas Security Initiative	\$9,401,362	\$5,295,442	\$5,657,371	\$5,816,375	\$5,816,375
Byrne Justice Assistance Grant	\$1,063,711	\$784,388	\$701,791	\$713,708	\$624,061



Budget Overview

FY 2016 Appropriations

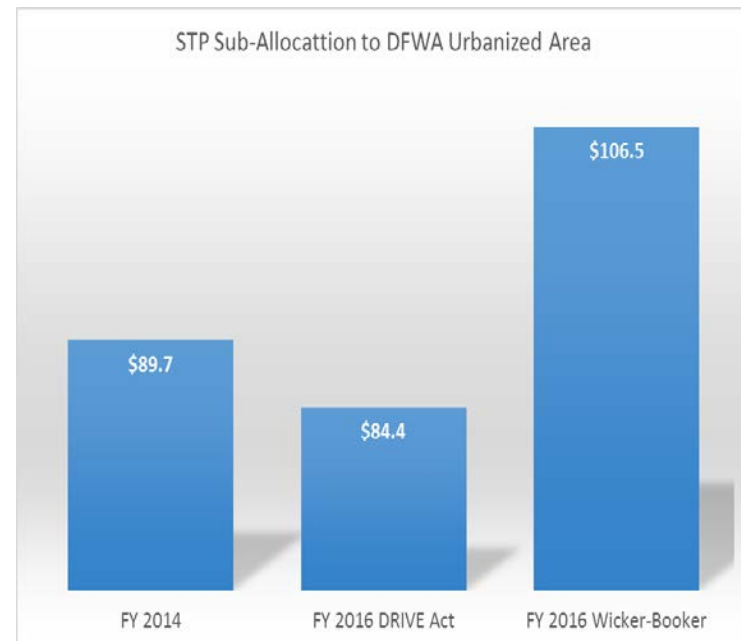
- * The expiration of the Murray-Ryan Budget Agreement means that sequestration is back
 - * The Administration proposed a FY 2016 Budget that assumes the end of sequestration
 - * Congress is crafting FY 2016 appropriations bills using a discretionary spending cap that reflects sequestration
- * The final outcome for FY 2016 appropriations remains unclear, but with the Administration and Congress \$75 billion apart, negotiations will be difficult
 - * Debt limit, efforts to overturn Administration regulatory actions, policy riders and other issues will complicate negotiations

	Administration	Congress (Sequester)
FY 2016		
Defense Discretionary	\$561 billion	\$523 billion
Non-Defense Discretionary	\$530 billion	\$493 billion
Total Discretionary	\$1.091 trillion	\$1.016 trillion



Surface Transportation

- * Prior to adjourning for the August recess, Congress enacted a three-month extension of highway and transit programs
- * In addition to the short-term extension, the Senate also passed a six-year reauthorization of highway, transit and intercity passenger rail programs
- * City priorities for reauthorization remain:
 - * Expanded sub-allocation of highway funds to urbanized areas
 - * A strong local role in decision making
 - * A focus on metropolitan mobility, including a strong transit program and expansion of the Transportation Alternatives Program



Surface Transportation (Continued)

- * The six year Senate bill would cut highway funding sub-allocated to urbanized areas
- * Senators Roger Wicker (R-MS) and Cory Booker (D-NJ) introduced an amendment to reverse those cuts and increase sub-allocation to metropolitan areas but the Senate did not take up the amendment
- * The City has taken a lead role with national local government organizations and continues to work with the congressional delegation to ensure that reauthorization reflects the City's priorities
- * In addition, the City has developed a strong working relationship with the Department of Transportation, most notably the Federal Transit Administration, which will be important as DART moves ahead with a second downtown light rail alignment and light rail station platform extension, and the City moves ahead with streetcar expansion



Internet Tax Freedom Act/Sales Tax Fairness/Local Authority

- * The Internet Tax Freedom Act was extended through December 11. In addition, the issue of sales tax fairness, a top City priority, has gained considerable momentum
- * The House passed a permanent extension of the Internet Tax Freedom Act
 - * The House-passed bill would maintain the exemption for Texas access line fees (approximately \$36 million/year for Dallas), a top City priority
 - * However, it would end the grandfather for Texas sales taxes on Internet access costing more than \$25/month (approximately \$500,000/year for Dallas)
- * Senators Michael Enzi (R-WY) and Richard Durbin (D-IL) continue to insist that any extension of the Internet Tax Freedom Act be paired with their sales tax fairness bill, the Marketplace Fairness Act (S 698)
- * In the last Congress, they introduced a bill that pairs the Marketplace Fairness Act (S 698) with a ten-year extension of the Internet Tax Freedom Act, including all exemptions and grandfathers
- * In the House, Representative Jason Chaffetz (R-UT) recently introduced legislation (HR 2775) similar to the Marketplace Fairness Act; it has garnered 46 cosponsors, including Representative Veasey
- * The City continues to successfully oppose efforts to preempt local authority in a number of areas, including:
 - * City management of public rights-of-way and City collection of fees for the use and management of public rights-of-way (\$27.5 million/year for telecom)
 - * City collection of hotel occupancy taxes (\$50.3 million/year).



Trinity River Corridor Project

- * The City continues to work with the Army Corps of Engineers and the Congressional delegation to advance the Dallas Floodway Extension and Dallas Floodway projects. However, the moratorium on earmarks remains an obstacle.



Memorandum



DATE October 9, 2015

CITY OF DALLAS

TO The Honorable Members of the Legislative Ad Hoc Committee: Lee M. Kleinman (Chair), Mayor Pro Tern Erik Wilson (Vice Chair), Tiffinni A. Young, Adam Medrano, Jennifer S. Gates, Scott Griggs and Rickey D. Callahan

SUBJECT **Federal & State Fiscal Year 2015-2016 Lobbyist Contracts**

On October 13, 2015 the Legislative Ad Hoc Committee will receive a briefing on the FY2015-16 lobbyist contracts. The briefing will be provided by Assistant City Attorney Larry Casto and Brett Wilkinson, Director of the Office of Intergovernmental Services.

The briefing materials are attached for your review.

Please let me know if you have any questions or require additional information.



A.C. Gonzalez
City Manager

c: Honorable Mayor and City Council
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager
Eric D. Campbell, Assistant City Manager

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Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

**FEDERAL & STATE
Fiscal Year 2015-2016
Lobbyist Contracts
October 13, 2015**



Overview

Recommend approval of contracts for legislative services with:

- * CapitalEdge Strategies (Ralph Garboushian)
- * Paul Schlesinger and Hector Alcalde
- * Randy Cain
- * Kwame Walker
- * Jesse Romero
- * HillCo Partners



CapitalEdge - Federal

Dallas is represented by CapitalEdge (Ralph Garboushian)

- * Monitors federal legislation impacting Dallas and works with the Texas Congressional Delegation and the Executive Branch to advance City's interests and priorities as directed by City Council
- * Works closely with national municipal organizations, including National League of Cities and US Conference of Mayors, to ensure awareness of the City's position and agenda
- * Briefs Council Members and staff at annual meetings of NLC
- * 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

Dallas joined the Texas Cities Legislative Coalition (TCLC) in 1988

- * TCLC is Dallas, Austin, Arlington, and Denton



CapitalEdge Recent Successes

- * Helped to preserve:
 - * **Core local government programs** in the face of sequester mandated austerity (CDBG, HOME, local law enforcement assistance)
 - * **Urban Area Security Initiative (UASI)**, which provides the Metroplex with **\$14 million** annually for disaster and terrorism preparedness and response
 - * Language that protects the City's ability to charge rent for the use and management of City rights-of-way (over **\$30 million** annually) in the House-passed renewal of the Internet Tax Freedom Act
- * Support from members of the House delegation for **sales tax fairness**
- * Strong delegation awareness of the importance of **tax-exempt financing**
- * General assistance and troubleshooting on a wide array of grant and regulatory issues
- * Implementation of final 2008 ozone standard thus removing DFW from threat of redesignation to "severe non-attainment"



Hector Alcalde and Paul Schlesinger - Federal

- * Provides services related to the City's infrastructure needs for the Trinity River Corridor Project including:
 - * Efforts to secure funding
 - * Promoting adoption of legislative provisions that are beneficial to the project
 - * Opposing legislation or regulations that might compromise the City's ability to complete projects
 - * Assisting with the development of strategies to facilitate Army Corps of Engineers and Department of Transportation implementation of City priorities
- * Provides legislative advocacy on federal transportation and water infrastructure that supports the City Council's strategic priorities



Hector Alcalde and Paul Schlesinger

Recent Successes

- * Helped to secure:
 - * Over \$100 million dollars for the Dallas Floodway Extension Project (DFE), most of which is above the amount requested by the Administration. Funding for DFE was accomplished almost entirely through “earmarks”
 - * Nearly \$100 million for Trinity River bridges
 - * Over \$11 million for the Dallas Floodway study, which is now complete
 - * \$459 million for federal authorization of the Dallas Floodway, prior to completion of the Army Corps study process. The typical Corps process would likely have resulted in a project with much more limited scope
- * Helped facilitate City discussion with Corps Headquarters on final approval of the Environmental Impact Statement for the Dallas Floodway
- * Crafted clarifying legislation, despite the congressional earmark ban, that specifically includes west levee interior drainage as part of the above-referenced authorization
- * Worked to secure \$8 million for the DFE Project in the FY 2015 Corps Work Plan



General Lobbyists (State)

Randy Cain, Kwame Walker, Jesse Romero

- * All lobbyists conduct necessary research, information gathering, and other supporting activities by 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



General Lobbyists Recent Successes

Initiatives Passed

- * HB 1289 – Inclusion of commercial property in Urban Lank Bank Program
- * HB 3160 – Expands municipalities' ability to file probate actions related to hazardous properties
- * HB 2590 – Related to Deceptive Trade Practices Act and criminal penalties in certain real estate transactions
- * SB 158 – Body Camera Pilot Program
- * HB 100 – Tuition Revenue Bonds (UNT Dallas College of Law)
- * HB 1733 – Transportation for Hire (insurance)
- * HB 994 – Methane Recapture Property Tax Exemption
- * SB 1101 – Protected Region C's interest in the Regional Water Planning Process (Rep. Sheets' amendment)



General Lobbyists Recent Successes

Opposed legislation that failed passage

- * Restrict Annexation
- * Preemption
- * Restrict Home Rule Authority
- * High Speed Rail
- * Bond Limitations
- * Revenue Caps
- * Limit Eminent Domain
- * CHL Cop Stop
- * Anti-Toll road
- * Concrete Barriers
- * Vehicle for Hire Preemption
- * Eliminate Red Light Cameras
- * Veto Power by Regional Water Planning District
- * Apply to Agency to Receive Disaster Recovery Funds
- * Scenic Texas Mandates Vegetation
- * Public Information Mandates
- * Restrict TIFs
- * Urban Garden Tax Exemption
- * Cost Benefit Analysis Building Codes



HillCo Partners (State)

- * Hillco Partners represents the City on water issues in the Texas legislature and with State Agencies
- * Works with City staff to represent the City on state level municipal water with a particular emphasis on funding for water resource projects, planning for water supplies, authority and regulation of water utilities, and use of eminent domain by utilities
- * Advises the City on legislative actions and helps develop both short-term and long-term legislative strategies with respect to municipal water issues



HillCo Partners Recent Successes

- * Identified and tracked over 100 bills which changed water statutes or policies that could have impacted the City
- * No legislation was passed or signed by the Governor which was detrimental to the City's utility or its water resources plans for the future
- * Facilitated conversation between the City, HillCo, and members of the Legislature concerning future water supplies.



State & Federal Lobbyist Contracts

Fiscal Year 2015-2016 Lobbyist Contracts

LOBBYIST	FOCUS	AMOUNT
CapitalEdge Strategies	Federal	\$160,000
Paul Schlesinger	Federal	\$43,650
Hector Alcalde	Federal	\$73,800
HillCo Partners	State	\$86,250
Randy Cain	State	\$83,100
Kwame Walker	State	\$45,000
Jesse Romero	State	\$30,000
Total	¹²	\$521,800



City Council Timeline

- * October 13, 2015– Legislative Ad Hoc Committee Briefing
- * October 28, 2015– Council vote on Lobbyist Contracts

