

THE
TRUST
for PUBLIC
LAND



CONSERVING LAND FOR PEOPLE

Armand Bayou Watershed

Land Conservation Funding Options
April 2006

Executive Summary

The Trust for Public Land (TPL) is a national nonprofit land conservation organization working to protect land for human enjoyment and well being. TPL helps conserve land for parks, greenways, recreation areas, watersheds and wilderness, and also assists communities in identifying and securing public financing to achieve their land conservation goals.

The purpose of this report is to present a range of public funding options —collectively referred to as a funding quilt— that can protect land in the Armand Bayou Watershed. It is part of a larger effort sponsored by Harris County and the Harris County Flood Protection District that brings together the Trust for Public Land, and key local stakeholders to identify how land conservation can play a role in watershed protection. To compliment this effort a Stewardship Exchange Program will be held at the Armand Bayou Nature Center in order for scientific and conservation professionals to come together and present examples of successful programs that can protect local watersheds.

This report presents a number of potential public funding options that can be knit together into a “funding quilt” to protect land in the Armand Bayou Watershed. A funding quilt is the combination of funding sources —state, local, federal and private— that are brought together to help achieve conservation objectives, such as the protection of land critical to source water protection. Central to the funding quilt is the role that one funding source plays in leveraging other sources.

The report begins with a discussion of local funding options, and then moves on to state and federal funding. Local funding is the most reliable long-term way to fund land conservation since state and federal funding can be scarce (and variable) and the competition for those funds is often fierce. Hence, these sources are best viewed as supplements or complements to local land conservation.

About Armand Bayou ¹

The Armand Bayou Watershed is located in southeast Harris County and encompasses portions of the cities of Houston, Pasadena, Deer Park, La Porte, and Taylor Lake Village. Armand Bayou flows in a southward direction from its headwaters near Deer Park to its mouth at Clear Lake. The watershed covers 60 square miles and the estimated population within the Armand Bayou is just over 120,000.

Just over half the watershed (21,000 acres) is considered undeveloped or open space. Of that amount, about 14,000 acres could be considered as “significant” wildlife habitat. The City of Houston and the City of Pasadena comprise the greatest amount of land in the watershed, with 14,079 acres and 12,128 acres, respectively.

While most of the natural areas in the watershed are subject to loss through development, a few significant areas have been protected.

¹ Largely excerpted from Harris County Flood Control District website, www.hcfcd.org and the Armand Bayou Watershed Plan.

A. Introduction

Protecting the Armand Bayou Watershed is of critical importance to the residents of Harris County, in order to ensure a clean water supply, protect the region's natural beauty through flood control and stormwater management, and guarantee a future with abundant plant and animal life and recreational opportunities. Building upon separate, but complementary, efforts to assess and map vital land acquisition priorities in the watershed, this report will help present a range of funding options that can be used to protect land in the Armand Bayou Watershed, sooner rather than later.

The report begins by introducing the concept of a “funding quilt” – the combination of local, state and federal funds that can be combined to achieve land conservation objectives. It also gives examples of how the “funding quilt” has been used around the country to protect watershed land. The report then presents a rundown of specific local, state and federal funding sources that may be available to protect land in the Armand Bayou watershed, with relevant examples interspersed from across the country. The report concludes with specific recommendations to move forward on land conservation funding.

B. The Funding Quilt

A funding quilt is the combination of funding sources —state, local, federal and private— that are brought together to help achieve conservation objectives, such as the protection of land critical to source water protection. Central to the funding quilt is the role that one funding source plays in leveraging other sources. The combination of funding sources that help accomplish these conservation goals may take many forms— state and federal; state and local, federal and local, etc— and also may shift over time. However, the most reliable form of funding to achieve conservation objectives over the long-term is local funding. Due to the competition for state, federal and private funding, these sources must be viewed as supplements or incentives, but not as the central funding source for a program.

In order to illustrate how communities are using funding quilts to protect land for watershed protection, several examples drawn from TPL's work are presented here. These include funding quilts that have protected individual parcels such as Betty's Neck in Lakeville, Massachusetts, as well as funding quilts that have helped sustain long-term programs for watershed protection in the New York/New Jersey Highlands and Mountain Island Lake, North Carolina.

Betty's Neck (MA)

Through a combination of state, local and private funding sources, nearly 4,000 acres of municipal watershed land was protected in fast-growing southeastern Massachusetts, including the 480-acre Betty's Neck property in Lakeville. In addition, conservation restrictions were placed on 3,500 acres of adjacent watershed land already owned by the Cities of New Bedford and Taunton.

The majority of funding for this July 2002 project was provided by the state's Department of Environmental Protection Aquifer Land Acquisition Program, which made a \$6.55 million grant

and will receive a conservation easement on 3,500 acres. The state's funding came from the 1996 Environmental Bond Bill. The Town of Lakeville contributed \$1.1 million and the City of New Bedford contributed \$600,000 towards the Betty's Neck purchase. The City of Taunton also hopes to contribute \$600,000 from the Statewide Revolving Fund for that purpose. The Trust for Public Land (TPL) also contributed \$250,000 to the project, thanks to an anonymous Boston foundation.

New York/New Jersey Northern Highlands

The Northern Highlands serve as the source of drinking water for 2.2 million people in New Jersey. The area includes a series of reservoir systems – the Wanaque/Monksville system; the Pequannock System and the Boonton/Split Rock system. Over the past five years, within each system, a range of funding sources have come together to protect thousands of acres. There are several factors underpinning the success in land conservation efforts in the Highlands. First, New York and New Jersey have significant state funding for land conservation –New York approved the \$1.75 billion Clean Water, Clean Air Bond in 1996 and New Jersey's Garden State Preservation Act (1998) provides \$98 million annually from the state sales tax. Second, New Jersey has provided the legal framework for local governments —counties and municipalities—to create local open space trust and the incentives to create them. As a result, 19 of 21 counties and more than 150 local governments have open space trust funds. Finally, there are broad networks of private foundations, land trusts and citizen supporters of conservation in the area.

Local conservation finance measures have been approved in recent years in both Sussex and Morris Counties, home of the Pequannock and Boonton/Split Rock systems. Sussex County voters approved their first-ever property tax levy in November 2000 that will raise \$1.6 million annually while Morris County voters increased their levy in November 2001 to \$25-\$30 million annually.

The Hawkwatch project in Rockaway Township, New Jersey is an example where the presence of local government funds helped trigger other funding. Of the total \$7 million for the project, Morris County and Rockaway Township contributed \$1.5 million from their local property tax levies, which was matched by \$2 million from the state's Green Acres program. An additional \$2 million came from the Federal Forest Legacy Program and the state grant portion of the federal Land and Water Conservation Fund, with more than \$1 million from private foundations.

The most notable purchase within the Highlands was the 1998 purchase of 15,000 acres of Sterling Forest, a heavily forested area straddling the New York/New Jersey border. To reach the total cost of \$55 million, Congress approved \$17.5 million; the state of New York, \$16 million; and New Jersey, \$10 million. In addition, the Lila Acheson and DeWitt Wallace Fund for the Hudson Highlands and the Doris Duke Charitable Foundation contributed \$5 million, while the Victoria Foundation contributed \$1 million. Private donors raised the remainder.

Mountain Island Lake (NC)

Mountain Island Lake provides the drinking water for more than a half million residents of Charlotte and vicinity. The area served by Mountain Island Lake includes Mecklenburg County, a large county with a substantial tax base, as well as several smaller, rural counties – Gaston and Lincoln.

Efforts to protect Mountain Island Lake began in the 1970s, when Mecklenburg County voters passed a \$20-million bond package to create parks and greenways, mostly on the lake's east side. Subsequently, Mecklenburg County has approved several other bond packages, with 1999's \$220 million effort the most recent. During the 1970s, Charlotte-Mecklenburg Utilities (CMU) also launched a small land-acquisition program in the watershed. Each year \$50,000 from the utility's capital improvement budget goes to protection of land in the watershed – now totaling more than 2,700 acres-- particularly on the eastern lakeshore.

While Mecklenburg County's expanding tax base has enabled a significant locally funded land-acquisition effort, Gaston and Lincoln counties have had fewer available local resources. One potential source of funds for these communities was created in 1996, when North Carolina's General Assembly created the Clean Water Management Trust Fund, the nation's first state funding program dedicated exclusively to water-quality protection.

The fund--created in response to several high-profile water-pollution events in North Carolina--guarantees a minimum of \$30 million per year of general revenues to state agencies, local governments, and nonprofits for water-protection projects. Grants are made for the acquisition of land and easements for riparian buffers to protect urban drinking-water supplies, as well as for the repair or replacement of failing wastewater treatment and septic-tank systems. In 1998, Gaston and Lincoln counties obtained full funding from the Clean Water Management Trust Fund to buy a key 1,231-acre Mountain Island Lake property for \$6.15 million.

C. Conservation Finance for Armand Bayou

The central feature of this report is to present a range of public finance options that might enable a funding quilt to be created to protect the Armand Bayou Watershed in Harris County. The range of local options available to Harris County will be presented first, since local funding is the most reliable over the long-term, followed by state and federal funding.

Local Conservation Financing Options

The State of Texas authorizes and enables public bodies to acquire land and interests in land for conservation, parks, and recreational purposes. To do so, public bodies, including counties and flood control districts, may appropriate funds, levy taxes, and issue general obligation bonds.² This report provides information related to the use of property taxes and general obligation bonds for open space and watershed protection purposes by Harris County and by the Harris County Flood Control District.

² Texas Constitution, Article XVI, §59(c-1) (“[T]he Legislature may authorize conservation and reclamation districts to develop and finance with taxes those types ad categories of parks and recreational facilities ...and authorize indebtedness payable from taxes as may be necessary to provide for improvements and maintenance only for a conservation and reclamation district all or part of which is located in ... Harris County.”); Texas Local Gov’t Code § 331.004(a) (“A municipality or county may issue negotiable bonds for the purpose of acquiring or improving land, buildings, or historically significant objects for park purposes or for historic or prehistoric preservation purposes, and may assess, levy, and collect ad valorem taxes to pay the principal of and interest on those bonds and to provide a sinking fund.”); Id. at (c) (“There is no limit on the amount of taxes that may be levied for the operation and maintenance expenses of parks or for the payment of the principal of and interest on the bonds except for the limits provided by the Texas Constitution.”); Gov’t Code §1435.003 (“A municipality or county may: (1) construct, acquire, repair, improve, or enlarge a park facility; or (2) acquire additional land, if needed, for a park facility.”).

Property Taxes

In Texas, property taxes are levied by local governments, schools, and special districts. There is no state property tax. Property taxes are levied each October 1 on the assessed value as of the preceding January 1 for all taxable real and personal property, though residential homesteads are granted either a \$3,000 exemption or an exemption not exceeding 20 percent of the market value of the residence.³ Harris County and the Harris County Flood Protection District provide the 20 percent residence exemption. Appraised values are determined by the Harris County Appraisal District equal to 100 percent of the appraised market value. Real property must be appraised every four years.

The total amount of property taxes imposed in any year may not exceed the amount imposed in the preceding year unless the governing body gives notice of its intent to increase taxes and holds a public hearing.⁴

Harris County Property Tax

Counties, cities and towns in Texas are permitted to levy a property tax up to \$0.80 per \$100 of taxable valuation for general fund, permanent improvement fund, road and bridge fund, and jury fund purposes.⁵ An additional property tax of up to \$0.15 per \$100 of taxable valuation may also be levied for maintenance of public roads with the approval of a majority of voters.

Harris County sets the property tax rates for the county, the Harris County Flood Control District, Harris County Hospital District, and the debt tax rate for the Port of Houston Authority (cities, school districts and utility districts also levy property taxes ranging from \$0.2900 to \$1.7800 per \$100 of taxable value). The table below lists the FY2005 Harris County property tax rates.

Harris County Property Tax Rates, FY 2005

Purpose	FY 2005 Rate
Harris County	
Operating Fund	\$0.33117
County Debt Service	\$0.04303
Road Bond Debt Service	\$0.02566
Total Harris County Prop Tax Rate	\$0.39986
Harris County Flood Control District	\$0.03318
Port of Houston Authority Debt Service	\$0.01673
Harris County Hospital District	\$0.19021
Total Countywide Prop Tax Rate	\$0.63998

³ Texas Constitution, Article VIII, §1-a. and §1-b. Taxing entities may also exempt an additional \$3,000 or a greater amount with voter approval of the market value of residential homesteads for disabled persons and persons over the age of 65 years.

⁴ *Id.* at §21.

⁵ *Id.* at §9.

Harris County had a total assessed value of \$231.5 billion in FY 2005, up from the FY 2004 assessed value of \$220 billion. In terms of the operating fund, the 33 cents per \$100 of assessed value translates to approximately \$353.10 for a home valued at \$110,000.

Harris County Flood Control District Property Tax

The Harris County Flood Control District is permitted to levy a property tax up to \$0.30 per \$100 of taxable valuation (the county sets the District's tax rate).⁶ There is no limitation on the tax rate, which may be set for debt service within the \$0.30 per \$100 of taxable valuation. The tax rate to fund the District's maintenance expenses is limited to a rate that from time to time is approved by voters within the District, though the maximum rate is \$0.15 per \$100 of taxable valuation. For FY 2005, the District levied a property tax of \$0.03318.

The Commissioners Court may order a referendum on the question of whether flood control property taxes should be increased or decreased, or whether an existing flood control project should receive funding. A majority of voters must approve the referendum to increase or decrease property taxes. If, as part of a tax increase, voters can choose specified projects to be funded, only those that receive a majority vote can be funded if the tax passes.⁷

For the fiscal year ended February 28, 2005, property taxes were the District's largest source of revenue at \$66 million, or 84 percent of total revenues.⁸ The tax rate was \$0.03318 per \$100 of taxable valuation for FY 2005 and \$0.04174 per \$100 of taxable valuation for FY 2004. Of the FY 2005 rate, \$0.02553 funds operations and maintenance and \$0.00765 funds debt service, as detailed below.

Property Tax (per \$100 Taxable Value)	Operations and Maintenance	Debt Service	Total
Flood Control District	\$0.02553	\$0.00765	\$0.03318

The FY 2005 assessed valuation increased to \$231.5 million from the FY 2004 assessed valuation of \$220 million (same as Harris County).

Utilizing the Property Tax for Conservation

Both Harris County and the Harris County Flood Control District have capacity to levy a property tax for conservation purposes as depicted on the following page:

⁶ Texas Constitution, Article VIII, §1-a (“[T]he revenue derived therefrom shall be used for construction and maintenance of Farm to Marked Roads or for Flood Control.”).

⁷ Local Govt. Code §411.009. See §411.009(b) for ballot language (i.e., “Whether the flood control tax imposed under Section 1-a, Article VIII, Texas Constitution, should be increased [state amount of increase as a percentage or as a specific amount.]”).

⁸ Harris County Flood Control District: Basic Financial Statements for the FY Ended February 28, 2005, Deloitte & Touche LLP, at

⁹ The second largest revenue source for the District at 11 percent was program revenues comprised of capital grants and contributions and charges for services (primarily impact fees on development and rents).

	Max Prop Rate	FY 2005 Prop Tax	Remaining Capacity
Harris County			
General	\$0.80	\$0.33117	\$0.42580
Debt Service		\$0.04303	
Flood Control District			
General and Debt Service	\$0.30	\$0.02553	\$0.27447
Maintenance	\$0.15	\$0.00765	\$0.14235

The chart below illustrates the revenue and cost of various property tax rate increases as it affects residential properties in Harris County and the District (based on average appraised value of Houston-area residences less the 20 percent residence exemption).

Estimated Revenue and Cost of Additional Property Tax

Prop Tax Increase*	Assessed Valuation	Annual Revenue	Cost / Year / \$100K House	Cost / Ave. / Household**
\$0.01	\$231,537,890,000	\$23,153,789	\$9.70	\$11.33
\$0.02	\$231,537,890,000	\$46,307,578	\$19.40	\$22.67
\$0.04	\$231,537,890,000	\$92,615,156	\$38.80	\$45.33
\$0.05	\$231,537,890,000	\$115,768,945	\$48.50	\$56.67
\$0.07	\$231,537,890,000	\$162,076,523	\$67.90	\$79.33
\$0.10	\$231,537,890,000	\$231,537,890	\$97.00	\$113.33

*Per \$100 of taxable valuation.

**Based on 2005 Houston-area appraised average residence value of \$141,668 (\$113,334 assessed value).

See Harris County Tax Assessor, at <http://www.tax.co.harris.tx.us/pressreleases/2005/taxrelief11-17-05.asp>

Implementation Process for Property Tax Increase

Prior to increasing the total amount of property taxes imposed in any year over the amount imposed in the preceding year, the governing body must give notice of its intent to increase taxes and hold a public hearing.⁹ Specifically, when a proposed tax rate exceeds the lower of the rollback tax rate (which allows an eight percent increase in revenue not devoted to debt service) or 103 percent of the effective tax rate, the governing body must pass a proposal by majority

⁹ Texas Constitution, Art. VIII, §21.

vote to increase the tax at a future meeting and schedule a public hearing.¹⁰ The governing body must then publish a notice for the public hearing that contains the following statement:¹¹

NOTICE OF PUBLIC HEARING ON TAX INCREASE

The (name of the taxing unit) will hold a public hearing on a proposal to increase total tax revenues from properties on the tax roll in the preceding year by (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax rate calculated under this chapter) percent. Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted.

The public hearing will be held on (date and time) at (meeting place).

(Names of all members of the governing body, showing how each voted on the proposal to consider the tax increase or, if one or more were absent, indicating the absences.)

The notice must also contain the following information:

- (A) the unit's adopted tax rate for the preceding year and the proposed tax rate, expressed as an amount per \$100;
- (B) the difference, expressed as an amount per \$100 and as a percent increase or decrease, as applicable, in the proposed tax rate compared to the adopted tax rate for the preceding year;
- (C) the average appraised value of a residence homestead in the taxing unit in the preceding year and in the current year; the unit's homestead exemption, other than an exemption available only to disabled persons or persons 65 years of age or older, applicable to that appraised value in each of those years; and the average taxable value of a residence homestead in the unit in each of those years, disregarding any homestead exemption available only to disabled persons or persons 65 years of age or older;
- (D) the amount of tax that would have been imposed by the unit in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in that year, disregarding any homestead exemption available only to disabled persons or persons 65 years of age or older;
- (E) the amount of tax that would be imposed by the unit in the current year on a residence homestead appraised at the average appraised value of a residence homestead in the current year, disregarding any homestead exemption available only to disabled persons or persons 65 years of age or older, if the proposed tax rate is adopted; and

¹⁰ Property Tax Code §26.05.

¹¹ Id. at §26.06(b).

- (F) the difference between the amounts of tax calculated under Paragraphs (D) and (E), expressed in dollars and cents and described as the annual increase or decrease, as applicable, in the tax to be imposed by the unit on the average residence homestead in the unit in the current year if the proposed tax rate is adopted.

After the hearing the governing body shall give notice of the meeting at which it will vote on the proposed tax rate and it must state the following:¹²

NOTICE OF VOTE ON TAX RATE

The (name of the taxing unit) conducted a public hearing on a proposal to increase the total tax revenues of the (name of the taxing unit) from properties on the tax roll in the preceding year by (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax rate calculated under this chapter) percent on (date and time public hearing was conducted).

The (governing body of the taxing unit) is scheduled to vote on the tax rate that will result in that tax increase at a public meeting to be held on (date and time) at (meeting place).

If the governing body does not adopt a tax rate that exceeds the lower of the rollback tax rate or 103 percent of the effective tax rate by the 14th day, it must give a new notice before it may adopt a rate that exceeds the lower of the rollback tax rate or 103 percent of the effective tax rate.

Bonds

To raise funds for capital improvements, such as land acquisition or building construction, counties may issue bonds. There are two types of bonds: general obligation bonds, which are secured by the full faith and credit of the local property taxing authority, and revenue bonds that are paid by project-generated revenue or a dedicated revenue stream such as a particular tax or fee. The governing body of any county, municipality or flood control district may issue bonds to acquire lands for park or historic purposes.¹³ Counties, municipalities and flood control districts may not issue general obligation bonds that are to be paid from property taxes without approval by the voters in an election.¹⁴ The process for implementing bonds is discussed on page 13.

Harris County Bonding

Pursuant to the Texas Constitution, counties may issue general obligation bonds payable from property taxes for general fund, permanent improvement fund, road and bridge fund, and jury fund purposes.¹⁵ Property taxes levied to pay the debt service on the bonds are limited to \$0.80

¹² Property Tax Code §26.06(c).

¹³ Texas Constitution, Article XVI, §59(c-1); Local Gov't Code § 331.004(a); Id. at (c).

¹⁴ Gov't Code § 1251.001.

¹⁵ Id.; Comprehensive Annual Financial Report, at Table 13. Counties may also issue bonds payable from property taxes for the construction and maintenance of roads, which is limited to 25 percent of assessed value in the county. Texas Constitution, Art. III, §52.

per \$100 of taxable value with majority approval of the qualified voters. Counties may also statutorily issue general obligation bonds for a county courthouse or jail; schools or homes for dependent or delinquent children, bridges, and public roads.¹⁶

To acquire land for land conservation, counties may also issue revenue bonds with a maturity date of 40 years. The county may without an election issue revenue bonds payable from a pledge of net revenue from one or more of its park facilities or from leases or contracts from the operation of park facilities.¹⁷ In the alternative, either through the Commissioners Court or an appointed Parks Board, park revenue bonds may be issued for acquiring, improving, equipping, maintaining, or operating public parks with majority approval of voters.¹⁸ Such park revenue bonds are secured by a pledge of revenues from the operation of the parks or from the properties or facilities, but may not be pledged from tax revenues.

The Harris County parks system, divided into four separate precincts, currently does not have a revenue stream, which could be pledged for revenue bonds.¹⁹

As of February 28, 2005, Harris County had \$4.2 billion in outstanding debt. This debt included \$4 billion in bonds payable of which, \$1.9 billion was for a toll road, \$1.6 billion for county projects, and \$424.3 million for flood control.

Harris County also has bonding capacity remaining in its authorized bonds, or bonds that may be issued without additional action by the Commissioners Court or voters.²⁰ As of February 28, 2005, Harris County had over \$964 million in authorized but unissued property general obligation bonds, almost \$49 million of which was authorized but unissued specifically for parks.²¹ In other words, in 2001, 63 percent of county voters approved \$60 million in bonds for parks but the county has only issued \$11.3 million from the authorized \$60 million amount, leaving nearly \$49 million in authorized but unissued bonds. There are no deadlines on issuing debt that has been authorized by voters, and the determination of a reasonable length of time depends on the facts and circumstances.

Harris County's long-term bond ratings from Moody's Investor Service, Standard & Poors Ratings Services, and Fitch IBCA are Aa1, AA+, and AA+, respectively.

¹⁶ Gov't Code §1301.001 to .004.

¹⁷ *Id.* at §1435.051.

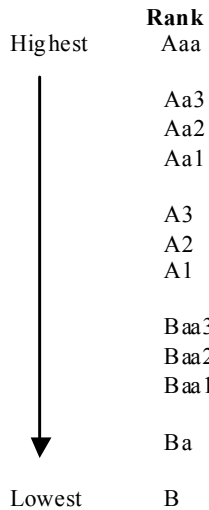
¹⁸ Local Gov't Code §320.071 to .074.

¹⁹ Personal Communication with Lori Bear, Public Affairs Director Harris County Parks Precinct 4.

²⁰ *Houston v. McCraw*, 113 S.W.2d 1215, 1220 (Tex. 1938) ("It is settled law of this State that, where an election results in a majority in favor of the issuance of bonds to a certain total amount for a specific purpose, it is not necessary that all the bonds so authorized be issued at one time, or in any one installment....[W]hat is a reasonable or unreasonable length of time cannot always be determined by the length of time alone, but ...all the surrounding facts and circumstances must be taken into consideration.").

²¹ *Comprehensive Annual Financial Report*, at Note 10(E) and Table 28. The authorized but unissued bonds were approved by Harris County voters at elections held in September 1983, November 1987, November 1989, November 1993, November 1997 and November 2001.

Moody's Municipal Bond Ratings



Harris County Flood Control District Bonding

The Harris County Flood Control District may issue bonds pursuant to Article VXI, Section 59 of the Texas Constitution, for conservation and development of natural resources and development of parks and recreational facilities upon garnering majority approval of qualified voters. No limits are prescribed on the District's ability to issue bonds, though the District is statutorily limited to a property tax rate of \$0.30 per \$100 of taxable value for operational and debt service funds.

As of February 28, 2005, the District had \$424.3 million in outstanding general obligation bonded debt. The District also had voter authorization to issue \$95 million of additional bonds backed by property taxes but never issued the \$95 million in bonds (\$250 million in GO bonds was authorized by voters in 1987 but only \$155 million in bonds has been issued). However, using these voter authorized funds from nearly 20 years ago, for purposes within Armand Bayou may require new voter authorization.

Utilizing GO Bonds for Parks and Recreation

Both Harris County and the Harris County Flood Control District have capacity to issue bonds for conservation purposes based on amounts authorized by voters in previous elections but not issued by the County or District. As of February 28, 2005, these unissued but authorized amounts are as follows:

	Purpose	Remaining Capacity	Authorized Amount	Date Authorized	Issued Amount
Harris County	Parks and Open space	\$48,702,000	\$60 million	Nov. 2001	\$11,298,000
Flood Control District	Flood Control Projects	\$95,000,000	\$250 million	Nov. 1987	\$155,000,000

Harris County and the District could also issue new debt for parks and recreation purposes upon garnering the approval of voters. Because no legal debt margin applies to bonded debt, Harris County and the District are limited only by their capacity to levy a property tax to pay the debt service on bonds issued for parks and recreation purposes. The chart below illustrates the estimated annual debt service, required property tax levies, and annual household cost of various general obligation bond issue amounts.

Harris County Bond Financing Costs

Assumes 20-year bond issues at 5.0% Interest Rate

2005 Assessed Value = \$231.5 billion

Bond Issue	Annual Debt Svce	Property Tax Rate*	Cost/ Year/ \$100K House	Cost/Year/Avg/ Household*
\$10,000,000	\$802,426	0.000347	\$0.34	\$0.39
\$20,000,000	\$1,604,852	0.000693	\$0.67	\$0.79
\$30,000,000	\$2,407,278	0.001040	\$1.01	\$1.18
\$60,000,000	\$4,814,555	0.002079	\$2.02	\$2.36
\$100,000,000	\$8,024,259	0.003466	\$3.36	\$3.93
\$200,000,000	\$16,048,517	0.006931	\$6.72	\$7.86

*Per \$100 of taxable valuation.

**Based on 2005 Houston-area appraised average residence value of \$141,668 (\$113,334 assessed value).

Process for Issuing Bonds

As stated earlier, counties, municipalities and flood control districts may not issue general obligation bonds that are to be paid from property taxes without approval by the voters in an election.²² Proper notice of a bond election to be held not less than 15 days or more than 90 days from the date of an election order must be given at least 14 days before the election.²³ Proper notice includes posting of the election order at various public places and publication in a newspaper of general circulation.

Except as otherwise provided by law, the authority ordering the election shall prescribe the wording of a proposition that is to appear on the ballot. A proposition shall be printed on the ballot in the form of a single statement and may appear on the ballot only once.²⁴

Upon changes in the 2005 legislative session to the Texas Election Code, except under emergency circumstances, all proposition elections at all levels of government must take place on either the first Saturday in May of any year, or the first Tuesday after the first Monday in November of any year.²⁵

²² Gov't Code § 1251.001.

²³ Gov't Code §1251.003.

²⁴ Texas Statutes Section 52.072

²⁵ Election Code §41.001

The proposition for “[t]he issuance of bonds”²⁶ must state (1) the purpose for which the bonds are to be issued; (2) the amount of the bonds; (3) the rate of interest; (4) the imposition of taxes sufficient to pay the debt service on the bonds; and (5) the maturity date of the bonds.²⁷ A majority of qualified voters must approve issuance of the bonds. Examples of the Harris County bond propositions are below.

In November 2001, Harris County voters passed a \$60 million bond measure with 64 percent approval. The proposition stated:

Proposition No. 2: The issuance of \$60,000,000 Harris County park bonds and the levying of the tax in payment thereof.

In November 1997, Harris County voters passed a \$7 million bond measure with 61 percent approval. The proposition stated:

Proposition No. 2: The issuance of \$7,000,000 Harris County park bonds and the levying of the tax in payment thereof.

Municipal G.O.Bonds ²⁸

Towns or cities in Harris County could contribute to the conservation funding quilt as well. Both Houston and Pasadena, which are within the Armand Bayou watershed passed bonds in 2001 and 2002, respectively, for parks and conservation. A full list of county and municipal conservation measures in Texas is located in the Appendix of this report. The chart below demonstrates what another bond in Pasadena for watershed protection or restoration might cost

the average household. For example a \$10 million bond would cost the average household approximately \$18.46 each year.

City of Pasadena Bond Financing Costs

Assumes 20-year bond issues at 5.0% Interest Rate

Total Assessed Value (2006) = \$3.266 billion

Bond Issue	Annual Debt Svce	Mill Increase	\$100K Home Value	Cost/ Year/ Ave. House*
\$1,000,000	\$80,243	0.00246	\$2.38	\$1.85
\$5,000,000	\$401,213	0.01228	\$11.91	\$9.23
\$10,000,000	\$802,426	0.02457	\$23.83	\$18.46
\$15,000,000	\$1,203,639	0.03685	\$35.74	\$27.69
\$20,000,000	\$1,604,852	0.04913	\$47.66	\$36.92

*Median home value is approximately \$93,811.(Assessed Value \$75,148)

Source: U.S. Census 2004

²⁶ *Id.* at §1251.005 (“At the election, the ballots shall be printed to permit voting for or against the proposition: “The issuance of bonds.”). The proposition for park revenue bonds must state: “The issuance of \$___ in park revenue bonds payable solely from revenue.” Local Gov’t Code §320.072.

²⁷ Gov’t Code §1251.002.

²⁸ These bond calculations do not take into account debt capacity for the city. They are simply examples of what certain bond amounts might cost the average household based on current figures.

Procedures for Issuing Municipal Bonds

Cities may issue bonds, including conservation bonds, with just a majority approval of the qualified voters.²⁹ Cities having a population more than 5,000 may not create debt without collecting sufficient revenue to pay the interest and at least 2 percent of the principal each year.³⁰ Cities are not subject to a specific debt limitation, however cities cannot exceed the maximum sales and property tax rates identified above to repay debt.³¹ The maturity date of the bonds may not exceed 40 years.³² Bonds may bear an interest not exceeding a weighted annual average of 12 percent.³³

The proposition submitted to the voters must state the purpose of the bonds, the amount of the bonds, the rate of interest, the taxes needed to pay the annual interest and the maturity date of the bonds. The governing body must order and give notice for proposition elections.³⁴ The election must be held not less than 15 days and not more than 90 days from the date of the election order.³⁵ Notice must be given by posting a copy of the election order at three public places holding the election and at the city hall.³⁶ Notice of an election must be published in a newspaper not earlier than 30 days and not later than 10 days before the election.³⁷ In addition, notice must be published in a newspaper on the same days in each of two successive weeks where the first publication is not less than 14 days before the election.³⁸ After the election but before the debt may be issued, the public finance division of the Attorney General's office must approve the bond to be issued.³⁹

As mentioned earlier, all proposition elections at all levels of government must take place on either the first Saturday in May of any year, or the first Tuesday after the first Monday in November of any year.⁴⁰

Utility Ratepayers

As part of their efforts to provide a reliable supply of clean, safe drinking water, water utilities are taking steps to protect more land within their watersheds. According to a 1991 watershed management study conducted by the American Water Works Association (AWWA), "the most effective way to ensure the long-term protection of water supplies is through land ownership by the water supplier and its cooperative public jurisdictions." At the same time, the Journal noted that the median percentage of watershed lands owned by water utilities nationwide is only 2

²⁹ E-mail from Jim Thomassen, Office of the Attorney General, 5 August 2002.

³⁰ Texas Constitution, Article XI, § 5.

³¹ E-mail from Jim Thomassen, Office of the Attorney General, 5 August 2002.

³² Government Code § 1251.002(5).

³³ Texas Constitution, Article III, § 65(a).

³⁴ Election Code §§ 3.004; 4.002.

³⁵ Government Code § 1251.003(c).

³⁶ Government Code § 1251.003(d).

³⁷ Election Code § 4.003.

³⁸ Government Code § 1251.003(e).

³⁹ Government Code § 1201.065.

⁴⁰ Election Code § 41.001

percent.⁴¹ These land holdings may include not only the water intake area, but also land that protects against stormwater runoff, and provides recharge for groundwater supplies.

Clear Lake City Water Authority⁴²

The Clear Lake City Water Authority, in Houston, is a utility that was created to provide, operate, and maintain waterworks systems, sanitary sewer systems, storm sewer systems, and drainage facilities to serve land within its boundaries. Through fees, the authority is currently in the process of purchasing Clear Lake Golf Course and is planning to turn it into a detention, with habitat and/or park and recreation amenities. Their jurisdiction is a large part of the Armand Bayou watershed.

In order to increase the funds available for watershed land conservation, water utilities may incorporate dedicated fees for land acquisition as a supplement to their rate structure – as is the case in Salt Lake City. In addition, local water utilities may also purchase land through grants from a regular state grant program, if one is in place, as is the practice in Rhode Island.

Salt Lake City

Salt Lake City established a Watershed-Water Rights Purchase Fund in 1991 financed by a 0.25 surcharge on each monthly water bill. In 2000, the City Council approved an increase in the surcharge to .50 per bill.⁴³ Since the Fund was established, Salt Lake City has purchased 1,400 acres of watershed land. For example, in 2001, the City purchased 155 acres of watershed land in Big Cottonwood Canyon for \$2 million, including \$1.3 million from the City.⁴⁴

Rhode Island Water Supply Board

Rhode Island's Water Supply Board, through its Watershed Land Acquisition Program, provides grants to public water suppliers to protect watershed supply lands. The so-called "penny per hundred" program, named for its levy of 1 cent (actually 0.01054) per hundred gallons, was enacted by the Rhode Island State Legislature in 1989 and generates approximately \$2.2 million annually statewide for the purpose of acquiring land and protecting our raw water supply.

Stormwater Utility

Stormwater utilities are independent authorities whose primary focus is to ensure water quality and provide flood control protections. The City of Griffin, Georgia (pop. 24,000) created a stormwater utility funded primarily through a rate structure based on impervious area. In Griffin, each residence is charged \$2.95 per month, with non-residential properties levied \$2.95

⁴¹ "Protecting the Source: How Land Conservation Safeguards Drinking Water." The Trust for Public Land. Richard M. Stapleton. June 30, 1997.

⁴² <http://www.clcwa.org/>

⁴³ www.ci.sl.ut.us/utilities/news/05042001

⁴⁴ www.ci.sl.ut.us/mayor/pressreleases/willowheights

monthly per 2200 square feet of impervious cover. The utility's initial revenues have met the target of \$1.2 million a year.⁴⁵

While the Griffin stormwater utility has not been used for land acquisition, there is ample evidence that reduction in non-point source pollution and flood mitigation could be improved through judicious land acquisition programs. Creating a countywide storm water utility district in Harris County would also provide a means of equitably levying a fee on all county residents for purchase of land for watershed protection.

Lenexa, Kansas “Rain into Recreation” Stormwater Utility⁴⁶

- The city of Lenexa uses a variety of funding sources to implement its “Rain into Recreation” program. These include a 1/8-cent sales tax for stormwater/recreation improvements, a stormwater utility charge on residential, commercial, and industrial land users, and a capital fee on new development. These funds are supplemented with revenue from existing sources such as the county Storm Water Management Program.

Harris County Revenue Raising Projection

According to the 2004 Census, Harris County has 742,947 owner occupied housing units.⁴⁷ If a \$2.95 fee per month were implemented (similar to Griffin's), it would raise approximately \$26.3 million annually from residential customers, prior to collections for non-residential properties. Non-residential fees would be scaled per square foot of impervious cover; i.e. a property with a large parking lot would pay more than a small building with a small lot.

⁴⁵ “Stormwater Utility Case Study.” Georgia Municipal Association. By Brant Keller, City of Griffin and Tommy Brown, Ogden Environmental. February 2000. www.gmanet.com/research

⁴⁶ MetroGreen Finance Strategy. Mid-America Regional Council. Page E-1.

⁴⁷ Source U.S. Census Bureau: American Factfinder.

State Funding

Prior to 1994, state and local parks were supported by a state cigarette tax – 2 cents per pack sold – and federal revenues from oil and gas royalties. However, due to a decline in revenue from the sale of cigarettes, the Department of Parks and Wildlife (TPWD) asked the Legislature to replace the cigarette tax as a source of revenue with a portion of the state sales tax attributable to sporting goods. Beginning September 1, 1995, the Texas Legislature has appropriated an amount not to exceed \$32 million per year from the revenue generated from the sale of sporting goods to fund the state park system and local grants program of the State Parks Division. During FY '04 the revenue generated by the sale of sporting goods was approximately \$94 million. The amount allocated to the TPWD (\$32 million) is about 34 percent of the total. Furthermore, the Texas Legislature only appropriated 70 percent of the total amount allotted to the TPWD for FY '04 and FY '05.⁴⁸ The state cut back 30 percent of the TPWD's appropriations budget in order to address a \$10 billion deficit.⁴⁹

Federal Funding

National Estuary Program

National Estuary Program (Section 320): Funds projects that protect or improve estuaries. Each program in FY2006 was eligible to receive approximately \$500,000.⁵⁰ The Armand Bayou Watershed falls partly within Galveston Bay Estuary, which is part of this federal funding program. GBEP has pledged \$200,000 for the McAllis Point project, in which TPL joined with the Texas General Land Office in reaching an interim solution in the ongoing effort to preserve one of the last large undeveloped tracts on Galveston Island's West End. The conserved portion of the site will be owned by Galveston County and will be open to the public as a nature preserve.⁵¹ GBEP could consider more land acquisition funding in the future.

<http://www.epa.gov/owow/estuaries/>

North American Wetlands Conservation Fund

This program seeks to conserve wetlands through acquisition, restoration, and enhancement. Emphasis on protecting waterfowl and migratory birds and forming partnerships (joint ventures). Grants must be matched at least 1:1 with non-federal dollars. Grants are divided into 2 groups from this funding source: Standard grant proposals request between \$50,000 to \$1 million in funding and small grant proposals request \$50,000 or less. There have only been 2 of these small grants to the State, however standard grants to Texas since 1991 have amounted to over \$12 million, which helped to protect almost 38,000 acres of land.⁵²

<http://www.fws.gov/birdhabitat/Grants/NAWCA/index.shtm>

⁴⁸ Natural Resource Agency budget, *Parks and Wildlife Department*, VI-30, May 27, 2003.

⁴⁹ Telephone conversation with Elaine Dill, TPWD, September 10, 2004.

⁵⁰ Personal communication with Tim Jones, U.S. EPA Office of Wetlands, Oceans, and Watersheds.

⁵¹ TPL Press Release "Partnership Would Help Protect McAllis Point (TX), 4/5/06.

⁵² Personal Communication with Joe Moniot of the US Fish and Wildlife Service.

The Coastal and Estuarine Land Conservation Program (CELCP)

This program was established to protect coastal and estuarine lands considered important for their ecological, conservation, recreational, historical or aesthetic value. The program provides funding for projects that ensure conservation of these areas for the benefit of future generations, and that can be effectively managed and protected. CELCP was created in Fiscal Year 2002.⁵³

CELCP GRANTS IN TEXAS		
2004	Buffalo Bend (Harris County)	\$ 692,634
2004	Starvation Cove (Galveston County)	\$ 593,687
2005	Armand Bayou (City of Pasadena)	\$ 585,894
2005	Buffalo Bayou (City of Houston)	\$ 1,171,788
2006	Armand Bayou	\$ 374,000
2006	Hidalgo Park	\$ 327,250
2006	Bray's Bayou	\$ 327,250

<http://coastalmanagement.noaa.gov/landconservation.html>

Coastal Impact Assistance Program (CIAP)⁵⁴

Based on the FY 2001 figures from CIAP Texas received \$26,406,064 in funds. The Texas General Land Office is managing this program at the state level. The GLO received \$17,163,941, Harris County received \$1,855,770, and the remaining 17 coastal counties received amounts ranging from approximately \$250,000 to \$700,000. Collectively, the state and counties had plans to undertake more than 80 projects. They spent approximately 31 percent of the funds on habitat conservation and restoration, 27 percent on management tools, 15 percent on erosion control and shore stabilization, nine percent on infrastructure and public works, and eight percent on waste and debris removal. The Texas Coastal Coordination Council used approximately \$7.4 million to fund a competitive grant program.

As part of the recent Energy Bill (HR6), the United States Congress authorized and appropriated \$250 million per year for the next four years to states with offshore oil and gas development. This money will be spent on the protection of coastal resources. Texas, as one of these states, is expected to receive between \$160 million and \$240 million starting in FY07. This is the largest allocation in the state's history of funds specifically for coastal environmental quality improvement efforts. Specific activities named in the act that can be funded are:

- Projects and activities for conservation, protection, or restoration of coastal areas, including wetlands.
- Mitigation of damage to fish, wildlife, or natural resources.
- Planning assistance and the administrative costs of the program (capped at 23% of funding);
- Implementation of a federally approved marine, coastal, or comprehensive conservation management plan.
- Mitigation of the impact of outer Continental Shelf activities through funding of on shore infrastructure projects and public service needs (capped at 23% of funding).

⁵³ Personal Communication with Elizabeth Morgan, NOAA

⁵⁴ State of Texas Figures and Linda Shead TPL, Houston.

Of the totals, 65 percent is to be programmed by the state and 35 percent by coastal counties.
<http://coastalmanagement.noaa.gov/czm/ciap/>

Texas Coastal Management Program ⁵⁵

The purpose of the Texas Coastal Management Program (CMP) is to improve the management of the state's coastal natural resource areas (CNRAs) and to ensure the long-term ecological and economic productivity of the coast. The federally approved coastal management program brings approximately \$2.2 million in federal Coastal Zone Management Area funds to Texas state and local entities to implement projects and program activities. Texas is one of only a handful of coastal states that pass substantial amounts of CZMA funds through to coastal communities for projects in the coastal zone. Most coastal states use all or most of their CZMA funds for salaries and other administrative purposes. Even among the pass-through states, Texas is unique in that the Council passes through 90 percent of funds, retaining only 10 percent for administrative expenses. The Council has funded projects in all parts of the coastal zone for a wide variety of purposes. Approximately \$400,000 per year is dedicated to large land acquisitions or restoration projects. <http://www.glo.state.tx.us/coastal/cmp.html>

Private Partners ⁵⁶

National Fish and Wildlife Foundation (NFWF)

The National Fish and Wildlife Foundation is a private, non-profit, 501(c)(3) tax-exempt organization, established by Congress in 1984 and dedicated to the conservation of fish, wildlife, and plants, and the habitat on which they depend. The goals are to promote healthy populations of fish, wildlife, and plants by generating new commerce for conservation. The Foundation meets these goals by creating partnerships between the public and private sectors and strategically invests in conservation and sustainable use of natural resources.

Leveraging Funds Matching grants are partially supported by Congressionally appropriated dollars that must be matched by a ratio of one to one. However, the Foundation strives to maximize dollars invested in conservation and currently average more than a 2:1 return on funds entrusted to the Foundation. For every dollar that Congress provides to the Foundation, nearly \$3 in on-the-ground conservation takes place. The Foundation has awarded over 7,000 grants to more than 2,600 organizations in the United States and abroad and has leveraged - with its partners - more than \$300 million in federal funds since its establishment, for a total of more than \$1 billion in funding for conservation. This has resulted more than 17 million acres protected, restored, and managed for bird, fish and wildlife habitat.
<http://www.nfwf.org/>

⁵⁵ Largely excerpted from <http://www.glo.state.tx.us/coastal/cmp.html>.

⁵⁶ This section is largely excerpted from www.nfwf.org

- **Shell Marine Habitat Program**

The Shell Marine Habitat program is a partnership between the Shell Oil Company and the National Fish and Wildlife Foundation. The purpose of this partnership is to provide grants for projects that benefit marine habitat in and around the Gulf of Mexico. The Shell Marine Habitat Program was launched in 1998. To date, 123 projects have been funded, committing \$50,000 - \$200,000. Competition is stiff for Shell Marine Habitat Program Funds. In a typical grant cycle, about 10% of the project ideas submitted to the National Fish and Wildlife Foundation are eventually funded over \$6.5 million in funds. There is currently \$850,000 available in funding for the 2006 calendar year.

- **Acres For America**

In April, 2005, Wal-Mart pledged \$35 million over 10 years to NFWF to offset its past, present and future U.S. development footprint. Wal-Mart's Acres for America program is the single largest corporate partnership in the history of the Foundation and is the first corporate commitment to offset total developed land use for conservation. The program will conserve more than one acre of priority wildlife habitat for every acre occupied by Wal-Mart's facilities. Matching challenge grants will leverage an additional \$70 million or more in conservation land value. With the grants announced at the launch of the program, the acreage conserved for wildlife habitat is already double Wal-Mart's projected building footprint - with over 300,000 acres permanently protected.

D. Recommendations

If the effort to protect land within the Armand Bayou Watershed is to be considered a success, it is essential to move beyond assessing priorities and actually protect land. In order to accomplish this goal, a range of funding options must be utilized to create a “funding quilt” that will sustain land acquisition both in the near term and over the long term. The specific recommendations will help draw upon a combination of local, state and federal funding to protect land in Armand Bayou.

LOCAL FUNDING

- 1.) **General Obligation Bond or Property Tax:** A bond would be the preferred way to create local conservation funding, and a number of local governments have sought to create land conservation funding by passing a general obligation bond. Since 1994, Texas voters have passed 55 local conservation finance measures generating nearly \$1 billion. The success rate for these measures in Texas currently stands at 90 percent.⁵⁷ Harris County has ample room under its debt limit. The county could use unissued bond funds from their November 2001 parks and open space bond. As of 2005 over \$48 million remained unissued. A property tax levy is another possibility, although one that may prove a more difficult to sell to voters, given its infrequent use.

STATE FUNDING

- 2.) Although state funding for parks and recreation has significantly diminished over the past few years, efforts are currently being made to rectify the situation. The sporting goods tax generates over \$100 million each year, but the share received by the Texas Parks and Wildlife Department (TPWD) has been capped by the state legislature at \$32 million. An increase in the sporting goods tax cap would help alleviate the pressure placed upon the state local parks fund, which provides money to cities and counties in part for land acquisition. The fund, which stood at \$17 million in 2002, is currently funded at \$5 million.⁵⁸ There is a growing statewide initiative in the next legislative session led by the Texas Coalition for Conservation, to have the sporting goods tax cap increased.

FEDERAL FUNDING

- 3.) **The Coastal and Estuarine Land Conservation Program (CELCP):** Armand Bayou should continue to take advantage of federal grant programs like CELCP. CELCP grants to Texas have totaled over \$4 million since 2004. In addition, recent appropriations to the Coastal Impact Assistance Program (CIAP) will provide Texas with roughly \$240 million over 4 years. These funds can be used for the acquisition and/or restoration of coastal impact areas.

⁵⁷ TPL's LandVote Database.

⁵⁸ Austin-American Statesman “Not easy being green: State parks struggle to stay afloat” , March 20, 2006.

APPENDIX: LOCAL CONSERVATION BALLOT MEASURES SINCE 1994

Jurisdiction Name	Date	Finance	Conservation	Status	% Yes
		Mechanism	Funds Approved		
Allen	6/12/1999	Bond	\$22,000,000	Pass	71%
Alvin	11/6/2001	Bond	\$3,150,000	Pass	63%
Arlington	1/18/1997	Bond	\$7,991,019	Pass	81%
Arlington	5/7/2005	Bond	\$3,375,000	Pass	59%
Austin	5/2/1998	Bond	\$61,000,922	Pass	53%
Austin	11/3/1998	Bond	\$7,997,231	Pass	59%
Austin	11/3/1998	Bond	\$40,583,575	Pass	59%
Austin	11/7/2000	Bond	\$13,400,000	Pass	65%
Bexar County	11/4/2003	Bond	\$3,700,000	Pass	58%
Cedar Park	11/6/2001	Bond	\$10,600,000	Pass	59%
College Station	11/3/1998	Bond	\$1,835,000	Pass	52%
College Station	11/3/1998	Bond	\$520,000	Pass	67%
College Station	11/3/1998	Bond	\$3,529,217	Pass	65%
Collin County	2/20/1999	Bond	\$2,082,820	Pass	75%
Collin County	11/4/2003	Bond	\$5,500,000	Pass	63%
Corinth	9/13/1997	Bond	\$1,710,583	Pass	57%
Dallas	5/2/1998	Bond	\$1,640,285	Pass	86%
Dallas	5/3/2003	Bond	\$42,874,109	Pass	82%
Dallas	5/3/2003	Bond	\$3,667,144	Pass	77%
Denton	2/5/2005	Bond	\$7,000,000	Pass	54%
El Paso	5/6/2000	Bond	\$4,000,000	Pass	64%
El Paso	2/7/2004	Bond	\$2,089,198	Pass	64%
Frisco	9/14/2002	Bond	\$5,200,000	Pass	81%
Garland	5/3/1997	Bond	\$2,120,000	Pass	71%
Grand Prairie	11/2/1999	Sales tax	\$75,907,860	Pass	67%
Harris County	11/4/1997	Bond	\$7,000,000	Pass	61%
Harris County	11/6/2001	Bond	\$6,000,000	Pass	63%
Hays County	6/2/2001	Bond	\$3,500,000	Pass	70%
Highland Village	11/2/2004	Sales tax	\$3,750,000	Pass	61%
Houston	11/6/2001	Bond	\$80,000,000	Pass	70%
Irving	8/6/1994	Bond	\$19,400,000	Pass	54%
Irving	2/6/1999	Bond	\$5,500,000	Pass	73%
Kendall County	11/2/2004	Bond	\$5,000,000	Pass	62%
Lubbock	5/15/2004	Bond	\$340,000	Pass	71%
McKinney	2/20/1999	Bond	\$561,221	Pass	82%
Missouri City	9/13/2003	Bond	\$395,000	Pass	65%
Pasadena	8/1/2002	Bond	\$13,500,000	Pass	71%
Plano	5/6/1995	Bond	\$13,045,000	Pass	58%
Plano	5/2/1998	Bond	\$8,010,018	Pass	67%
Plano	5/7/2005	Bond	\$37,600,000	Pass	73%
Rockwall	11/8/2005	Bond	\$5,955,000	Pass	59%
Round Rock	11/6/2001	Bond	\$17,300,000	Pass	68%
Rowlett	5/4/2002	Bond	\$520,000	Pass	67%
San Antonio	5/1/1999	Bond	\$2,800,125	Pass	76%
San Antonio	5/6/2000	Sales tax	\$65,000,000	Pass	56%
San Antonio	11/4/2003	Bond	\$3,890,000	Pass	60%
San Antonio	5/7/2005	Sales tax	\$90,000,000	Pass	55%
San Antonio	5/7/2005	Sales tax	\$45,000,000	Pass	54%
San Marcos	11/8/2005	Bond	\$2,000,000	Pass	68%
Stafford	1/21/1995	Bond	\$300,000	Pass	87%
Travis County	11/4/1997	Bond	\$15,300,000	Pass	62%
Travis County	11/6/2001	Bond	\$28,600,000	Pass	57%
Travis County	11/8/2005	Bond	\$40,000,000	Pass	66%
Williamson County	11/5/1996	Bond	\$3,000,000	Pass	51%

