



The City of Lago Vista

To provide and maintain a healthy, safe, vibrant community, ensuring quality of life.

**AGENDA
CAPMETRO STUDY COMMITTEE
JUNE 21, 2016, 6:30 PM
CITY COUNCIL CHAMBERS
5803 THUNDERBIRD
LAGO VISTA, TX 78645**

NOTICE IS HEREBY GIVEN that the CAPMetro Study Committee of the City of Lago Vista, Texas will hold a meeting in the Council Chambers, City Municipal Building, 5803 Thunderbird, on the above date and time for discussion and possible action on the following:

CALL TO ORDER, CALL OF ROLL

PUBLIC COMMENTS: Citizens who wish to address the Committee on any agenda and/or non-agenda item will have three (3) minutes to express their position.

CONSENT AGENDA

All matters listed under Consent Agenda, are to be considered routine by the Committee and will be enacted by one motion. There will not be separate discussion on these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

1. Approval of the following minutes: May 24, 2016 regular meeting.

PRESENTATIONS

2. Additional information requested - Sam Sargent of CAPMetro.

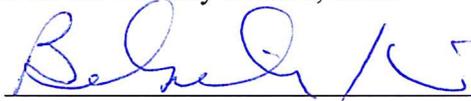
ACTION ITEM

3. Discussion and Consideration of a recommendation to the City Council to place the question of withdrawal from Capital Metropolitan Transportation Authority on the November 8, 2016 Ballot.
4. Discussion and Consideration of recommendation(s) regarding the Reallocation of the Sales Tax.
5. Discussion and Consideration of any other recommendations regarding the provision of transportation services to the City Council.

FUTURE AGENDA ITEMS

6. Consider schedule and items for future Committee meeting.
7. Adjournment.

IT IS HEREBY CERTIFIED that the above Notice was posted on the Bulletin Board located at all times in City Hall in said City at 12:00 PM on the 14th day of June, 2016.


Belinda Kneblick, Assistant City Secretary

THE CITY OF LAGO VISTA IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST.

MEETING DATE: June 21, 2016

CALL TO ORDER:

AGENDA ITEM: CALL OF ROLL

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____; Hale _____, Zaleski _____; Webb _____;

Rutherford _____; **Seaver** _____; **Bowling** _____

Motion Carried: Yes _____; No _____

MEETING DATE: June 21, 2016

AGENDA ITEM: PUBLIC COMMENTS

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ **;** **Hale** _____ **,** **Zaleski** _____ **;** **Webb** _____ **;**

Rutherford _____ **;** **Seaver** _____ **;** **Bowling** _____

Motion Carried: Yes _____ **;** **No** _____

MEETING DATE: June 21, 2016

AGENDA ITEM: 1. APPROVAL OF MINUTES

Comments:

A draft copy of the May 24, 2016 minutes are included for your review.

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ ; **Hale** _____ , **Zaleski** _____ ; **Webb** _____ ;

Rutherford _____ ; **Seaver** _____ ; **Bowling** _____

Motion Carried: Yes _____ ; **No** _____

**OFFICIAL MINUTES OF THE CAPMETRO STUDY COMMITTEE
LAGO VISTA, TEXAS
MAY 24, 2016**

BE IT REMEMBERED that on the 24th day of May, A.D., 2016, the CAPMetro Study Committee held a Regular Meeting at 6:30 p.m. at City Hall, 5803 Thunderbird, in said City, there being present and acting the following:

CALL TO ORDER

Gary Zaleski	Committee Member	Melissa Byrne Vossmer	City Manager
Clive Rutherford	Committee Member	Belinda Kneblick	Assistant City Secretary
Darren Webb	Committee Member		
Karen Bowling	Committee Member		
Ross Dewhurst	Committee Member (absent)		
Carolina Hale	Committee Member		
Brigham Seaver	Committee Member (arrived at 6:55 pm)		

Darren Webb called the Regular Meeting to order at 6:32 p.m.

The numbering below tracks that of the agenda, whereas the actual order of consideration may have varied.

PUBLIC COMMENTS

None

BUSINESS ITEMS

1. Approval of the following minutes: May 17, 2016 regular meeting. On a motion by Committee Member Gary Zaleski, seconded by Committee Member Clive Rutherford, the Committee voted unanimously to approve the minutes as presented.

PRESENTATIONS

2. Sam Sargent of CAPMetro presented additional information that was requested about the "Build Central Texas Funds", MetroAccess and marketing.

ACTION ITEMS

3. Recommendation to City Council to place the question of withdrawal on the November ballot tabled until next meeting in hopes that all committee members could be present to vote.
4. Recommendation regarding reallocation of sales tax tabled until next meeting in hopes that all committee members could be present to vote.

FUTURE AGENDA ITEMS

- 5. Consider schedule and items for future Committee meetings. Council requested Sam Sargent to provide more information from CAPMetro provides. Next meeting scheduled for Tuesday, May 31th at 7:00 p.m.

ADJOURNMENT

On a motion by Committee Member Gary Zaleski, seconded by Committee Member Clive Rutherford, to adjourn the meeting at 8:00 P.M.

Respectfully submitted,

ATTEST:

Darren Webb, Chair

Belinda Kneblick, Assistant City Secretary

On a motion by Committee Member _____, seconded by Committee Member, the above and foregoing instrument was passed and approved this 21st day of June, 2016.

MEETING DATE: June 21, 2016

AGENDA ITEM: 2. Additional information from Sam Sargent CAPMetro

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ ; **Hale** _____ , **Zaleski** _____ ; **Webb** _____ ;

Rutherford _____ ; **Seaver** _____ ; **Bowling** _____

Motion Carried: Yes _____ ; **No** _____

MEETING DATE: June 21, 2016

AGENDA ITEM: 3. Recommendation to City Council to place the question of withdrawl on the ballot

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ ; **Hale** _____ , **Zaleski** _____ ; **Webb** _____ ;

Rutherford _____ ; **Seaver** _____ ; **Bowling** _____

Motion Carried: Yes _____ ; **No** _____

MEMORANDUM

To: Melissa Byrne Vossmer, City Manager
From: Leonard B. Smith 
Date: May 20, 2016
Re: Possible withdrawal from Cap Metro

In our telephone conversation yesterday, you requested a written explanation of the consequences that would follow withdrawal assuming that the City Council chooses to call an election and a majority of Lago Vista voters elect to withdraw from Cap Metro.

1. Cessation of Regular Cap Metro Services. Pursuant to Sec. 451.608(b) of the Transportation Code, Cap Metro will cease service (except for disability services) "... on the day after the election returns are canvassed."
2. Continuation of Disability Services. Pursuant to Secs. 451.610 and 451.6101 of the Transportation Code, Cap Metro must continue to provide transportation services for persons with disabilities in Lago Vista. Cap Metro may not charge a fare for disability transportation services to disabled persons in Lago Vista greater than the fare charged to disabled persons for those services in Cap Metro. Additionally, Cap Metro must establish an alternative program to provide disability services meeting the requirements of Sec. 451.6101. *See*: Attachment 1.
3. Calculation and Certification of Net Financial Obligation. Pursuant to Sec. 451.611 of the Transportation Code, Cap Metro's board must determine each of element in the statutory equation to establish Lago Vista's net financial obligation, if any, to Cap Metro. Thereafter, pursuant to Sec. 451.612, Cap Metro must certify Lago Vista's net financial obligation, if any, to the Comptroller and Lago Vista. There is no statutory deadline for Cap Metro's calculation or certification of Lago Vista's net financial calculation.
4. Continued Collection of Cap Metro Sales Tax. Pursuant to Sec. 451.613 of the Transportation Code, the Cap Metro sales tax will continue to be collected until Lago Vista's net financial obligation, if any, has been satisfied. At that point collection of the Cap Metro sales tax ceases, and the Comptroller will refund any excess sales tax to Lago Vista. Thereafter, collection of any rededicated sales taxes begin, and the Comptroller will remit to Lago Vista regularly for those purposes.

Please let me know if you have any questions or comments or if you would like me to elaborate on any part of this memorandum.

Attachment 1

Note: Cap Metro is an authority to which Chapter C-1 applies.

Sec. 451.6101. CONTINUATION OF SERVICES TO PERSONS WITH DISABILITIES; ALTERNATIVE PROGRAM. (a) This section applies only to an authority to which Subchapter C-1 applies.

(b) Notwithstanding Section 451.610, an authority shall establish an alternative program to provide transportation services to persons with disabilities in a withdrawn unit of election who are eligible to receive services under the program. An authority shall require interested persons with disabilities to apply to be program participants. The program must be available to a person with a disability who:

- (1) resides, at the time of application to the program, in a withdrawn unit of election;
- (2) can prove, at the time of application, residence in the corporate limits of the withdrawn unit of election as those limits existed at the time of the withdrawal and continuous residence in the corporate limits of the withdrawn unit of election since withdrawal;
- (3) meets eligibility criteria established by the authority for demand-responsive transportation service for persons with disabilities and can prove, at the time of application, that the person has had the same disability since the unit of election withdrew; and
- (4) applies to the program before January 1, 2012.

(c) The program must:

- (1) include only transportation services that meet the requirements of all applicable federal laws, rules, or regulations; and
- (2) include transportation services between the residence of a program participant and a destination within the authority's service area or a destination within the withdrawn unit of election where the person with a disability resides that is:
 - (A) the participant's place of work or a place where the participant is seeking employment;
 - (B) a physician's office;
 - (C) a pharmacy;
 - (D) the participant's place of voting;
 - (E) a grocery store within five miles of the participant's residence or within the withdrawn unit of election; or
 - (F) a government building.

(d) Subsection (c)(1) does not expand the service area or add to the destinations in Subsection (c)(2).

(e) The requirement for transportation services to a grocery store under Subsection (c)(2)(E) is for services once per week. The requirement for transportation services to a government building under Subsection (c)(2)(F) is for services twice per week.

(f) A withdrawn unit of election must reimburse the authority for the costs of all services in the manner provided by Section 451.616 unless otherwise agreed to in a memorandum of understanding between the authority and the withdrawn unit of election.

(g) A withdrawn unit of election that does not provide transportation services to a program participant in the withdrawn unit of election through a third-party service provider shall provide the participant with use of the authority's transportation services. If a withdrawn unit of election chooses to have a third-party service provider provide services under this subsection, the authority may, with the withdrawn unit's consent:

- (1) provide necessary dispatch services; and
- (2) ensure the provider receives payment from the withdrawn unit of election.

(h) An individual may not receive transportation services under the program and subsequently receive transportation services under Section 451.610.

(i) A person who ceases to reside in the withdrawn unit of election may not continue as a program participant.

(j) This section and any program established under this section expire on January 1, 2020.

Added by Acts 2011, 82nd Leg., R.S., Ch. 1327 (S.B. 650), Sec. 3, eff. June 17, 2011.

MEETING DATE: June 21, 2016

AGENDA ITEM: 4. Recommendation regarding reallocation of sales tax

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ **;** **Hale** _____ **,** **Zaleski** _____ **;** **Webb** _____ **;**

Rutherford _____ **;** **Seaver** _____ **;** **Bowling** _____

Motion Carried: Yes _____ **;** **No** _____

CAPMETRO STUDY COMMITTEE

May 24, 2016

Question: What sort of local projects might be eligible for funding with rededicated sales tax revenue?

Presenting the Issue to Lago Vista Voters
Involves Two Steps

Step 1:

Shall the Capital Metropolitan Transportation Authority be continued
in the City of Lago Vista?

Source: Sec. 451.607(c) of the Transportation Code.

An election to withdraw **must** be held on the first applicable uniform election date occurring after the expiration of 90 days after the governing body orders the election.

Source: Sec. 4451.607(a) of the Transportation Code.

Deadline to call election for November 8, 2016: **August 9**

- A vote to stay in: Yes
- A vote to withdraw: No

Q: **What happens if a majority votes “yes”?**

A: Cap Metro continues to provide transportation services and to collect sales tax in Lago Vista.

Q: **What happens if a majority votes “no”?**

A: Cap Metro ceases providing transportation services (*) in Lago Vista, collects sales tax only until Lago Vista’s net financial obligation to Cap Metro is satisfied, and then ceases collecting sales tax in Lago Vista.

(*) Except for disability transit services mandated by Sec. 451.610 *et seq.* of the Transportation Code.

Q: Can Lago Vista rededicate the sales tax previously collected by Cap Metro?

A: Yes. Upon withdrawal from Cap Metro, Lago Vista's voters can rededicate the sales tax previously collected to other statutorily authorized municipal purposes.

Options for Rededication of Sales and Use Taxes

Option 1: Type B Community Development Sales Tax

Maximum possible dedication: 0.5%

Source: Chapter 500 – 502 and 505 of the Local Government Code.

Chapter 505 authorizes a wide variety of Type B community development projects for:

- Recreational or Community Facilities
- Water Supply Facilities
- Business Enterprises & Development
- Economic Development
- Affordable Housing
- Sports Venue Project, if approved in a subsequent election

Option 2: Street Maintenance Sales Tax

Maximum possible dedication: 1.0%

Source: Chapter 327 of the Tax Code

The sales tax may be used only to maintain and repair municipal streets that existed on the date of the election to adopt the tax. It may not be used to build new streets.

Source: Sec. 327.008 of the Tax Code.

Option 3: Sales Tax to Support Municipal Development Corporation

Maximum possible dedication: 0.5%

Source: Chap. 379A of the Local Government Code

Powers of a Municipal Development Corporation

- Job training
- Early childhood development programs
- After-school programs for primary and secondary schools
- Funding for accredited postsecondary educational institutions to be used to award scholarships
 1. Promotion of literacy
 2. Development of a skilled workforce

Source: Sec. 379A.051 *et seq.* of the Local Government Code

Option 4: Sales Tax to Support a Municipal Development District

Maximum possible dedication: 0.5%

Source: Chap. 377 of the Local Government Code

Authorized Projects for a Municipal Development District

- Authorized projects under Sec. 505.151 *et seq.* of the Local Government Code
- Convention center, civic center, civic center building, civic center hotel, auditorium, and parking facilities

Source: Sec. 377.001(3) for definition of “development project”

Option 5: Sales Tax for Property Tax Relief

Maximum possible dedication: 0.5%

Source: Chap. 321 of the Tax Code

A city may use revenues from sales tax dedicated for property tax relief and use the revenue as it would property tax revenue. However, there are some restrictions on the use of “excess revenues” – the additional sales and use tax that exceeds the projected amount of property tax to be reduced for a given year.

Source: Sec. 26.041(d) and Secs. 321.506 - 7 of the Tax Code

Option 6: Sales Tax to Support a Crime Control and Prevention District

Maximum possible dedication: 0.5%

Source: Chap. 363 of the Local Government Code

A city may use revenues to support a detailed crime control plan and may finance all the costs of a crime control and crime prevention program. The statute includes a long list of eligible program components.

Source: Secs. 363.061 and 363.151 of the Local Government Code

MEETING DATE: June 21, 2016

AGENDA ITEM: 5. Recommendations regarding provision of transportation

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ **;** **Hale** _____ **,** **Zaleski** _____ **;** **Webb** _____ **;**

Rutherford _____ **;** **Seaver** _____ **;** **Bowling** _____

Motion Carried: Yes _____ **;** **No** _____

MEETING DATE: June 21, 2016

AGENDA ITEM: 6. FUTURE MEETINGS

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ **;** **Hale** _____ **,** **Zaleski** _____ **;** **Webb** _____ **;**

Rutherford _____ **;** **Seaver** _____ **;** **Bowling** _____

Motion Carried: Yes _____ **;** **No** _____

MEETING DATE: June 21, 2016

AGENDA ITEM: 7. ADJOURNMENT

Comments:

Motion by: _____

Seconded by: _____

Content of Motion: _____

Vote: Dewhurst _____ ; **Hale** _____ , **Zaleski** _____ ; **Webb** _____ ;

Rutherford _____ ; **Seaver** _____ ; **Bowling** _____

Motion Carried: Yes _____ ; **No** _____