

Item 21



Travis County Commissioners Court Agenda Request

Meeting Date: Tuesday, April 16, 2013
Prepared By/Phone Number: Deece Eckstein, 854-9754
Elected/Appointed Official/Dept. Head: Deece Eckstein, 854-9754
Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE:

AT 11:00 A.M.:

CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING:

- A. UPDATE ON LEGISLATIVE ACTIVITIES;
- B. LEGISLATION RELATING TO JUVENILE JUSTICE, INCLUDING [SB 511](#);
- C. LEGISLATION RELATED TO EMERGENCY SERVICES DISTRICTS, INCLUDING HB 2170, HB 2171, AND SB 1596;
- D. LEGISLATION RELATED TO HOUSING FINANCE CORPORATIONS, INCLUDING HB 3775, HB 3777, HB 3778, AND HB 3779;
- E. LEGISLATION RELATING TO COUNTY AIR QUALITY FEES, INCLUDING [SB 1791](#) AND [HB 3812](#); AND,
- F. ADDITIONS TO THE PRIORITIES, POLICY POSITIONS AND THE POSITIONS ON OTHER PROPOSALS SECTIONS OF THE TRAVIS COUNTY LEGISLATIVE AGENDA.

SUMMARY AND IGR COORDINATOR RECOMMENDATION:

See attachments.

BACKGROUND:

1. 170 bills that IGR is tracking were heard in committee during the week of April 8-12. Of those, we provided written or oral testimony on 15 of them. See the attached spreadsheet for a summary of those bills.

ISSUES AND OPPORTUNITIES:

See attachments.

FISCAL IMPACT AND SOURCE OF FUNDING: Not applicable.

REQUIRED AUTHORIZATIONS: None.

NAMES, PHONE NUMBERS AND EMAIL ADDRESSES OF PERSONS WHO MIGHT BE AFFECTED BY OR BE INVOLVED WITH THIS REQUEST:

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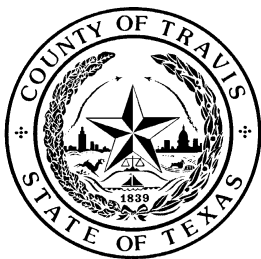
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AS OF	WEEK	1	2	3	4	5	6	7	8	9	10
THURSDAY		10-Jan	17-Jan	24-Jan	31-Jan	7-Feb	14-Feb	21-Feb	28-Feb	7-Mar	14-Mar
	HBs	446	550	686	845	1,035	1,282	1,582	2,001	2,841	3,862
	HJR s	39	43	44	51	58	63	72	83	106	130
	SB s	149	162	209	268	386	528	669	906	1,305	1,823
	SJR s	11	13	16	20	22	29	30	36	45	59
TOTAL	BILLS	645	768	955	1,184	1,501	1,902	2,353	3,026	4,297	5,874
TRAVIS COUNTY											
	TRACKED	167	281	305	368	474	551	636	712	1,064	1,428
	ANALYSES	109	137	281	346	430	485	627	723	878	1,135
	SUPPORT	0	0	0	0	0	0	0	0	0	3
	OPPOSE	0	0	0	0	1	1	1	2	14	14

AS OF	WEEK	11	12	13	14	15	16	17	18	19	20
THURSDAY		21-Mar	28-Mar	4-Apr	11-Apr	18-Apr	25-Apr	2-May	9-May	16-May	23-May
	HB s	3,891	3,898	3,913	3,927						
	HJR s	130	130	130	130						
	SB s	1,843	1,855	1,865	1,884						
	SJR s	61	61	61	62						
TOTAL	BILLS	5,925	5,944	5,969	6,003						
TRAVIS COUNTY											
	TRACKED	1,433	1,457	1,466	1,479						
	ANALYSES	1,320	1,404	1,513	1,582						
	SUPPORT	3	5	5	5						
	OPPOSE	14	14	17	21						



Intergovernmental Relations

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TO: Travis County Commissioners Court

THROUGH: Deece Eckstein, Coordinator, Intergovernmental Relations

DATE: Thursday, April 11, 2013 for Tuesday, April 16, 2013

RE: Legislation relating to juvenile justice, including SB 511

Bill/JR No. [SB 511](#), relating to the commitment of certain juveniles to local post-adjudication secure correctional facilities in certain counties and to the release under supervision of those juveniles.

Author Sen. John Whitmire

Last Action 04/04/2013 - Referred to House Corrections Committee

Bill/JR No. [HB 1388](#), relating to the commitment of certain juveniles to local post-adjudication secure correctional facilities in certain counties and to the release under supervision of those juveniles.

Author Rep. Paul Workman

Last Action 02/264/2013 - Referred to House Corrections Committee

Summary The bill would allow a juvenile court in a county with a population of at least 335,000 to commit juveniles adjudicated for a felony offense to a local post-adjudication secure correctional facility operated by or under contract with a local juvenile board or local juvenile probation department as an alternative to sending them to the State's institutional youth facilities. The bill also provides the ability for local juvenile probation departments to provide parole supervision for juveniles committed to and released from local post-adjudication secure correctional facilities.

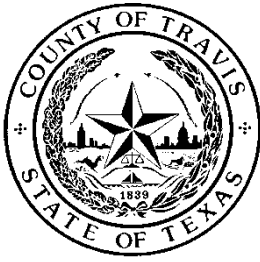
Impact Travis County has been a leader in the evolution of community-based incarceration and rehabilitation. The Juvenile Probation Department staff has been working with the authors on this bill.

The bill does not appropriate State money, but could be the basis for an appropriation to reimburse counties for their expenses in housing and providing services to additional juveniles.

**Legislative
Agenda** No relevant provision.

Recommend SUPPORT.

Court Action Motion to support SB 511 and HB 1388, and to communicate the Court's support to members of the Travis County delegation and the entire Legislature.



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TO: Travis County Commissioners Court

THROUGH: Danny Hobby, County Executive, Emergency Services
Deece Eckstein, Coordinator, Intergovernmental Relations

DATE: Tuesday, April 16, 2013

RE: Legislation related to emergency services districts, including HB 2170, HB 2171, and SB 1596

"Disannexation" Bills (ESD #11)

Under current law, when a municipality annexes territory that is in an emergency services district (ESD), that area is "disannexed" from the ESD and no longer part of its tax base/service area. The municipality must compensate the ESD for the pro rata share of the ESD's bonded and other indebtedness.

The committee substitutes for HB 2170 and SB 1596 are identical, and a PDF of the substitute is attached. CSSB 1596 passed the Senate Intergovernmental Relations Committee on Wednesday, April 10, and CSHB 2170 is scheduled for hearing on Thursday, April 11.

HB 2171 is not being moved at this time.

HB 2170 (Rodriguez, E.) and SB 1596 (Zaffirini)

Amends Health and Safety Code Section 775.022 and Local Government Code Section 43.056

- Clarifies that a municipal annexation does not have to remove territory from an ESD; in other words, the area may belong to both the municipality and the ESD.
- If the territory is annexed from an ESD, the municipality shall compensate the district immediately after disannexation of the territory according to the formula in Subsection (e).
- A municipality's service plan may not provide services in the area in a manner that would have the effect of reducing by more than a negligible amount the

level of fire and police protection and emergency medical services provided within the area before annexation.

- The municipality's service plan may authorize the ESD to provide supplemental fire and emergency medical services to the annexed area by means of an automatic aid or mutual aid agreement.

[HB 2171 \(Rodriguez, E.\)](#)

This bill proposes to amend Health and Safety Code Section 775.022 (a) and (c)

- Clarifies that a municipal annexation does not have to remove territory from an ESD; in other words, the area may belong to both the municipality and the ESD.
- There are 14 emergency services districts in Travis County and this will help clarify the process when annexation occurs.

By: _____ .B. No. _____

Substitute the following for ____B. No. _____:

By: _____ C.S. ____B. No. _____

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the annexation by a municipality of territory of an
3 emergency services district.

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

5 SECTION 1. Sections 775.022(a) and (c), Health and Safety
6 Code, are amended to read as follows:

7 (a) If a municipality completes all other procedures
8 necessary to annex territory in a district and if the municipality
9 intends to remove the territory from the district and be the sole
10 provider of [provide] emergency services to the territory by the
11 use of municipal personnel or by some method other than by use of
12 the district, the municipality shall send written notice of those
13 facts [that fact] to the board. The municipality must send the
14 notice to the secretary of the board by certified mail, return
15 receipt requested. The territory remains part of the district and
16 does not become part of the municipality until the secretary of the
17 board receives the notice. On receipt of the notice, the board
18 shall immediately change its records to show that the territory has
19 been disannexed from the district and shall cease to provide
20 further services to the residents of that territory. This
21 subsection does not require a municipality to remove from a
22 district territory the municipality has annexed.

23 (c) If a municipality removes [annexes] territory from [in]
24 a district that the municipality has annexed, the municipality

1 shall compensate the district immediately after disannexation of
2 the territory under Subsection (a) in an amount equal to the annexed
3 territory's pro rata share of the district's bonded and other
4 indebtedness as computed according to the formula in Subsection
5 (e). The district shall apply compensation received from a
6 municipality under this subsection exclusively to the payment of
7 the annexed territory's pro rata share of the district's bonded and
8 other indebtedness.

9 SECTION 2. Section 43.056, Local Government Code, is
10 amended by amending Subsection (f) and adding Subsections (p) and
11 (q) to read as follows:

12 (f) A service plan may not:

13 (1) require the creation of another political
14 subdivision;

15 (2) require a landowner in the area to fund the capital
16 improvements necessary to provide municipal services in a manner
17 inconsistent with Chapter 395 unless otherwise agreed to by the
18 landowner; [~~or~~]

19 (3) provide services in the area in a manner that would
20 have the effect of reducing by more than a negligible amount the
21 level of fire and police protection and emergency medical services
22 provided within the corporate boundaries of the municipality before
23 annexation;

24 (4) provide services in the area in a manner that would
25 have the effect of reducing by more than a negligible amount the
26 level of fire and police protection and emergency medical services
27 provided within the area before annexation; or

1 (5) cause a reduction in fire and police protection
2 and emergency medical services within the area to be annexed below
3 that of areas within the corporate boundaries of the municipality
4 with similar topography, land use, and population density.

5 (p) This subsection applies only to a municipality in a
6 county with a population of more than one million and less than 1.5
7 million. For a municipality that has adopted Chapter 143 and
8 directly employs firefighters, a service plan that includes the
9 provision of services to an area that, at the time the service plan
10 is adopted, is located in the territory of an emergency services
11 district:

12 (1) must require the municipality's fire department to
13 provide initial response to the annexed territory that is
14 equivalent to that provided to other areas within the corporate
15 boundaries of the municipality with similar topography, land use,
16 and population density;

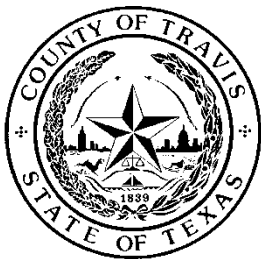
17 (2) may not provide for municipal fire services to the
18 annexed area solely or primarily by means of an automatic aid or
19 mutual aid agreement with the affected emergency services district
20 or other third-party provider of services; and

21 (3) may authorize the emergency services district to
22 provide supplemental fire and emergency medical services to the
23 annexed area by means of an automatic aid or mutual aid agreement.

24 (q) This chapter does not affect the obligation of a
25 municipality that has adopted Chapter 143 to provide police, fire,
26 or emergency medical services within the municipality's corporate
27 boundaries by means of personnel classified in accordance with that

1 chapter.

2 SECTION 3. This Act takes effect September 1, 2013.



Intergovernmental Relations

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TO: Travis County Commissioners Court

THROUGH: Julie Wheeler, Intergovernmental Relations

DATE: Tuesday, April 16, 2013

RE: Other legislation related to emergency services districts, including [HB 3763](#), [HB 3764](#), [HB 3798](#), [HB 3799](#), [HJR 148/SJR 62](#), and [HJR 149](#)

Emergency Services and IGR recommend that the Court take no action on these bills at this time.

SAFE-D bills

[HB 3763 \(Coleman\)](#)

This bill proposes to amend [Health and Safety Code Section 775.014 \(b\)](#)

- Under current law, an ESD cannot be created that includes territory within the boundaries or ETJ of a municipality unless a) the governing body of the municipality agrees or b) at least 50% of the voters and the owners of at least 50% of the property to be annexed petition the governing body to allow the annexation.
- This bill reduces the percentage of qualified voters (to 5%) and owner representation (to 5%) needed to petition for the inclusion of a municipality's territory in an emergency services district.

[HB 3764 \(Coleman\)](#)

This bill proposes to amend [Health and Safety Code](#) by adding Section 775.08221

- Under current law, an ESD must file an audited financial report with the commissioners court of the county in which it is located each year.
- This bill allows an ESD to submit an unaudited annual financial report to the commissioners court if the ESD:
 - did not have outstanding bonds or liabilities during the previous fiscal year,
 - didn't receive more than a total of \$250,000 in gross receipts from operations, loans, taxes, or contributions during the previous fiscal year;

- and did not have a total of more than \$250,000 in cash and temporary investments during the previous fiscal year
- Concern that audits provide better oversight for commissioners courts than unaudited financial statements

[HB 3798 \(Coleman\)](#)

This bill proposes to amend [Health and Safety Code Section 775.073](#)

- Under current law, an ESD may only use checks signed (by the treasurer) and countersigned (by the president) to pay bills. Any expenditure of over \$2,000 must be approved by the ESD board.
- This bill liberalizes these restrictions:
 - extends methods of funds disbursement to include draft, order or other instruments
 - The board may disburse funds transferred by wire
 - Provides that a majority of the ESD board's commissioners can authorize funds disbursements
 - The board may allow other district employees to disburse funds under \$2,000.00
 - Property purchased or leased with ESD funds belongs to the district, regardless of whether it is used by a third party, until it is sold or disposed of

[HJR 149 \(Coleman\)](#)

This bill proposes to amend [Section 48-e, Article III of the Texas Constitution](#)

- Transfers the authority from a commissioners court to an emergency service district to levy ad valorem taxes, issue bonds or other debt obligations, and grants the ESD the use of this revenue for operation costs and debt repayment
- Removes the constitutional 10-cent cap on the ad valorem tax rate
- Enabling legislation is [HB 3799](#)

[HB 3799 \(Coleman\)](#)

Enabling legislation for [HJR 149](#)

This bill proposes to amend [Health and Safety Code Sections 775.018 \(a\)](#) and [775.0745 \(a\)](#), and adds [775.074 \(f\)](#)

- Grants ESDs the ability to impose an ad valorem tax, which cannot exceed 10 cents on each \$100 valuation of taxable property in the district (statutory)

[HJR 148 \(Coleman\)/SJR 62 \(Hinojosa\)](#)

This bill proposes to amend [Section 48-d, Article III of the Texas Constitution](#)

- Creates statewide emergency and disaster response districts
- Provides authority to newly created districts to impose taxes and issues bonds

Benefits of 9-1-1 Emergency Communications District for the CAPCOG 10-county region
[HB 1124 \(Workman et al.\)](#), [SB 628 \(Watson\)](#)
(from Betty Voights, CAPCOG)

- CAPCOG, working with its cities and counties, have already worked together to design and construct a Digital 9-1-1 System, commonly referred to as NextGen 9-1-1, and can more efficiently provide 9-1-1 services as an independent district managed by the local governments which it serves.
- NextGen 9-1-1 implementation requires installation of a secure digital network and equipment in the call centers (Public Service Answering Points/PSAPs) that can accept text messages, photos and video, alarm system alerts, transmission of health data, and direct links with services like OnStar and Medical Alert systems for seniors. CAPCOG is on the forefront of transitioning to these capabilities, moving at a quicker pace than the other 23 COGs in the Commission for State Emergency Communications (CSEC) program. In fact, CSEC proposes these services in our region in the 2016-17 biennium at a projected cost of \$6,535,400; this number exceeds what is needed and planned for our system which will provide a higher level of service than proposed by the state agency.
- This legislation proposes an Emergency Communications District that represents a hybrid between a COG-managed 9-1-1 program and a traditional district such as Harris, Tarrant or Bexar Counties have. It provides broader interpretation of eligible uses of funding, an important factor for a metro area like Austin/Travis County which has not fared well under CSEC's one-size-fits-all approach, because larger metro areas require more sophisticated equipment for call distribution, dispatch interconnectivity, records management interface, and complex disaster routing.
- And districts, such as those named above, received the 9-1-1 services fees paid by their citizens directly which ensures a predictable funding stream and allows for establishment of a capital replacement fund so fees can be set aside for timely equipment replacement.
- Forming a district at the regional level makes sense; our NextGen network is already being tested by the City of Austin to provide redundancy for our radio interoperability system, also constructed at a regional level. Plus, local governments of this region have developed protocols for regional response in the event of natural and manmade disasters using homeland security funding for the response equipment and radio system. These same local governments share an Emergency Notification System ("reverse 911") at regional level. The next step is to coordinate and link these systems with 9-1-1.
- CAPCOG working with its cities and counties is prepared to take this step but it's difficult to do it without adequate funding; this biennium CAPCOG is operating the region's 9-1-1 system on 68 percent of the funding paid by citizens of our cities and counties. We ask for a mechanism to ensure full funding and to allow us to proceed at the rate our citizens deserve, not wait for CSEC.
- Because Ch. 771.078 of the Health & Safety Code governing 9-1-1 programs operated by Regional Planning Commissions (COGs) calls for the fees collected to be distributed back to the

COGs proportionally based on population to provide 9-1-1 service, there should be no cost to the State unless non-appropriation of said funds is considered a cost.

Summary: There are several factors which make the case for designation of the ten-county region served by CAPCOG as a Regional Emergency Services District; the two primary factors are the population served by the COG's current 9-1-1 program and the rapid pace at which CAPCOG working, with its local governments, are deploying a NextGen digital 9-1-1 system while integrating additional emergency communications systems for radios and reverse 9-1-1.

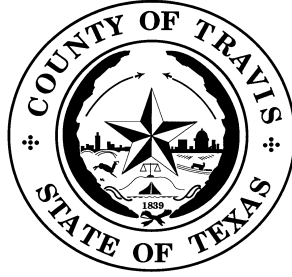
The nature of this region with unique growth issues coupled with a higher use of 9-1-1 requires sophisticated equipment and networking which cannot be funded under CSEC's rules.

- While 77 percent of the PSAPs in the CSEC program are three call-taking positions or less, half of CAPCOGs are larger:
 1. Austin-Travis County Combined Center – 78 positions
 2. Williamson County – 12 positions
 3. Round Rock 8
 4. Georgetown 6
 5. Hays County Consolidation (in progress) – 17 positions
- The average PSAP in the CSEC program represents 25,000 citizens or less; CAPCOG' PSAPs serve an average 60,000 citizens.

The rate of implementation of the NextGen 9-1-1 system as well as local 9-1-1 projects undertaken by individual counties continue to be called into question when the fees generated by the region are not returned to fund these services. The uncertainty of the biennial appropriation process, possible redirecting of 9-1-1 funding to non-local projects, and restrictive policies by CSEC make it ensure funding will be available for our region's 9-1-1 functions.

- All COGs are scheduled by CSEC on a 10-year equipment replacement schedule; however, there is no way to predict if sufficient revenue will be appropriated each biennium to cover replacement costs and this problem is larger for the COGs serving the largest population (highest call volumes translate to life of equipment).

Resolution



WHEREAS, all cities and counties in the Capital Area Council of Governments (CAPCOG) region with Public Safety Answering Points (PSAPs) providing 9-1-1 call taking services within their communications centers participate in its Regional 9-1-1 Program; and,

WHEREAS, the local governments working in partnership with CAPCOG are prepared for full implementation of Next Generation 9-1-1 (NG 911) to include an Emergency Services Internet as the platform for digital data to accompany 9-1-1 calls thereby allowing transmission of video, text, medical alerts, and other automated data resulting in a higher quality of service to citizens of this region; and,

WHEREAS, CAPCOG's progress to implement NG 911 as well as to integrate other emergency communications systems like "Reverse 911" and radio interoperability communications systems can be better sustained by a predictable revenue stream and expanded control over capital investments and operating policies currently not possible under the rules of the state's 9-1-1 agency, the Commission on State Emergency Communications; and,

WHEREAS, recognizing that the elected officials who serve on CAPCOG's Executive Committee are better positioned to have oversight over the region's 9-1-1 program than a state agency, thus ensuring the development and implementation of a plan that allows local governments to leverage local investments to collectively achieve maximum effectiveness and efficiencies; now therefore,

BE IT RESOLVED that the Travis County Commissioners Court supports legislation to designate the Capital Area Council of Governments as an Emergency Communications District allowed by Chapter 772 of the Health and Safety Code of the State of Texas; and,

BE IT FURTHER RESOLVED that the Travis County Commissioners Court supports the passage of House Bill 1124 and Senate Bill 628 and wishes to communicate that support to members of the Travis County delegation and to the entire Legislature.

SAMUEL T. BISCOE
COUNTY JUDGE

RON DAVIS
COMMISSIONER, PCT. 1

SARAH ECKHARDT
COMMISSIONER, PCT. 2

GERALD DAUGHERTY
COMMISSIONER, PCT. 3

MARGARET J. GÓMEZ
COMMISSIONER, PCT. 4



Travis County Commissioners Court Agenda Request
TRAVIS COUNTY HOUSING FINANCE CORPORATION

Meeting Date: April 16, 2013

Prepared By/Phone Number: Andrea Shields, Manager/854-9116

Elected/Appointed Official/Dept. Head: Leslie Browder, County Executive, Planning and Budget/854-9106

Commissioners Court Sponsor: Samuel T. Biscoe, President

AGENDA LANGUAGE:

Consider and take appropriate action on legislation related to housing finance corporations, including HB 3775, HB 3777, HB 3778 and HB 3779.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS: See attached backup.

STAFF RECOMMENDATIONS: Staff recommends approval.

ISSUES AND OPPORTUNITIES: None.

FISCAL IMPACT AND SOURCE OF FUNDING: None.

REQUIRED AUTHORIZATIONS: Andrea Shields, Manager/854-9116; Leslie Browder, County Executive, Planning and Budget/854-9106

HB 3775 by Rep. Isaac

This bill would require that applications for 4% Housing Tax Credits be scored using the same process as the competitive 9% program. To be successful, the 4%/Private Activity Bond financed development would need to outscore the regional “winner” in the 9% program.

Under the Tax Code, the 9% program is competitive & very popular because the private equity injection is much more than that of a 4% transaction. If an application could outscore the competition in a region, it would be a 9% application.

Due to this conundrum, the 4%HTC/PAB program would be obsolete. Local HFC issuers and the statewide issuers would be unable to issue these bonds.

Other issues of concern:

- The Private Activity Bond Program operates on a totally different schedule than the 9% HTC program. The PAB program has six distinct subceilings including Student Loan Programs, Industrial Development Projects, Single Family Homeownership Issues, MultiFamily Issues, State Voted Issues, and a general subceiling which includes large projects for users such as Exxon, Dow Chemical, etc.
- The PAB program schedule is woven together with distinct deadlines so that as issues close or withdraw, allocation falls to other subceiling and issuer types. All categories are interrelated as the program progresses through the calendar year. To alter the process in the multi-family subceiling would impact all other issues.
- Local issuers have very few income sources. The income earned by many HFCs is used to fund assistance programs, loans, educational classes, etc. This would create a substantial problem for many local issuers.
- 4%HTC/PAB issues tend to be more locally driven to meet the needs of a community. The 9% program is often more driven by the state concerns. 9% transactions are almost impossible to do in rural areas and one of the only other tools is the 4% program.

HB 3776 by Rep. Isaac (NOT INCLUDED IN THE LETTER TO THE URBAN AFFAIRS COMMITTEE)

This bill has been assigned to the House Committee on Public Education

This bill would amend the Education Code by adding a provision that any payment received in the form of a "PILOT" (Payment In Lieu Of Taxes) on a property which received housing tax credits from TDHCA, and whose owner is exempt from ad valorem taxation, must be used as if the payments were maintenance and operations tax revenue.

Other issues of concern:

- This impacts affordable housing developments but not the other type of projects using PILOTS.

HB 3777 by Rep. Isaac

This bill would amend Chapter 394, Local Government Code (Housing Finance Corporation Act). These amendments will ONLY impact private activity bonds issued by Local Housing Finance Corporations.

The bill requires that all Governmental Units containing the proposed development must issue an approval resolution. Also the units of government must consider comments made at the TEFRA hearing and may refuse to approve the bonds following the hearing.

Other issues of concern:

- It is probably not a concern for a local HFC to get a Local Government Resolution of Approval. However, since the State Issuers do not have the same requirement, it results in the loss of local control and allows a developer who could not get that local approval to go to a state issuer to avoid the conflict.

HB 3778 by Rep. Isaac

This bill would amend Chapter 394, Local Government Code (Housing Finance Corporation Act) and Chapter 1371 , Government Code. These amendments will ONLY impact private activity bonds issued by Local Housing Finance Corporations.

The bill requires that all issuances by Local HFCs receive full Bond Review Board approval, such as the approval required for all state issued debt.

Other issues of concern:

- The Texas Bond Review Board is charged with the review and approval of debt issued by STATE agencies and STATE institutions of higher education. The Board has never had the authority to perform the same process on any type of local debt or debt by a local conduit issuer.
- This amendment clearly gives the state the authority to reverse a local decision on a conduit issuance by an HFC – but not for any other type of local conduit issuer that uses the same Private Activity Bond Program.

HB 3779 by Rep. Isaac

This bill is a combination of the language from HB3775, HB 3776, HB 3777, and HB 3778. HB 3776

TRAVIS COUNTY HOUSING FINANCE CORPORATION

DATE: April 9, 2013
TO: Board of Directors
FROM: Andrea Shields, Corporations Manager
SUBJECT: Letter in Response to Legislation Under Consideration Relating to Housing Finance Corporations

Judge Biscoe and Commissioners:

There are several bills sponsored by Rep. Isaac that have now been referred to the House Committee on Urban Affairs. These bills target Housing Finance Corporations, multifamily tax exempt bond issues and/or properties receiving 4% tax credits in conjunction with tax bond issues. Most pressingly, the legislation would require that applications for 4% tax credits to the state would require the same rigorous scoring as the 9% tax credit applications, and the properties would have to score equal to or higher than the 9% tax credit winner in that region to receive an allocation of 4% tax credits and receive a bond allocation. For various reasons, this would likely end virtually all 4% tax credit/tax exempt bond transactions in the state. Also, the legislation would require that every bond issue from an HFC, both single family and multifamily, would require full approval of the entire Bond Review Board even if the project were not applying for volume cap. From a housing and HFC perspective, these bills, if passed, could have a significant impact on our ability to provide affordable housing to the residents of Travis County and will also impede our ability to generate revenue that can then be reinvested in other housing programs, such as homebuyer's assistance, grant programs, etc. The attached letter is intended to go to the members of the House Committee on Urban Affairs. If you could please review the letter and sign, if you agree with our position, we would greatly appreciate it. One of the state trade organizations, the Texas Association of Local Housing Finance Agencies, will visit the Capitol tomorrow to bring these letters and those from other HFCs all around the state to demonstrate opposition to the legislation. Please let me know if you have any questions or concerns, and thank you for your assistance with this.

Regards,

Andrea Shields
xt. 49116

TRAVIS COUNTY HOUSING FINANCE CORPORATION

TRAVIS COUNTY ADMINISTRATION BUILDING
P.O. Box 1748
(512) 854-9116

700 LAVACA STREET – SUITE 1560
AUSTIN, TEXAS 78767
Fax (512) 854-4210

April 9, 2013

The Honorable Harold V. Dutton, Jr., Chair
The Honorable Carol Alvarado, Vice Chair
The Honorable Rafael Anchia
The Honorable Gary Elkins
The Honorable Jeff Leach
The Honorable Justin Rodriguez
The Honorable Scott Sanford

Dear Representatives:

On behalf of the Travis County Housing Finance Corporation, I am writing to share our concerns with four bills which have been referred to the House Committee on Urban Affairs. **We are OPPOSED to the bills.**

We believe that these bills could impact the availability of quality, affordable workforce rental housing in our community and communities across Texas. HFCs have very few tools to produce quality rental housing for our workforce. We can't afford to lose any resources we currently have.

As you know, Local Housing Finance Corporations (HFCs) are created by city and county governmental units to address the needs of low to moderate income working families in their local communities. HFCs are instrumental in offering programs for First-Time Homebuyers and quality residential rental housing. The rental housing is often referred to as "Workforce Housing". The governmental unit or units that created the HFC is also responsible for appointing Board Members to serve on the HFC Board. Often the board members are the elected officials themselves. In other cases, the officials name others to serve on their behalf.

Here are just a few of our concerns with HB 3775, HB3777, HB3778, HB 3779 as filed by Representative Isaac:

- Local HFCs would be unable to issue Private Activity Bonds in the future. (as would other issuers)
- Loss of Local Control for communities in Texas to address their housing needs
- Loss of revenue for Local Housing Finance Corporations
- With loss of revenue comes loss of services local HFCs provide in their communities (i.e. Down Payment Assistance grants, homebuyer education classes, financial preparation classes & loan programs)
- Loss of the availability of workforce housing in local communities would negatively impact economic development – especially in rural areas
- Loss to the local communities of the positive economic impact realized from a new development

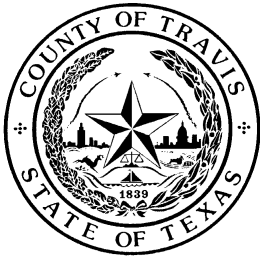
I would welcome any questions you may have. I can be contacted at either 512-854-9116 or andrea.shields@co.travis.tx.us.

Thank you for your consideration

Sincerely,



Andrea Shields
Manager
Travis County Housing Finance Corporation



Intergovernmental Relations

Deece Eckstein, Coordinator

700 Lavaca Building, Suite 360
Austin, TX 78701

(512) 854-9754

deece.eckstein@co.travis.tx.us

Twitter: [@TravCo_IGR](https://twitter.com/TravCo_IGR)

TO: Travis County Commissioners Court

THROUGH: Deece Eckstein, Coordinator, Intergovernmental Relations

DATE: Thursday, April 11, 2013 for Tuesday, April 16, 2013

RE: County air quality fees bills

Bill/JR No. [SB 1791](#), relating to a county air quality fee imposed at the time of an emissions-related inspection.

Author Sen. Kirk Watson

Last Action 03/25/2013 S Referred to Natural Resources

Bill/JR No. [HB 3812](#), relating to a county air quality fee imposed at the time of an emissions-related inspection.

Author Rep. Donna Howard

Last Action 03/25/2013 H Referred to Environmental Regulation

Summary Would permit a commissioners court in nonattainment and near-nonattainment counties to impose a "county air quality fee" on all vehicle emissions inspections and use the revenues to develop and manage programs in that county similar to LIRAP and LIP. The amount of the fee is set by the court, but could not exceed levels allowed by state law.

Impact If the County elects to withdraws from the State LIRAP/LIP programs, this legislation will directly benefit Travis County by providing more funding for – and local control over – initiatives to improve air quality in our area.

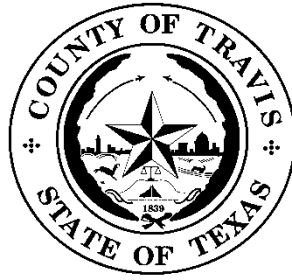
Legislative Agenda "Support full funding for the Low Income Repair Assistance, Retrofit and Accelerated Vehicle Retirement Program and the Local Initiative Projects." (ENV-12)

Recommend SUPPORT, based on Legislative Agenda position.

Court Action None at this time.

Resolution

DRAFT



WHEREAS, Travis County Government believes that local government best understands and responds to the needs of its constituents; and,

WHEREAS, the Travis County Commissioners Court supports efforts to enhance our interactions with our residents; and,

WHEREAS, the Court recognizes that improving technologies increase the efficiency and accessibility of government to all residents; and,

WHEREAS, several bills have been filed in the 83rd Texas Legislature, Regular Session, that propose the use of technology to enhance the delivery of information and services to our residents; now therefore,

BE IT RESOLVED that the Travis County Commissioners Court supports legislation and budgeting decisions that permit counties to use technology to improve the delivery of information and services to their residents, when the legislation is a) permissive, b) actually improves the delivery of information and services to our residents and, c) does not replace existing technologies in ways that harm or reduce the current delivery of information or services to our residents; and,

BE IT FURTHER RESOLVED that the Travis County Commissioners Court pledges to work with members of the Travis County delegation and the entire Legislature to fashion legislation to accomplish this goal.

SAMUEL T. BISCOE
COUNTY JUDGE

RON DAVIS
COMMISSIONER, PCT. 1

SARAH ECKHARDT
COMMISSIONER, PCT. 2

GERALD DAUGHERTY
COMMISSIONER, PCT. 3

MARGARET J. GÓMEZ
COMMISSIONER, PCT. 4