

RECEIVED

2021 JAN 29 PM 03:00

CITY SECRETARY  
DALLAS, TEXAS

## City of Dallas

1500 Marilla Street, Room 6ES  
Dallas, Texas 75201

## Public Notice

2 1 0 094

POSTED CITY SECRETARY  
DALLAS, TX



### Ad Hoc Legislative Committee

February 1, 2021

4:00 PM

The Ad Hoc Legislative Committee meeting will be held by videoconference. The meeting will be broadcast live on Spectrum Cable Channel 16 and online at [bit.ly/cityofdallastv](https://bit.ly/cityofdallastv).

The public may also listen to the meeting as an attendee at the following videoconference link: <https://bit.ly/39rwPRn>

## 2021 CITY COUNCIL APPOINTMENTS

COUNCIL COMMITTEE	
<b>ECONOMIC DEVELOPMENT</b> Atkins (C), Blewett (VC), Gates, McGough, Narvaez, Resendez, West	<b>ENVIRONMENT AND SUSTAINABILITY</b> Narvaez (C), West (VC), Atkins, Blackmon, Gates
<b>GOVERNMENT PERFORMANCE AND FINANCIAL MANAGEMENT</b> Mendelsohn (C), Gates (VC), Bazaldua, McGough, Thomas	<b>HOUSING AND HOMELESSNESS SOLUTIONS</b> Thomas (C), Mendelsohn (VC), Arnold, Blackmon, Kleinman, Resendez, West
<b>PUBLIC SAFETY</b> Gates (C), Kleinman (VC), Arnold, Bazaldua, Blewett, McGough, Medrano, Mendelsohn, Thomas	<b>QUALITY OF LIFE, ARTS, AND CULTURE</b> Medrano (C), Atkins (VC), Arnold, Blewett, Narvaez
<b>TRANSPORTATION AND INFRASTRUCTURE</b> McGough (C), Medrano (VC), Atkins, Bazaldua, Kleinman, Mendelsohn, West	<b>WORKFORCE, EDUCATION, AND EQUITY</b> Thomas (C), Resendez (VC), Blackmon, Kleinman, Medrano
<b>AD HOC JUDICIAL NOMINATING COMMITTEE</b> McGough (C), Blewett, Mendelsohn, Narvaez, West	<b>AD HOC LEGISLATIVE AFFAIRS</b> Johnson (C), Mendelsohn (VC), Atkins, Gates, McGough
<b>AD HOC COMMITTEE ON COVID-19 RECOVERY AND ASSISTANCE</b> Thomas (C), Atkins, Blewett, Gates, Mendelsohn, Narvaez, Resendez	

(C) – Chair, (VC) – Vice Chair

Note: A quorum of the Dallas City Council may attend this Council Committee meeting.

**Call to Order****MINUTES**

- A. [21-171](#) Approval of the November 2, 2020 Ad Hoc Legislative Committee Minutes

**Attachments:** [Minutes](#)

**BRIEFING ITEMS**

- B. [21-173](#) Development of the Federal Legislative Program for the 117th Congress  
[Brett Wilkinson, Managing Director, Office of Government Affairs; Ralph Garboushian, Capital Edge Strategies]

**Attachments:** [Presentation](#)

- C. [21-172](#) State Legislative Update  
[Chris Caso, City Attorney; Clifford Sparks, State Legislative Director, City Attorney's Office]

**Attachments:** [Presentation](#)

**ADJOURNMENT**

**EXECUTIVE SESSION NOTICE**

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

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]



# City of Dallas

1500 Marilla Street  
Dallas, Texas 75201

## Agenda Information Sheet

---

**File #:** 21-171

**Item #:** A.

---

Approval of the November 2, 2020 Ad Hoc Legislative Committee Minutes

# Ad Hoc Legislative Committee Meeting Record

The Ad Hoc Legislative Committee meetings are recorded.  
Agenda materials are available online at [www.dallascityhall.com](http://www.dallascityhall.com). Recordings may be reviewed online at <https://dallastx.swagit.com/city-council>

**Meeting Date:** November 2, 2020

**Convened:** 4:10p.m.

**Adjourned:** 4:34 p.m.

**Committee Members Present:**

Mayor Eric Johnson, Chair  
CM Cara Mendelsohn, Vice Chair  
DMPT Adam McGough  
CM Tennell Atkins  
CM Jennifer S. Gates

**Committee Members Absent:**

N/A

**Presenters:**

Chris Caso, City Attorney  
Clifford Sparks, State Legislative Director, City Attorney's Office

**Other Council Members Present:**

N/A

## AGENDA

Call to Order (4:10 p.m.)

**A. Approval of the October 22, 2020 Ad Hoc Legislative Committee Meeting Minutes**

**Presenter(s):** Chair Mayor Eric Johnson

**Action Taken/Committee Recommendation(s):** A motion was made to approve the minutes for the October 22, 2020 Ad Hoc Legislative Committee meeting minutes.

Motion made by: CM Tennell Atkins

Motion seconded by: CM Adam McGough

Item passed unanimously: X

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

**B. Consideration of the State Legislative Program for the 87<sup>th</sup> Session of the Texas Legislature**

**Presenter(s):** Chris Caso, City Attorney; Clifford Sparks, State Legislative Director, City Attorney's Office

**Action Taken/Committee Recommendation(s):** Chris Caso and Clifford Sparks provided an update regarding the development of the City of Dallas Legislative Program. Mayor Eric Johnson and members of the committee provided feedback on the revised version of the City of Dallas Legislative Program. A motion was made by Mayor Eric Johnson to move the City of Dallas Legislative Program to City Council for consideration.

Motion made by: Mayor Eric Johnson

Motion seconded by: No Second Recorded

Item passed unanimously: X

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

Adjourn (4:34 p.m.)

**APPROVED BY:**

**ATTESTED BY:**

---

---

**Mayor Eric Johnson, Chair**  
**Ad Hoc Legislative Committee**

**Nicholas Totin, Coordinator**  
**Ad Hoc Legislative Committee**



# City of Dallas

1500 Marilla Street  
Dallas, Texas 75201

## Agenda Information Sheet

---

**File #:** 21-173

**Item #:** B.

---

Development of the Federal Legislative Program for the 117th Congress  
[Brett Wilkinson, Managing Director, Office of Government Affairs; Ralph Garboushian, Capital Edge Strategies]



## GENERAL STATEMENTS OF CITY'S LEGISLATIVE FOCUS

---

The City of Dallas' legislative efforts focus on legislation that the City can influence and that will directly and positively impact the City of Dallas. The City appreciates its long-standing relationship with the congressional delegation to advance its federal priorities.

The City of Dallas supports legislation that:

- Creates more opportunities for individuals and businesses to thrive and prosper;
- Provides an equitable distribution of federal funds; and
- Addresses the concerns and issues confronting large metropolitan center cities, which range from the enhancement of urban transportation to reduction in crime to the availability of affordable housing and the development of neighborhoods that support quality family life.



The City of Dallas opposes any federal legislative action that would erode the home rule authority of municipalities or establish unfunded mandates that effectively constrain the ability of cities to allocate scarce resources to locally determined priorities.

### **Federal Mandates**

The City of Dallas recognizes two basic types of federal mandates: those that impose costs directly on the City and those that, while not directly imposing costs on the City, intrude on the autonomy of the City by interfering with local decision making authority and impacting the allocation of scarce local resources.

The City of Dallas opposes the imposition of either type of federal mandate.

The federal government calls on municipal governments, including the City of Dallas, to administer many federal government programs, requiring municipal governments to absorb all or most of the cost. In the interest of fairness and equity to its municipal government partners, the federal government should provide adequate funding for the local conduct of each of its programs.

### **Deficit Reduction**

The City of Dallas supports a balanced approach to reducing the federal deficit. Elimination of the federal deficit solely through non-defense discretionary spending cuts is both impossible and ill-advised.

The reduction of the federal deficit should not disproportionately harm national defense and our troops, safety net programs or our nation's cities. In particular, the City opposes deficit reduction efforts that disproportionately focus on core local government programs or reduce or delay much-needed investments in our nation's infrastructure.

## PANDEMIC RELIEF

---

The City of Dallas appreciates the swift action that Congress took in early 2020 to help local governments address the COVID-19 pandemic and its economic and social impacts. Early in the pandemic, the CARES Act and its companion bills provided government at all levels with tools and resources to directly address the pandemic as well as a safety net to help businesses and households absorb the social and economic impacts of the pandemic. Indeed, most economists agree that the fiscal and monetary boost provided by the CARES Act backstopped our nation's economy during the first six months of the COVID-19 pandemic, limiting the pandemic's social and economic impacts and preventing an economic freefall.

The City also appreciates the December 2020 enactment of the Coronavirus Response and Relief Supplemental Appropriations Act, especially its provisions providing emergency assistance for rent and utility payments, extended and expanded unemployment benefits, emergency nutrition assistance, and public health funding. However, the City remains deeply disappointed that it did not include direct and flexible fiscal assistance to local governments.

As our nation continues to grapple with COVID-19, the City urges the federal government to continue to use all fiscal and monetary tools at its disposal to see our nation through this pandemic and to backstop the economy in a manner that allows for a swift economic recovery from the pandemic.

In particular, the City urges the federal government to provide additional pandemic relief that includes:

- Direct and flexible fiscal assistance to local governments to prevent budget cuts and layoffs that economists broadly agree will hurt pandemic response and stifle economic recovery and to help cities implement vaccination and testing programs,
- Fiscal assistance to transit agencies and airports, include support for airport enterprises, to prevent layoffs, ensure post-pandemic continuity of operations, and avoid delays to much-needed capital investments,
- Assistance to homeowners and renters and foreclosure and eviction protections to avoid foreclosures and evictions,
- Additional investments in federal, state, and local public health infrastructure to ensure strong pandemic response,
- Additional assistance to small business, including targeted assistance to the smallest businesses and disadvantaged businesses and targeted assistance to small businesses in the hardest hit industries such as live entertainment and leisure and hospitality (Save Our Stages and similar proposals), and
- Expanded unemployment insurance.

## INFRASTRUCTURE

---

### Surface Transportation

The City of Dallas supports legislation to reauthorize federal surface transportation programs that:

- Provide for an equitable distribution of highway and transit funds;
- Maintains a guaranteed funding mechanism that ensures that all Highway Trust Fund revenues are spent on surface transportation programs;
- Maintains a strong metropolitan planning process that maximizes the decision making power of local elected officials and communities;
- Increases sub-allocation to metropolitan areas;
- Continues and build on the federal investment of the past decade in transit and enables complete local flexibility regarding mode choices;
- Directly provides funds to cities for mode neutral, innovative urban transportation solutions;
- Directly addresses urban congestion and mobility, including incentives for metropolitan areas and cities that raise revenue and implement innovative financing mechanisms;
- Expands mode neutral choices and funding for cities and metropolitan areas;
- Expands sub-allocation via creation of a new program focused on cities and metropolitan areas or through increased sub-allocation of existing programs;
- Robustly funds the Transportation Alternatives Program and increase sub-allocation of TAP funds to metropolitan areas;
- Fully funds the CMAQ program in order to help metropolitan areas meet federal clean air mandates
- Addresses resiliency and makes investments in improving the resilience of surface transportation infrastructure;
- Builds on the FAST Act's investments in intercity passenger rail; and
- Does not increase the required local share of funding for federally-assisted highway or transit projects.

### Broadband

The COVID-19 pandemic has made clear that the lack of broadband in many communities and among many households presents a major barrier to economic development, education, health care, and overall equity. Current federal programs, including those included in the various pandemic relief bills, have helped address this disparity. However, the pandemic has confirmed our nation's need for a bold and comprehensive federally-supported program to provide broadband deployment and access to all Americans. In 2021, it is simply unacceptable for entire communities to lack broadband access or for schoolchildren to fall behind because they lack reliable Internet access. The City notes that the digital divide is as much an urban as a rural issue and urges that federal efforts to expand broadband deployment and access address the needs of underserved urban communities and households.

### DART Core Capacity

The City of Dallas fully supports DART's Capital Investment Grant projects:

- Platform Extensions along the Red and Blue Lines (Core Capacity),
- Phase 1 of the Downtown Dallas 2<sup>nd</sup> light rail alignment (Core Capacity) and
- The Central Dallas Streetcar Link (Small Starts).

### **High-Speed & Intercity Passenger Rail**

The City of Dallas supports the development of high-speed rail between Houston and the North Texas Region. The City's long-term plans envision an intermodal hub on City property across I-30 from the Texas Central Railway high-speed rail station, providing travelers with a seamless connection between intercity passenger rail (including high-speed rail), commuter rail, light rail, and local transit. A strong federal-state-regional-local partnership will be needed to make this vision a reality. The City of Dallas also supports the development of a robust national passenger rail system and strongly supports full funding of passenger rail corridor improvement programs.

### **Water, Wastewater & Flood Control**

The City of Dallas supports legislation that provides grants and financing assistance for high priority projects such as combined and separate sanitary sewer overflows and other wet weather projects, security-related projects, repair and replacement of aging infrastructure and water supply acquisition. Increased funding to local water and wastewater utilities for the improvement and maintenance of water and wastewater infrastructure and additional water supplies is of paramount importance. The City of Dallas also supports legislation which sustains and increases funding for, and increases the flexibility of, the Clean Water State Revolving Fund (CWSRF) the Drinking Water State Revolving Fund (DWSRF) and the Water Infrastructure Finance and Innovation Authority (WIFIA) programs, as well as federal funding for dam safety and reservoir modifications that will reduce the potential for structural failure.

The City of Dallas greatly appreciates the Dallas delegation's support of the critical Trinity River flood control projects and the strong federal partnership that the City has developed with the Army Corps of Engineers. The City appreciates the funding the congressional delegation work to obtain critical federal funding for the Dallas Floodway, the Dallas Floodway Extension, Lewisville Dam. Looking ahead, the City desires to continue this strong intergovernmental relationship, including preserving this critical federal funding for these flood control projects.

The City understands the level of effort expended towards clarifying authority and supports efforts to address changing environmental conditions, specifically through Executive Order 13690's revisions to the Federal Flood Risk Management Standards (FFRMS) set by the Federal Emergency Management Agency (FEMA). However, the City does not support a one-size-fits all approach. All watersheds behave differently, reflecting different climates, base geology, cover and topography.

Finally, the City supports the continued exemption of the water sector from the **Chemical Facility Anti-Terrorism Standards** under the Department of Homeland Security. Since water and wastewater facilities are already in compliance with provisions in the Clean Air Act, the Emergency Response and Community Right to Know Act, and the Bioterrorism Act, local governments should be allowed to continue to manage these risks through existing laws.

### **National Flood Insurance Program**

In general, the City of Dallas supports a long-term and fiscally responsible reauthorization of the NFIP that:

- Provides long-term financial solvency for the program;
- Ensures that flood insurance rate increases do not impose undue hardship on Dallas property owners or stymie central Dallas economic development plans;

- Includes a rate and premium structure that differentiates between flood plains that are protected by certified levees and those that are not;
- Provides remapped areas, newly designated as flood hazard areas, with a grace period before the purchase of flood insurance is mandatory, provided that local officials educate affected property owners about flood risk and flood insurance availability, and develop an evacuation plan for neighborhoods affected by flood hazard remapping; and
- Provides an exemption to the mandatory purchase of flood insurance in areas deemed flood hazard areas due to recently decertified levees, provided that local officials are implementing an approved plan to repair newly decertified levees, educating affected property owners about flood risk and flood insurance availability, and developing an evacuation plan for neighborhoods affected by flood hazard remapping.

### **Aviation**

The City of Dallas supports a federal aviation program that:

- Maintains a guaranteed funding mechanism that ensures that all Airports and Airways Trust Fund revenues are spent on aviation programs;
- Maximizes the flexibility of the Airport Improvement Program (AIP);
- Increases the outdated cap on Passenger Facility Charge (PFC) revenue to empower local investment in aviation infrastructure; and
- Provides local governments and airport authorities with the resources they need to provide for a safe and efficient aviation system.

## MUNICIPAL BONDS

---

The City of Dallas strongly opposes any efforts to cap or eliminate the tax exemption for municipal bonds, including “private activity” bonds. The elimination or capping of tax-exempt municipal bonds would increase City borrowing costs, resulting in delayed infrastructure investment or higher local taxes and utility rates, which would disproportionately impact low- and moderate-income households.

State and local governments are responsible for building and maintaining 75 percent of the nation’s infrastructure, which is mostly financed through tax-exempt bonds. The tax exemption for municipal bonds represents an ideal federal-state-local partnership, allowing the federal government to assist infrastructure investment in a manner that maximizes local decision making and minimizes federal bureaucracy.

In Dallas, municipal bonds finance core infrastructure that is the basis of civilized society and the foundation of our economy: water and wastewater, storm drainage, streets and sidewalks, hospitals, schools and other capital projects. In an era of diminishing grants and expanding mandates on local governments, eliminating or capping the tax exemption for municipal bonds would effectively signal a federal abandonment of infrastructure investment.

Per Texas law, all City of Dallas general obligation bonds are subject to voter referendum. The City’s process is an example of open government and broad citizen participation, ensuring that bond dollars are targeted to broadly supported infrastructure priorities.

### **Advanced Refunding**

The City specifically urges Congress to reinstate the advanced refunding of tax exempt municipal bonds. The ill-advised repeal of advanced refunding by the Tax Cut & Jobs Act of 2017 means that the City cannot take advantage of lower interest rates to reduce borrowing costs and maximize infrastructure investment.

### **Build America Bonds**

The City also urges Congress to protect Build America Bonds from annual Budget Act sequestration. The reduction of Build America Bond payments is a breach of contract between the federal government, the City, and bondholders.

### **House Municipal Finance Caucus**

The City urges its House delegation to join the bipartisan House Municipal Finance Caucus.

## TELECOMMUNICATIONS

---

### **Franchising, Rights-of-Way & Zoning**

The City of Dallas opposes any legislation or regulatory effort that would erode City authority to manage public rights-of-way and collect reasonable compensation for their use. The City also opposes any federal preemption of City zoning authority.

The City is especially concerned about recent Federal Communications Commission (FCC) actions (the '5G Order', the 'Moratoria Order', and the 'Cable Franchise Proposed Order') that can only be described as a broad and unprecedented federal government assault on local government authority and local government budgets. The 5G Order is especially egregious in that it seeks to preempt the City's authority to manage City property and to collect fair market value for its use. If allowed to stand, the 5G Order would establish a troubling precedent of allowing the federal government to dictate the terms of access to non-federal property.

Franchising is the backbone of local government telecommunications policy. It creates a framework for local management of public rights-of-way, collection of compensation for the use and management of public rights-of-way and resolution of consumer complaints. Federal law specifically preserves the authority of state and local governments to manage public rights-of-way and to collect compensation for their use by telecommunications providers.

A major goal of the telecommunications industry remains federal preemption of local control over public rights-of-way and the preemption of local fees collected from the industry for the use and management of public rights-of-way. In addition, industry has also sought legislation and regulation that would preempt local zoning authority over the location of telecommunications antennae and towers.

The City of Dallas would have to reduce services or raise taxes by more than \$100 million a year if revenue from rent charged to private corporations for the use of public rights-of-way was eliminated. In addition, City control of public rights-of-way and zoning for the placement of telecommunications facilities provides important public safety benefits, preserves City infrastructure investments and ensures that property values will not be impacted by incompatible uses.



## **PUBLIC SAFETY & CRIMINAL JUSTICE**

---

### **Core Grant Programs**

The City of Dallas calls on Congress to fully fund public safety assistance programs that directly benefit local governments, including the Justice Assistance Grant (JAG), Community Oriented Policing Services (COPS), the Assistance to Firefighters Grant Program and others.

The City strongly opposes proposals that would consolidate state and local Homeland Security grant programs into a single block grant to the State, or otherwise shift funds away from high-risk, major metropolitan areas. In addition, formulas for the distribution of funding for public safety should emphasize crime data, and homeland security funds should be more targeted based on risk and threat.

### **Public Safety Broadband Network (FirstNet)**

The City of Dallas supports the development of national public safety communication networks and encourages FirstNet to include local input in the structure and framework development process. Large metropolitan cities have already made extensive investments in towers, fiber optic lines and other infrastructure that will be valuable to the deployment of the PSBN.

### **Prisoner Re-Entry**

The City of Dallas supports full funding of Second Chance Act programs and legislation that would provide additional resources for education, training, and work experience during incarceration. Programs authorized by the Second Chance Act provide valuable assistance to state and local governments for a wide array of programs to help ex-offenders reintegrate.

### **Urban Areas Security Initiative Grants**

Dallas and its regional partners also benefit from the Urban Area Security Initiative (UASI). UASI provides targeted assistance to major metropolitan areas and has helped ensure that the Metroplex is prepared to respond to a terrorist attack or other catastrophic incident. These programs have promoted regional cooperation and greatly improved readiness.



## ECONOMIC DEVELOPMENT

---

### **Brownfields**

The City of Dallas supports full funding of federal brownfields grant programs and continuation of the Brownfields Tax Incentive.

The Brownfields Program and the Brownfields Tax Incentive put property in the City of Dallas on a more level playing field with raw undeveloped properties, encouraging economic development and neighborhood revitalization. The City of Dallas enjoys a strong national reputation for its innovative projects that have redeveloped several formerly abandoned sites. Dallas has used these programs to redevelop several sites and has been designated by the EPA as one of its Brownfield Showcase Communities in recognition of the City's success in redeveloping Brownfields.

### **New Markets Tax Credit/Community Development Financial Institutions**

The City of Dallas appreciates the five-year extension of NMTC through 2025 and supports additional rounds of NMTC and full funding of other CDFI programs.

The New Markets Tax Credit (NMTC) and other programs administered by the Community Development Financial Institutions (CDFI) Fund at the Department of Treasury provide important incentives for private investment in historically disadvantaged and economically impacted localities. Since its 2009 award, the Dallas Development Fund (DDF) has provided a total of \$185 million in tax credit allocation to twelve projects aimed at improving low-income communities. Total project cost of these seventeen projects is greater than \$195 million. Projects include the Hatcher Station Parkland Clinic, the Girl Scouts STEM Center of Excellence, Dallas Lite & Barricade expansion and Cristo Rey School. These projects have added new, good paying jobs or neighborhood services to their communities and have aided in the revitalization of their neighborhoods.

### **Community Reinvestment Act**

The City recognizes that Community Reinvestment Act (CRA) regulations may be overdue for an update. The banking industry has experienced major changes, notably with the advancement of technology, since federal banking regulators updated them.

However, the City urges that any updates to CRA regulations are undertaken with the primary goal of meeting CRA's underlying statutory goals of strengthening investment in historically underserved neighborhoods rather than simply making it easier for banks to receive a positive CRA rating under the guise of reducing the burden of CRA compliance for banks. While the goal of reducing CRA's regulatory burden on banks may have some merit, it does not override the importance of CRA's core goal of ensuring that banks meet the financial services needs of all communities, including the needs of Dallas' historically underserved and redlined communities.

The City is disappointed with changes to CRA regulations implement by the Office of the Comptroller of the Currency in 2020. The City fears that these regulations will lead to a concentration of CRA-qualifying investments in the low- and moderate-income communities perceived as the "safest" target for such investments. Such a result would exacerbate the already considerable divide between the nation's most

economically successful and dynamic metropolitan areas and those that continue to struggle. On the surface, Dallas would appear to be a beneficiary of such a result. However, the City recognizes that the success of Dallas rests on the success of our nation as a whole. In addition, such a policy could exacerbate disparities within our city and metropolitan area, further driving up housing costs in favorable locations and decreasing access to opportunity for low- and moderate-income Austinites.

The City believes that changes to CRA outlined by the Federal Reserve in its 2020 Advanced Notice of Proposed Rulemaking are more responsive to the priorities on non-bank stakeholders and hold much more promise to modernize CRA in a manner that better meets the primary goal of meeting CRA's underlying statutory goals of strengthening investment in historically underserved neighborhoods.

The City appreciates the more balanced proposal recently issued by the Federal Reserve and urges OCC and FDIC to work with the Federal Reserve to improve their CRA regulations.

DRAFT

## SOCIAL SECURITY

---

The City of Dallas requests that the federal government work closely with local jurisdictions on the fiscal impacts of mandatory inclusion of local government employees in Social Security, especially as it relates to the potential impacts on local pension systems and budgets.

The Social Security Act of 1935 excludes state and local employees from mandatory participation in Social Security. The Federal Advisory Commission on Social Security has called for including all newly hired local government employees in Social Security. Doing so could have major implications on state and local governments and their taxpayers.

DRAFT

## HOUSING, COMMUNITY DEVELOPMENT, AND HEALTHCARE

---

### **CDBG, HOME, HOPWA & Homeless Assistance**

The City of Dallas calls on Congress and the Administration to fully fund CDBG, HOME, HOPWA and Homeless Assistance Grants. The City opposes any effort to limit the City's flexibility in using these funds. The City also strongly opposes any effort to shift control of these programs away from the local level or decrease the cap on administrative and planning costs.

In FY 2020, the City of Dallas was allocated \$15.1 million from CDBG, \$6 million from HOME, \$7.4 million from HOPWA and \$1.2 million in Emergency Solutions Grants. Despite the immense positive impact that these flexible, locally controlled programs have had on the nation's cities, they have been inadequately funded for many years. CDBG and HOME have an especially long and successful track record of providing quick, flexible and effective assistance to cities and states. In Dallas, they bolster City efforts to stabilize and sustain neighborhoods, preserve and expand the supply of affordable housing, expand economic opportunities, meet critical social needs and fund other critical needs in low- and moderate-income neighborhoods. The City of Dallas would be hard-pressed to meet these needs without direct and flexible federal assistance.

### **Affordable Housing**

The City of Dallas supports the preservation and expansion of federal programs and tax incentives that support City efforts to expand and preserve affordable housing. The City specifically supports full funding of the Affordable Housing Trust Fund and preservation and enhancement of the Low-Income Housing Tax Credit.

Affordable housing remains a critical issue for the nation's cities. The City of Dallas has developed a robust plan to address the City's housing needs. The focus of the plan is to maximize City resources by alleviating poverty, empowering neighborhoods, addressing concentrations of blight, and enhancing rental options. The City is also aiming to attract and retain the middle class by pursuing initiatives that will expand homeownership. A key component of the City's plan is to increase the supply of affordable and workforce housing and revitalize neighborhoods in a manner that creates truly mixed-income neighborhoods and avoids the displacement of longtime neighborhood residents.

### **Low-Income Housing Tax Credit**

In addition, the City support legislation to enhance the Low-Income Housing Tax Credit. The City appreciates the increase in the annual LIHTC ceiling for FY 2018 through FY 2021 that Congress enacted, along with an income averaging option expands LIHTC eligibility and is targeted at high-cost areas such as like Austin.

Looking ahead, the City supports further LIHTC enhancement to offset the predicted decline in affordable housing production related to the corporate and personal income tax rate reductions enacted by the Tax Cut & Jobs Act of 2017. In the 116<sup>th</sup> Congress, Representatives Suzan DelBene (D-WA) Donald Beyer (D-VA), Kenny Marchant (R-TX), Jackie Walorski (R-IN) introduced legislation (HR 3077) that would further enhance the LIHTC. Senators Maria Cantwell (D-WA) and Todd Young (D-IN) have introduced a companion bill (S 1703) in the Senate. The bills would:

- Increase the LIHTC ceiling to \$2.76 per capita in FY 2019, increasing incrementally to \$4.96 in FY 2024 (indexed to inflation in subsequent years),
- Extend the average income test to affordable properties financed with private activity bonds,
- Allow existing tenants to be considered low-income for recapitalization projects provided their income has not risen above 120 percent of AMI,
- Establish a 4 percent minimum credit rate for LIHTC used to finance acquisitions and bond-financed properties,
- Simplify the “10-Year Rule” to allow for LIHTC acquisition of certain properties,
- Allow tenant relocation costs to be included in rehabilitation projects, and
- Repeal the Qualified Census Tract population cap.

### **Social Services Block Grant & Community Services Block Grant**

The Social Services Block Grant (SSBG) is a flexible source of funds that states use to support a wide variety of social services activities. SSBG is an important main source of federal funds for protective services, which benefit elderly and disabled adults, and child protective services.

The Community Services Block Grant (CSBG) funds the delivery of services to low income Texas residents in all 254 counties. These funds support a variety of direct services to residents whom are among the most vulnerable in the community.

While the City of Dallas does not directly oversee the SSBG and CSBG, the funds they provide are important to the community and work to protect the City’s most vulnerable populations. Any decrease in SSBG and CSBG funds will only place additional stress onto the City’s taxpayers, and defenseless residents.

### **Healthcare**

The City of Dallas urges Congress to take into consideration the effect that national health care legislation has on the nation’s cities; to build upon, not tear down, the progress that has been made in recent years to the healthcare system; and to ensure that individuals are not left without health care coverage. In addition, the City encourages the new Administration and Congress to include mental health in any comprehensive health care reform measures.

Municipalities share a responsibility for the health and well-being of communities, which includes ensuring access to comprehensive and affordable health care. The City of Dallas has one of the highest rates of uninsured residents in the nation and seeks solutions that will provide its residents with easy access to health insurance. The City opposes health care programs that deny desperately needed access to care to individuals and families; place an undue burden on local hospitals; and do not provide safeguards for patients currently suffering from chronic and terminal illnesses.

## CLEAN AIR & HEALTHY ENVIRONMENT

---

The City of Dallas looks forward to working with our partners in the Dallas-Fort Worth Metropolitan Area to meet air quality goals outlined by the Clean Air Act and water quality goals outlined by the Clean Water Act. Our nation faces the challenges of ensuring protection of public health, air, and water supply while continuing to encourage economic growth and energy independence. Although the challenges created by pollution and energy security are international and national in scope, local governments are well placed to implement policies and pursue innovations to meet those challenges, especially if they are given the resources and authority to do so.

The City of Dallas, and the Dallas-Fort Worth Metropolitan Area has invested hundreds of millions of dollars into the regional transit system, converted municipal fleets to alternative fuels, and made public buildings more energy efficient. In addition, the City of Dallas supports the development of high-speed rail between Houston and the North Texas Region and other large transit-related infrastructure projects that provide a positive impact on our quality and might mitigate the impact of mobile source emissions on public health. The City of Dallas has been a national leader in this area, implementing a number of nationally-recognized and replicated sustainability programs that have decreased the City's operating and energy costs along with its environmental impact.

Direct Federal assistance is crucial to local governments that are well suited to meeting the challenge of protecting the environment. Local governments benefit from direct federal assistance that can be used to promote energy efficiency and conservation, alternative fuel, public education initiatives and other programs to reduce ozone and other air pollutants. The Dallas-Fort Worth-Arlington Metropolitan Area faces a likely rating of "severe non-attainment" for ground level ozone this year, increasing the urgency of such assistance.

The City urges Congress and the Administration to empower the U.S. Environmental Protection Agency, Department of Transportation, and the Department of Energy, as well as the Texas Commission on Environmental Quality, so they may protect air quality at a broader, regional level. The City also urges EPA to explore national, carbon-free energy solutions that would result in economic growth and enhanced protection of public health and the environment.

The City of Dallas encourages Congress and the Administration to pursue imaginative solutions using reliable, peer-reviewed sources of scientific information in the effort to address clean air and energy security. The City further urges Congress to fully fund any mandates it imposes on local governments to meet these challenges.

### **Energy Efficiency and Conservation Block Grant**

The City reiterates its disappointment that EECBG was only funded once and calls on Congress to reauthorize and fully fund this innovative and forward looking federal-local partnership.

The City thanks Representative Marc Veasey for his sponsorship of legislation to reauthorize EECBG in the 116<sup>th</sup> Congress and for quickly reintroducing his bill in the 117<sup>th</sup> Congress. The City urges its entire delegation to support his bill and subsequent full funding of the program.

EECBG provided direct, flexible formula funding to Dallas and other local governments for a wide array of energy conservation and efficiency purposes. It was authorized by the 2007 Energy Act at \$2 billion a year for FY 2008 through FY 2012, but only funded once, in FY 2009, at \$3.2 billion.

The City of Dallas used its FY 2009 EECBG allocation of \$12.7 million to:

- Improve the efficiency of 248 City-owned buildings, reducing City electricity costs by \$1 million per year and
- Launch the Green Dallas Initiative, a comprehensive program to address air quality, climate change, energy, food, land, waste, and water.

These small projects provided significant return on investment, decreasing the City's energy costs.

DRAFT

## EDUCATION, AFTER SCHOOL CARE, CHILD NUTRITION & EARLY CHILDHOOD EDUCATION

---

The City of Dallas urges Congress and the Administration to provide schools with the resources (including technology) they need and to reauthorize, expand and fully fund early childhood, extended learning time, child nutrition programs and to maximize resources and flexibility for out-of-school time and other education programs.

A strong public education system is crucial to the economic health and future of the City of Dallas and requires a strong federal investment in schools and children. Out-of-school time and child nutrition programs are a vital component of a strong educational system and play an important role in preventing youth crime and delinquency.

In particular, the City urges robust funding of youth job training programs and of the **21<sup>st</sup> Century Learning Centers Program**, which helps DISD and the City provide after school programming that provides Dallas children with enriching activities in a safe environment.



## TRAVEL, TOURISM, ARTS & CULTURE

---

The City of Dallas is a major global city that attracts millions of visitors each year. Dallas-Fort Worth International Airport is among the busiest in the world, The Dallas-Fort Worth Metropolitan Area hosts hundreds of major conventions each year and draws tourists from around the world for its world-class cultural offerings.

As the business and cultural hub of the nation's top exporting state and with plans for a major intermodal transportation hub to handle international freight traffic, the Dallas economy relies more than ever on international business and vacation visitors.

In addition, the arts have played a central role in the renaissance of downtown Dallas and are a cornerstone of the downtown Dallas economy. The federal government plays a small but important role in fostering and promoting the arts. The City supports the missions and the adequate funding of the National Endowment for the Arts, the National Endowment for the Humanities and the Institute of Museum and Library Services.

The City of Dallas further encourages federal policies, including tax policies, which foster the arts and recognize the important role they play in tourism and central city economies. The City also calls for federal policy that recognizes the role that art education plays in fostering artists and audiences.

## WELCOMING COMMUNITIES

---

The City of Dallas supports federal legislative initiatives that promote diversity and ensure equity and human rights for all people in this country.

### **Immigration**

The City of Dallas strives to be a welcoming city for all. In 2017, the City established the Office of Welcoming Communities and Immigrant Affairs to bridge the space between newcomers and existing Dallas residents, to find common ground, foster informed understanding and promote shared leadership.

The city's population continues to grow with 25 percent of residents being foreign born. Immigrants make up 32 percent of the employed labor force of the Dallas-metro area and they play a critical role in several key industries including construction and STEM fields. Their work contributes directly to the economic strength of the Dallas-Fort Worth region, earning \$47.7 billion and contributing \$12.3 billion to state and local taxes in 2018.

The City of Dallas urges common sense, comprehensive immigration reform with increased access to citizenship for immigrants, including recipients of Deferred Action for Childhood Arrivals and TPS holders. The City of Dallas also supports policies that keep families together and out of detention centers, provide for immediate reunification of families already separated, and opposes any immigration policy that results in criminal prosecution or mass incarceration of migrants, including children or families being forcibly separated.

The City of Dallas also supports the proposed legislation on the creation of the National Office of New Americans, which seeks to welcome and assist immigrants and refugees as they adapt to life in America. This office would greatly assist with coordinating federal, state, and local efforts that help immigrants and refugees integrate into US, including economic systems, increasing language access and civic engagement.

### **Racial Equity**

The City of Dallas is proud of its diversity and is committed to ensuring that residents are protected regardless of race, religion, gender, or sexual orientation. The City is recognized by the Human Rights Campaign for its leadership in non-discrimination protections in employment, housing, and public accommodations.

The City of Dallas implements strategies to advance equity and increase economic mobility for vulnerable and marginalized residents under the Resilient Dallas plan.

The City of Dallas supports a comprehensive approach to racial equity that would advance local efforts for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. This includes the expansion, refinement, and transparency of datasets, assessment, and evaluation of federal programs for racial outcomes, and an investment in historically underserved communities.



# City of Dallas

1500 Marilla Street  
Dallas, Texas 75201

## Agenda Information Sheet

---

**File #:** 21-172

**Item #:** C.

---

State Legislative Update

[Chris Caso, City Attorney; Clifford Sparks, State Legislative Director, City Attorney's Office]



**City of Dallas**

# State Legislative Update

Ad Hoc Legislative Committee  
February 1, 2021

Chris Caso, City Attorney  
Clifford Sparks, State Legislative Director  
City of Dallas

# Presentation Overview



- 87<sup>th</sup> Legislative Session Update
- Notable Bills Update
- Lobby Team Update



# 87<sup>th</sup> Legislative Session Update



- Senate and House Committee updates
- Legislation updates
- Governor's State of the State update
- State Grants/Budget update



# Notable Bills Update



- HB 749 Middleton - Taxpayer funded lobbying
- HB 88 Thompson - Police reform bill
- HB 206 Bernal - Payday and Auto Title Lending
- HB 467 Gonzalez - TIF bill
- HB 1048 - Municipal Parks
- HB 114 - High Speed Rail



# Lobbyist Team Update



- Kwame Walker, McGuire Woods Consulting
- Lorena Campos, Campos Consulting Group
- Randy Cain, R. Cain Law







**City of Dallas**

# State Legislative Update

Ad Hoc Legislative Committee  
February 1, 2021

Chris Caso, City Attorney  
Clifford Sparks, State Legislative Director  
City of Dallas