

TACIR Work Program Calendar Year 2014

This work program includes mandated and other projects carried forward from the amended calendar year 2013 work program. The staff will prepare an amendment to this work program at the end of the 2014 meeting of the 108th General Assembly adding any new requests referred to the Commission by the legislature.

108th General Assembly Requests: 2013

MUNICIPAL BOUNDARY CHANGES AND COMPREHENSIVE GROWTH PLANS (PUBLIC CHAPTER 441, ACTS OF 2013)

STATUS: Draft report presented for Commission review and comment October 2013. Potential recommendations reviewed December 2013. Final report due to the General Assembly January 2014, though the Commission may recommend an extension.

Annexation by Referendum

- Public Chapter 441: The original version of this bill, Senate Bill 0279 (Watson)/House Bill 475 (Carter), would have required a majority vote of qualified voters in the territory proposed for annexation prior to a municipality annexing within its urban growth boundary. This requirement was stripped out of the amendment, which instead charged the Commission with completing a comprehensive review and evaluation of the efficacy of state policies set forth in Title 6, Chapters 51 and 58, and placed a moratorium on unilateral annexations by ordinance of residential and agricultural property, effective April 15, 2013 through May 15, 2014.

The Senate version of the bill was adopted by conference committee and then signed by the Governor on May 16, 2013.

Due Date: January 14, 2014

- Senate Bill 0731 (Watson)/House Bill 0230 (Carter): Requires all annexations within a municipality's urban growth boundaries under an amended growth plan to be by referendum only and not by ordinance.

Referred by the Senate State and Local Government Committee.

Due Date: January 14, 2014

- House Bill 0590 (Van Huss)/Senate Bill 086g (Crowe): The original bill required that prior to a municipality annexing territory by ordinance on its own initiative, the annexation must be approved by a majority of qualified voters who reside in the territory proposed for annexation. The House amendment requires that the municipality notify the county mayor of the annexation after the final passage of the annexation ordinance. The amendment also requires the municipality to send 180 days notice to the residents of the territory proposed for annexation. The original bill required 90 days notice.

Referred by the House Finance, Ways and Means Subcommittee.

Due Date: January 14, 2014

Annexation of Agricultural Land

- Senate Bill 1316 (Bowling)/House Bill 1249 (Van Huss): Prohibits a municipality from annexing any land within its urban growth boundary that is zoned for agricultural use until there is a change in use triggered by a request for a non-agricultural zoning designation or by sale of the territory for use other than agricultural purposes.

Referred by the Senate State and Local Government Committee and the House Finance, Ways and Means Subcommittee.

Due Date: January 14, 2014

Notice

- Senate Bill 1381 (Bowling)/House Bill 1319 (Van Huss): The Senate version and the original House version require municipalities to mail a copy of an annexation ordinance or resolution to each property owner within any territory proposed for annexation at least 90 days prior to a proposed annexation date. They also require any municipality annexing by ordinance to hold a minimum of three public informational meetings. The House version has two amendments, the first reducing the number of public informational meetings to one and requiring that property owners be sent notice of the time, date, and location of the public informational meeting. The second House amendment requires the notice to be sent by certified mail return receipt requested.

Referred by the Senate State and Local Government Committee and the House Finance, Ways and Means Subcommittee.

Due Date: January 14, 2014

Plan of Services

- Senate Bill 1054 (Kelsey)/House Bill 1263 (Carr, D.): Sections 5 and 6 of the original bill were deleted from the amended version of the bill, which became Public Chapter 462, Acts of 2013. The sections removed would have added some requirements for the plan of services including standards for delivering the services and information on the financial ability of the city. These bill sections were not referred to the Commission but are related to the annexation issues the Commission is studying.

Due Date: January 14, 2014

Amending Urban Growth Plans

- Senate Bill 0732 (Watson)/House Bill 0231 (Carter): Places restrictions on the ability of the mayor of a municipality that has not annexed all territory within its urban growth boundaries to propose an amendment to the growth plan and to serve on the coordinating committee reconvened or reestablished to amend the growth plan.

Referred by the Senate State and Local Government Committee.

Due Date: January 14, 2014

- Senate Bill 0613 (Yager)/House Bill 1035 (Kiesling): Amends the law regarding the amendment of growth plans. The bill specifies that an "amendment" to a growth plan may be proposed only by the mayor of a municipality regarding the urban growth boundary of that mayor's municipality, or by a county mayor or county executive regarding a change in the boundary between a planned growth area and a rural area, and it outlines the procedures for the "amendment" of a growth plan. Any proposed change of a growth plan beyond what is described above is deemed a "revision" of the growth plan. Senate Bill 613 also specifies new procedures for the "revision" of a growth plan.

Referred by the Senate State and Local Government Committee.

Due Date: January 14, 2014

WATER RATES

STATUS: Draft report presented for review and comment December 2013. Final report to be presented for Commission approval January 2014.

- House Bill 0600 (Hill, T.)/Senate Bill 0735 (Green): As introduced, prohibits Johnson City from raising water rates, on consumers located outside the city limits within Sullivan County, 50% or higher than the rate charged to consumers located within the city limits.

Referred by the House Local Government Committee.

Due Date: None specified.

INSURANCE IN LIEU OF SURETY BONDS

STATUS: Draft report to be presented for review and comment December 2013. Final report to be presented for Commission approval January 2014.

- Senate Bill 0624 (Norris)/House Bill 1004 (Todd): Authorizes any governmental entity to purchase insurance policies to protect against breach of fiduciary duty by public officials and employees. The Senate State and Local Government Committee amended the bill to direct the Commission to study "the issue of possible insurance policy coverage satisfying the requirement of an official surety bond."

Referred by the Senate State and Local Government Committee.

Due Date: January 31, 2014

107th General Assembly Requests: 2012

HOMEOWNERS ASSOCIATIONS

STATUS: Research plan presented June 2012. Draft report to be presented for Commission review and comment June 2014.

- House Resolution 0170 (Moore): Directs TACIR to study the responsibility of homeowners associations to insure their obligations and homeowners associations' rules and regulations. Resolution passed by House of Representatives.
Due Date: 108th General Assembly

Recurring Mandates

- **Commission Meetings**
Conduct four commission meetings as required by T.C.A. § 4-10-105 and any other meetings of the commission or its committees, as necessary.
- **Education Fiscal Capacity**
Study the fiscal capacity of local governments to fund education; produce the fiscal year 2013-14 fiscal capacity model, as required by T.C.A. § 49-3-356.
- **Public Infrastructure Needs Inventory**
As required by T.C.A. § 4-10-109, compile and maintain an inventory of needed infrastructure within the state; present inventory of statewide public infrastructure needs and cost for provision of adequate and essential public infrastructure to the General Assembly at its next regular annual session following completion of the inventory each year.
- **Public Chapter 1101, Acts of 1998**
Monitor implementation of Tennessee's Growth Policy Act and periodically report findings and recommendations to the General Assembly, as required by T.C.A. § 6-58-113.
- **Electric Generation and Transmission Cooperatives**
As required by T.C.A. § 4-10-112, monitor whether the current wholesale power supply arrangements between the TVA and municipal utilities and electric cooperatives are likely to change in a way that could affect PILOTS from the TVA to the state and to its local governments and report annually to the commerce and labor committee of the senate, the business and utilities committee of the house of representatives, the finance, ways and means committee of the senate, and the finance, ways and means committee of the house of representatives.
- **Basic Education Program Review Committee (BEPRC)**
Serve on the State Board of Education's BEPRC, as required by T.C.A. § 49-1-302.
- **Strategic Planning and Performance Based Budgeting**
Maintain strategic plan and report performance in compliance with state requirements as required by T.C.A. § 9-4-5606.

Research Support

Provide research support based on TACIR initiative and requests from the General Assembly, the Executive Branch, and local government.

Note: It is difficult to anticipate the amount of research support that will be requested in any given year. TACIR normally receives numerous such requests each year, primarily from the General Assembly and other state agencies. Many of these requests require relatively little staff work, though some require extensive effort. It is the intent of the staff to record as many of these requests as practicable in the Summary of Major TACIR Achievements reported to the Commission at the summer meeting.

Inter-Agency Coordination

- Serve on TDEC's Water Resources Technical Advisory Committee.
- Participate with the development districts in a workshop to provide training at the TDDA annual conference. Current-year emphasis: our work with Tennessee State University and the development districts to meet with focus groups to help guide the sustainable competitiveness project discussed below.
- Work with representatives from other agencies assigned to the BEPRC, providing input, feedback, and research support as needed.

Research

- **Foreclosure of Blighted Property**

Study the cost involved in foreclosing on blighted property and how that affects the sale and reuse of the property.

- **Weekly Economic Updates**

Continue to provide Dr. Kyle's weekly economic summaries and analyses to Commission members.

- **Tracking Tennessee's Economy**

Continue the partnership with Middle Tennessee State University's Business and Economic Research Center to provide a web site featuring key economic indicators for the state and its metropolitan statistical areas.

- **Sustainable Competitiveness for Tennessee's Counties**

Continue collaboration with Tennessee State University studying strategies supporting local economic development and quality of life.

- **Fiscal Federalism**

Continue research on potential impacts of federal fiscal policies on state and local governments.

TACIR

- **Local Government Fiscal Challenges**
Study the fiscal challenges facing local governments in a recovering economy.
- **Rural Interstate Highway Congestion**
Complete analysis of strategies for addressing congestion on rural, intercity interstate highways.
- **County Profiles**
Continue to expand analysis of county profiles to better understand the policy implications of local fiscal and economic conditions across the state.
- **School Siting**
Complete study by the University of Memphis on the relationship between school siting and land use planning.
- **Education Finance Equity**
Update analysis of education finance equity in Tennessee.
- **Rurality**
Analyze existing measurements of rurality and develop comprehensive rurality measurement for Tennessee.
- **County Status Indexes**
Update Fast Fact series on local economic activity, personal and family economic well-being, and human capital indexes for Tennessee counties; develop companion index measuring quality of life.
- **Financing Water Infrastructure**
Study existing and potential alternatives for financing needed improvements to state and local water infrastructure.

Technology

- Expand use of GIS in TACIR analyses.
- Expand and update Internet feature reports on pertinent topics.
- Provide web-based public access to tables and data from the Public Infrastructure Needs Inventory.
- Maintain a database of consolidated reference data to support research and analysis.

Administrative

- Effectively manage budget.

- Efficiently manage all contracts.
- Efficiently manage procurement process, ensuring fiscal responsibility as well as adequate oversight and controls.

Professional Development

- Effectively utilize staff training opportunities.
- Attend Tennessee Municipal League and Tennessee County Services Association conferences and staff booths promoting TACIR's research.