



Travis County Commissioners Court Agenda Request

Meeting Date: Tuesday, November 18, 2014
Prepared By/Phone Number: Deece Eckstein, 854-9754
Elected/Appointed Official/Dept. Head: Deece Eckstein, 854-9754
Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE:

CONSIDER AND TAKE APPROPRIATE ACTION ON ADOPTION OF THE TRAVIS COUNTY LEGISLATIVE AGENDA FOR THE UPCOMING REGULAR SESSION OF THE 84TH TEXAS LEGISLATURE.

SUMMARY OF REQUEST AND ATTACHMENTS: The 84th Texas Legislature will convene on Tuesday, January 13, 2015. As in the past, the Commissioners Court will adopt a Legislative Agenda which will guide the IGR Office and the county's legislative consultant in their dealings with the Legislature. A proposed Legislative Agenda is attached for Court consideration.

STAFF RECOMMENDATION: IGR recommends that the Travis County Commissioners Court adopt the attached Legislative Agenda for the 84th Texas Legislature.

BACKGROUND: The Texas Legislature meets in Regular Session for 140 days every two years, commencing on the second Tuesday of January. In 2015, it will convene on January 13, and remain in session until Monday, June 1.

Each session, the Commissioners Court adopts a Legislative Agenda and modifies and supplements it as needed during the session.

Attached is a draft of the Legislative Agenda document. It is divided into four sections:

- a) **Principles for Legislative Action**, highlighting the key values of the Court with regards to the legislative process;
- b) **Priorities**, the key policy proposals and specific pieces of legislation on which the Court wishes the IGR Office and the legislative consultants to focus their efforts;
- c) **Policy Positions**, the Court's position on issues affecting the County which the Court wishes communicated through the legislative process; and,
- d) **Positions on Other Proposals**, on which independent county elected officials or other groups or organizations have asked the Court to take a position.

The document presented reflects the input of county Elected and Appointed Officials, County Executives and senior department managers, and additional policy experts who participated in fashioning the proposal. It has been reviewed and approved by the Legislative Subcommittee.

ISSUES AND OPPORTUNITIES: The coming legislative session will be marked, as the last one was, by significant turnover. All six of the top statewide offices will have new occupants, a rarity which last occurred a century ago. In the House, 25 members out of 150 will be new. Turnover will be even more pronounced in the Senate, with eight new members out of 31. There is only one change to the 10-member Travis County delegation: Mark Strama resigned in the middle of his term and was replaced by Representative Celia Israel.¹

The budget outlook is downright rosy as we head into the 84th Legislature. Although the Comptroller will not release a revenue estimate until early next year, sales tax revenue collections in the last year are up significantly over the previous year and over projections. The Rainy Day Fund is growing healthily, notwithstanding a \$2 billion transfer to the SWIFT water development fund approved by voters last year and a \$1.7 billion/year diversion for transportation projects just approved by voters in the November general election.

A caveat: although the State may have more money available than ever before, the Legislature may well be the most fiscally conservative in history.

¹ In order of seniority, Senators Judith Zaffirini, Troy Fraser, Kirk Watson and Donna Campbell, and Representative Elliott Naishtat, Dawnna Dukes, Eddie Rodriguez, Donna Howard, Paul Workman and Celia Israel.

As in previous sessions, Travis County will work closely with its counterparts in the Conference of Urban Counties, the Texas Association of Counties and the County Judges and Commissioners Association of Texas, and the proposed agenda reflects some of their priorities as well.

Once the Court has adopted a legislative agenda, IGR and the legislative consultants will work to:

- 1) Get bills to accomplish our legislative priorities drafted; and
- 2) Identify and approach bill sponsors from among the Travis County legislative delegation (usually after committee assignments are finalized).

The Court's adoption of its legislative agenda will also lend guidance to the IGR Office as it reviews newly-filed bills and determines which ones to track and which ones to bring to the Court for specific action. In this process, IGR will work with subject matter experts in Travis County government and vet their recommendations with County Executives and elected officials.

FISCAL IMPACT AND SOURCE OF FUNDING: N/A

REQUIRED AUTHORIZATIONS: None.

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ATTACHMENT:

1. PROPOSED Travis County Legislative Agenda for the 84th Texas Legislature, November 18, 2014.

TRAVIS COUNTY LEGISLATIVE AGENDA

84TH TEXAS LEGISLATURE

Travis County is the fifth-largest county in Texas, with a population of over one million people. Travis County is known for its natural beauty, thriving economy and civic spirit. Home to the state capital and The University of Texas at Austin, Travis County is enriched by its diverse and well-educated population.

As a political subdivision of state government, Travis County requires legislative authority to enhance and improve the services it delivers. The Travis County Commissioners Court desires to enhance the quality of life of all Travis County residents and to provide the maximum return on investment for all revenues entrusted to the County.

Principles for Legislative Action

The Commissioners Court has adopted the following principles for the 83rd Texas Legislature:

- ★ Travis County is a unique place, and Travis County government should preserve and enhance the human, economic, cultural and natural resources of the area.
- ★ Travis County government acts as a steward of the public trust and of public resources entrusted to its care.
- ★ The Travis County Commissioners Court is committed to providing the maximum value and return on investment for all revenues entrusted to the County.
- ★ The Travis County Commissioners Court believes that local government best understands and responds to the needs of its constituents. Therefore, it seeks maximum flexibility in implementing the policies and programs mandated by the Legislature.
- ★ In a time of dramatic budget shortfalls at the state level, the Travis County Commissioners Court opposes legislation or budgeting decisions that would shift the cost of state-funded programs to local governments.
- ★ The Travis County Commissioners Court believes counties need greater authority and tools to deal with the challenges of a rapidly-urbanizing area in rapidly-changing times.
- ★ The Travis County Commissioners Court supports collaboration on legislative issues with other counties through the Conference of Urban Counties, the Texas Association of Counties and the County Judges and Commissioners Association of Texas, whenever its interests do not conflict with theirs.

Priorities

(Items in this list are the legislative priorities for the IGR staff and the legislative consultants. The list will be modified throughout the session as the Commissioners Court assigns and reviews those priorities.)

1. Oppose legislation or budget decisions that would create unfunded mandates or divert county revenues. (TRBA-1)
2. Oppose legislation that would limit the County's ability to meet the needs of its citizens by artificially capping appraisal values or county revenues. (TRBA-2)
3. Support additional funding for programs that provide necessary benefits and services to Travis County residents. (HHS-1)
4. Support legislation that would provide funding and infrastructure to improve the availability and continuity of mental and physical health care between county jails and the community. (JCJ-MH-1)
5. Support legislation giving counties the necessary tools to manage growth, protect property values, and preserve quality of life in the unincorporated areas. (GMLU-1)
6. Support equitable additional funding for transportation infrastructure, including rail and public transit. (MTF-2)
7. Support legislation to clarify the geographic extent of ad valorem tax liens on business personal property. (TRBA-11)

Policy Positions

(Items in this list are the legislative policy positions of Travis County.)

Emergency Services

1. Support legislation to amend the medical examiners' statutes to promote best practices throughout the State while preserving local control and flexibility.
2. Oppose legislation that would further limit county authority to regulate fireworks to protect public health and safety.
3. Support legislation that preserves the authority of a county fire marshal to protect health and safety.

Environment and Natural Resources

1. Support legislation to increase funding for the Texas Recreation and Parks Account Local Park Grant Program and the Texas State Park System. (SB 1 by Williams/Pitts, Article VI, TPWD, Strategy B.2.1)
2. Oppose legislation that would reduce or eliminate local control over the placement and usage of billboards.
3. Support allowing counties to recover costs and attorney's fees from a utility if they intervene on behalf of rate payers in unincorporated areas in water supply rate cases.
4. Support legislation to improve regional coordination of water resource management during drought.
5. Support measures to improve the effectiveness of ground water management, including management by Groundwater Conservation Districts.
6. Support full funding for the Low Income Repair Assistance, Retrofit and Accelerated Vehicle Retirement Program and the Local Initiative Projects.
7. Support legislation that would improve the ability of the County to enforce clean air, water and other environmental laws.

Growth Management/Land Use

1. Support legislation giving counties the necessary tools to manage growth, protect property values, and preserve quality of life in the unincorporated areas.
2. Support legislation that would restrict the ability of a homeowners' association to prohibit the use of qualifying sustainable technologies on homes or property within their jurisdiction.

Health and Human Services

Changes to the MHMR, DSHS, DFPS

1. Support additional funding for health and human services programs that provide necessary benefits and services to Travis County residents.

2. Support legislation and budgeting decisions that will fully fund necessary mental health services at the state and local level for all Texans.
3. Support legislation or budgeting decisions that would tie Medicaid reimbursement rates to federally established Medicare reimbursement rates.
4. Oppose expansion of mandatory participation in private mental health managed care programs, leaving counties the option to participate.
5. Support legislation and budgeting decisions to include Texas in the Medicaid expansion program.
6. Oppose legislation or budgeting decisions that:
 - a) weaken local control of taxpayer dollars;
 - b) require that local intergovernmental transfers be dedicated to any specific, statewide hospital supplemental funding streams;
 - c) mandate how IGT dollars are distributed across hospital funding streams; or
 - d) jeopardize 1115 Waiver efforts to transform the health care delivery system.

Juvenile and Criminal Justice

Mental Health

1. Support legislation to improve the availability and continuity of mental and physical health care between the criminal justice and other community systems.

Re-Entry Programs

1. Support legislation to reduce recidivism and facilitate effective re-entry enhance employment readiness and job opportunities for people with criminal histories and their families, with an emphasis on creating job opportunities and securing housing.

Jail Population Management

1. Support legislation to reimburse counties for all expenses incurred in housing state-supervised offenders.
2. Support legislation to increase opportunities for jail diversion strategies.

Pretrial Release on Personal Bonds

1. Oppose legislation that would eliminate or reduce local courts' discretion with respect to the use of personal bonds.

Administration of Justice

1. Support legislation allowing commissioners courts to improve the availability and efficacy of specialty court programs.

Mobility and Transportation Funding

1. Support increased funding for the Texas Department of Transportation for transportation and other mobility needs, including rail and public transit.
2. Support legislation enabling counties, on a local option basis, to levy taxes or fees to support mobility infrastructure.
3. Support legislation to enable counties to levy an impact fee upon new land development within the unincorporated area to pay for arterial roadway improvements serving the development.

Taxation, Revenues, Budget and Administration

1. Oppose legislation or budget decisions that would create unfunded mandates or divert county revenues.
2. Oppose legislation that would limit the County's ability to meet the needs of its citizens by artificially capping appraisal values or county revenues.
3. Support constitutionally-based unfunded mandate protection for local governments that allows counties to opt out of a mandate until funding is provided.
4. Preserve local control over the issuance of debt to meet local needs.
5. Support legislation giving counties greater freedom and flexibility in providing public notices to their residents.
6. Support legislation that encourages economic development while preserving the authority and discretion of the commissioners court in negotiating economic development incentives.
7. Support TCDRS as a prudently and conservatively structured defined contribution pension plan with hybrid components appropriate for counties.
8. Support local control over compensation and benefits paid by the county.
9. Support legislation to clarify the geographic extent of ad valorem tax liens on business personal property.
10. Oppose legislation that would diminish the authority or discretion of a commissioners court and would not serve a court-approved public purpose.
11. Support legislation and budgeting decisions that permit counties to use technology to improve the delivery of information and services to their residents when:
 - a) it is permissive,
 - b) it improves the delivery of information and services, and
 - c) the new technology does not replace existing technologies in ways that harm or reduce the current delivery of information or services.
12. Support legislation that increases transparency at all levels of government in reasonable and cost-effective ways.
13. Oppose legislation that imposes or changes a civil court fee or criminal court cost unless:
 - a) the payer is either the direct cause or the beneficiary of the service to be provided by the fee or court cost,
 - b) the fee or court cost goes to the governmental entity that is actually funding the service, and,
 - c) the charge is not so large as to be a punishment in itself rather than a fee or cost.

Positions on Other Proposals Before the 84th 83rd Texas Legislature

(Items in this list are legislative positions regarding initiatives of other Travis County elected officials or other groups or organizations.)