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# ROCKWALL COUNTY, TEXAS

## Current Conditions Report and Conservation Finance Feasibility Study

October 2013

**DRAFT**



THE TRUST *for* PUBLIC LAND

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[www.landssoftexas.com/texas/land-for-sale/78-acres-in-Rockwall-County-Texas/id/921252](http://www.landssoftexas.com/texas/land-for-sale/78-acres-in-Rockwall-County-Texas/id/921252).

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## I. Introduction

The Trust for Public Land (TPL) conserves land for people to improve the quality of life in our communities and protect our natural and historic resources. Founded in 1972, TPL works to protect land to enjoy as parks, gardens, playgrounds, greenways, recreation areas, historic buildings, archaeological sites and wilderness areas. To date, TPL has helped protect over 4,484 properties, conserving more than three million acres with a fair market value of more than \$7 billion in all 50 states. Since 1980, TPL has completed over three hundred park, playground, and garden projects.

In 2008, TPL was engaged to perform an Open Space Goal and Finance Assessment for Rockwall County, Texas. This assessment utilized a variety of tools to uncover current trends and attitudes with regard to citizen priorities and level of support for open space conservation within the county.

The goal of the 2008 project was to assess priorities, opportunities, and strategies for open space and natural resource protection. The project was a collaborative effort, involving active participation by County staff, North Central Texas Council of Governments (NCTCOG) staff, TPL, and the citizens of Rockwall County. The goal of the effort was to assist the county as it moves forward with developing goals and financing options for open space protection.

In 2013, the Rockwall County Open Space Alliance invited The Trust for Public Land to meet with county and local officials to discuss conservation finance opportunities going forward. In preparation for this meeting, the Open Space Alliance requested that the Trust for Public Land update relevant elements of the 2008 report. Thus, this document includes an updated Conservation Finance Assessment and Current Conditions Report for Rockwall County.

Since 2008, the need for enhanced greenspace protection, improvements to green infrastructure, and ensuring a livable and desirable community for future generations has only increased in Rockwall County. Citizens continue to express a desire for, and interest in, protecting a variety of key natural resources, open spaces, parks, and trails. Today, Rockwall County is poised to create strong communities with shared spaces to play and explore, ensuring that the features that draw residents to this unique area are preserved for generations to come.

## II. Current Conditions Report

In the fall of 2007, The Rockwall County Commissioners Court approached the North Central Texas Council of Government (NCTCOG) about providing assistance with the open space needs of the fast growing county. The Commissioners Court was interested in protecting natural areas and creating connected trail corridors between the cities in Rockwall County. The NCTCOG partnered with The Trust for Public Land (TPL) in order to begin to determine the open space needs of Rockwall County.

TPL gathered and examined background information to describe the “current conditions” in the county for its initial 2008 report. Additionally, the report included findings from two surveys of Rockwall County residents. The first was a statistically valid telephone survey of Rockwall County voters. The second was a more qualitative online survey. Phone interviews conducted with local stakeholders were also included. Participants in the online survey included elected officials, city employees, and citizens from the following communities in Rockwall County: Fate, Heath, McLendon-Chisholm, City of Rockwall, Rowlett, Royse, and Wylie.

Additionally, TPL held a public workshop to solicit the input and participation of the citizens of Rockwall in order to identify the primary goals for open space preservation and resource protection in the county. Over 40 interested citizens attended the workshop to voice their opinions and participate in setting open space priorities for the county.

In 2012, Rockwall County Commissioners Court authorized the formation of the Rockwall County Open Space Alliance to advise the county and cities regarding the preservation of green spaces. The Alliance formed through the City of Rockwall’s 2011 Master Plan process and used the 2008 studies by The Trust for Public Land (TPL) and North Texas Council of Governments (NTCOG) (which included this current conditions report) as a basis for their report to the Commissioners Court.<sup>1</sup>

In 2013, the Rockwall County Open Space Alliance invited The Trust for Public Land to meet with county and local officials to discuss conservation finance opportunities going forward. Because it has been nearly six years since the current conditions report was completed and in light of the substantial population growth Rockwall County has witnessed over the past few years, the Open Space Alliance requested that The Trust for Public Land update this current conditions report to reflect present-day conditions in the county.

This report describes the current conditions within Rockwall County, with emphasis on demographics, land use, water, previous planning and public attitudes towards land conservation. It also includes background on city and county parks and trails, and an inventory and description of major local and county planning documents to explain the role open space and associated development regulations can and could play in Rockwall County.

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1 - Caleb Slinkard, “County Oks Open Space Alliance”, *Rockwall Herald Banner*, August 20, 2012, accessed September 13, 2013 - See more at: <http://rockwallheraldbanner.com/local/x1144046494/County-OKs-Open-Space-Alliance#sthash.yapgSipy.dpuf>

## The People of Rockwall

The region now known as Rockwall County was originally home to several tribes of Caddo Indians. Cherokees from east of the Mississippi arrived early in the nineteenth century.<sup>2</sup> The first white settlers arrived sometime in the 1840s.<sup>3</sup> Early white settlers engaged in cattle raising as the principal industry. However, by the late 1800s cotton was being produced on a larger scale and then shipped via the new railways through the region.<sup>4</sup> The number of farms increased from 526 in 1880 to 1,090 in 1900. During the first decades of the 20<sup>th</sup> century the population of the county reached about 8,500.<sup>5</sup> However, as workers began finding industrial jobs in Dallas, the population of Rockwall County declined. Further decline occurred during World War II, when 1,233 people left to serve in the armed forces or to take industrial jobs. By 1960, the population had shrunk to 5,872.

Over the past few decades, the trend has reversed again. Rockwall County is now one of the fastest growing counties in the nation. The population began to increase after the construction of Lake Ray Hubbard in 1964 when Rockwall County became a bedroom community for the growing Dallas metropolitan area. Many newcomers moved to Rockwall County for the more rural pace and setting.<sup>6</sup> In 1990, the U.S. Census Bureau estimated the Rockwall County population to be 25,604.<sup>7</sup> The population increased 68 percent between 1990 and 2000 to 43,080 and jumped another 92% by 2012 when it was estimated to reach 83,021.<sup>8</sup> Rockwall County led all Texas counties in the rate of growth between 2000 and 2010 at 81.8%. Between 2010 and 2012, the county grew by 6% whereas the state of Texas grew by just 3.6%.<sup>9</sup> In the City of Fate, in the heart of Rockwall County, the population grew 1,179% from 2000-2010 with an increase from 497 to 6,357 residents (and was estimated at 7,442 in 2012).<sup>10</sup>

According to the 2010 census, the breakdown of race by percentage of the total county population is as follows: 88.7% white, 6.1% black, 2.7% Asian, 1.7% two or more races, and .1% Native Hawaiian and Other Pacific Islander. 16.4% of the population identifies as Hispanic or Latino.

2 - Elizabeth Lee Bass, "Rockwall County", Handbook of Texas Online, (Published by the Texas State Historical Association), accessed September 16, 2013 (<http://www.tshaonline.org/handbook/online/articles/hcr10>).

3 - Ibid.

4 - Ibid.

5 - Ibid.

6 - Don Teague, "Urban flight creates 'rural rebound'— Millions trade city life for the country's wide open spaces," NBC News, March 31, 2005, accessed on September 12, 2013, [http://www.nbcnews.com/id/7350590/ns/nbc\\_nightly\\_news\\_with\\_brian\\_williams/t/urban-flight-creates-rural-rebound/#.UjIsln-Dl8E](http://www.nbcnews.com/id/7350590/ns/nbc_nightly_news_with_brian_williams/t/urban-flight-creates-rural-rebound/#.UjIsln-Dl8E).

7 - U.S. Census, Population of Counties by Decennial Census: 1900 to 1990, March 27, 1995, compiled and edited by Compiled and edited by Richard L. Forstall, accessed September 11, 2013, <http://www.census.gov/population/cencounts/tx190090.txt>.

8 - U.S. Census, State and County Quick Facts, Rockwall County, accessed September 18, 2013, <http://quickfacts.census.gov/qfd/states/48/48397.html>.

9 - U.S. Census, Population Distribution and Change, 2000-2010, March 2011, accessed September 13, 2013, <http://www.census.gov/prod/cen2010/briefs/c2010br-01.pdf>.

10 - City of Fate, Adopted Annual Operating and Capital Budget Fiscal Year 2013, accessed September 13, 2013, <http://www.cityoffate.com/images/budget2013.pdf>.

<b>Population Growth in Rockwall County 2000-2012</b>			
<b>Population</b>	<b>2000</b>	<b>2012 Estimate</b>	<b>% Change</b>
Rockwall County	43,080	83,021	92.7
Fate	463	7,442	1507.3
Heath	4,149	7,633	83.97
McLendon-Chisholm	914	n/a	n/a
City of Rockwall	17,976	39,957	122.3
Rowlett*	44,503	57,703	29.7
City of Royse*	2,957	9,958	236.8
Wylie*	15,132	44,267	192.5
<i>Source: U.S. Census Bureau</i>			
<i>* Represent cities with partial boundaries in another county</i>			

<b>2030 Demographic Forecast: Rockwall County*</b>			
	<b>2010</b>	<b>2020</b>	<b>2030</b>
Population	78,162	118,546	144,976
Households	27,152	41,525	50,793
Employment	22,980	29,007	48,466
<i>* NCTCOG estimate adjusted from 2000 Census County (2003).<sup>11</sup></i>			

Before the recent recession, growth in construction was so dramatic that in Wylie in 2006, for example, a new home was built every ten hours.<sup>11</sup> Today, housing construction rates in Rockwall County remain high. In 2012, the American Community Survey (ACS) estimated that 44.1% of all homes in Rockwall County were built after the year 2000.<sup>12</sup>

The housing boom, coupled with commuting patterns in the region, contribute to the traffic congestion between Rockwall County and Dallas. In 2012, the mean travel time to work for employed Rockwall residents was 31.7 minutes.<sup>13</sup> Furthermore, 28.9% of the working population commuted more than 45 minutes and 11% had commutes surpassing 60 minutes.<sup>14</sup> It comes as no surprise that in 2012, the ACS estimated that 63.5% of the working population worked outside Rockwall County.<sup>15</sup>

11 - "Wylie Texas Fast Facts," accessed September 18, 2013, <http://www.wylietexas.gov>.

12 - U.S. Census, 2012 American Community Survey (ACS) 1-year estimates, Selected Housing Characteristics 2012, accessed on September 19, 2013, [http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS\\_12\\_1YR\\_DP04&prodType=table](http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_12_1YR_DP04&prodType=table).

13 - U.S. Census, 2012 ACS 1-Year Estimates, Commuting Characteristics by Sex 2012 accessed September 19, 2013, [http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS\\_12\\_1YR\\_S0801&prodType=table](http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_12_1YR_S0801&prodType=table).

14 - Ibid.

15 - Ibid.

## History, Geography, and Endangered Species

While trying to dig water wells in 1851, settlers discovered an underground rock wall. Because of its man-made appearance, there has been much discussion about how the wall came into existence. Settlers believed it was a man-made barrier defining territory. Geologists believe it is the result of weather sand dikes formed along the Balcones fault line. There is still evidence of the rock wall system which out crops at several points within the county.<sup>16</sup> Whether manmade or natural, this discovery gave the county its name.

In 1836, the area was established as part of Nacogdoches County, and when Texas joined the Union in 1845, it was included in Henderson County. What is now Rockwall County was placed in Kaufman County in 1847. Citizens thought the county seat of Kaufman was too inconvenient, and in 1873, Rockwall County was formed.<sup>17</sup>

Today, Rockwall is the smallest county in Texas with an area of just 148.7 square miles, of which twenty is covered by water. Rockwall is located in north central Texas, and is part of the Dallas Primary Metropolitan Statistical Area (MSA). The City of Rockwall is the county seat and the largest of four cities in Rockwall County.<sup>18</sup> Collin County to the north is 886 square miles and Dallas County to the west is 880 square miles. Hunt County is located to the east, and Kaufman County is southeast.

The area did not have a large, navigable body of water until the late 1960s when the East Fork of the Trinity River, which runs north to south along the western border of the county, was dammed to form Lake Ray Hubbard. Lake Ray Hubbard sits on the western border of Rockwall County, covering almost 14 percent of the county. Today, the conservation storage capacity of the lake is 490,000 acre-feet with a surface area of 22,745 acres.<sup>19</sup> The drainage area above the dam is about 1,074 square miles.<sup>20</sup> Appendix A shows a map of Lake Ray Hubbard in relation to Rockwall communities.

Except for a small section of the northeastern part of the county, which drains into Sabine Creek, all streams empty into the East Fork of the Trinity River. Along the creeks and river there are hard and softwood trees, some of which include elm, oak, mesquite, and pecan.<sup>21</sup> There are a few native grass hay meadows, but most of the pastureland is in bermuda, clover, or Johnsongrass. All parts of the county are well watered by springs and small lakes.

The region is home to several federally listed threatened and endangered species. These include the Piping Plover, Whooping Crane and red wolf. Those proposed for federally delisting as a result of population comebacks include the Peregrine Falcon, American Peregrine Falcon, and Bald Eagle.<sup>22</sup> In addition, there are several species that are threatened in the state of Texas and have habitats that cover parts of Rockwall County. These species are the Texas horned lizard, alligator snapping turtle, timber/canebrake rattlesnake, white-faced ibis, and the Wood Stork.<sup>23</sup>

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16 - City of Rockwall website.

17 - Rockwall County, Texas website, accessed September 18, 2013, <http://www.rockwallcountytexas.com/index.aspx?nid=255>.

18 - City of Rockwall, Parks and Open Space Master Plan (2010) p. 6. Accessed September 12, 2013 <http://www.rockwall.com/parks/documents/Final%20Rockwal%20Master%20Plan%20with%20all%20exhibits.pdf>.

19 - "Ray Hubbard Lake," Handbook of Texas Online. (Published by the Texas State Historical Association), Accessed September 12, 2013 <http://www.tshaonline.org/handbook/online/articles/rorxd>.

20 - Ibid.

21 - Handbook of Texas Online, <http://www.tshaonline.org/handbook/online/articles/RR/hcr10.html>.

22 - Texas Parks and Wildlife website, accessed September 11, 2013 <http://www.tpwd.state.tx.us/gis/ris/es/SpeciesList.aspx?parm=Rockwall>.

23 - Ibid.

## Economy and Real Estate

Rockwall County was once a predominately agricultural area. Today the area is much more urbanized, especially compared to its neighbors to the north. In 2012, only 1.8% of the population of Rockwall County worked in the agriculture, forestry, fishing and hunting, and mining industry.<sup>24</sup> The ACS estimates that in 2013, 20.3% of employed Rockwall County residents work in educational services, health care and social assistance; 13.5% work in retail trade; and 10.4% work in manufacturing.<sup>25</sup> Agricultural activities that remain include heavy row crop cultivation.

Rockwall's population growth is partly attributable to its impressive job growth. *CNN Money Magazine* recently named Rockwall County second in the nation for job growth from 2010-2012, with a growth rate of 13%.<sup>26</sup> The U.S. Census Bureau estimated that the median household income in Rockwall County at \$82,146 between 2007-11, significantly higher than the Texas median household income of \$50,920.

In 2012, the ACS estimated that the median home price in Rockwall County was \$187,900. That same year, the City of Heath had the highest average home value in the county at \$384,291.<sup>27</sup> In Texas, 65.4% of all housing is 1-unit detached while in Rockwall County, that number is 85.4%.<sup>28</sup>

With the population explosion, the county's full property tax base valuation has also increased substantially. In fiscal year 2007, the tax base grew 15.4 percent reaching a sizable \$5.6 billion. In 2012, the tax base grew to \$5.9 billion.<sup>29</sup> County officials estimate that similar growth will continue considering ongoing new construction of single-family homes, retail centers, and warehouses.<sup>30</sup>

This population increase has also resulted in the conversion of thousands of acres of natural and agricultural lands to development. According to accumulated data from Texas County Appraisal Districts, over 269,000 acres of farms and ranches in the Dallas-Fort Worth Metroplex were converted to other uses from 1997 to 2007.<sup>31</sup> Over 45% of this land conversion was related to growth and development associated with population expansion in the Metroplex's three highest growth counties— Rockwall, Collin and Denton.<sup>32</sup> During this period, 121,821 acres were lost from the agricultural land base north and east of the greater Dallas area.<sup>33</sup> During this period, Rockwall County lost 18% of its open space and agricultural land to other uses.<sup>34</sup> Today, the number of acres officially registered as open space or agriculture in Rockwall County is actually increasing (from 43,903 acres in 2008 to 44,986 acres in 2013).<sup>35</sup> However, this increase is due primarily to the fact that Rockwall County has no minimum property size for registered agricultural properties and fragmented properties are often registered with the county as agricultural for property tax purposes.<sup>36</sup>

24 - US Census, 2012 ACS 1-year estimates, Selected Economic Characteristics, accessed September 19, 2013, [http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS\\_12\\_1YR\\_DP03&prodType=table](http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_12_1YR_DP03&prodType=table).

25 - Ibid.

26 - "Where the Jobs Are 2013," *CNN Money Magazine*, August 12, 2013, accessed September 18, 2013, <http://money.cnn.com/gallery/pf/jobs/2013/08/12/best-places-job-growth.moneymag/2.html>.

27 - Rockwall County Central Appraisal District, fax from Lisa Butler received on September 16, 2013.

28 - U.S. Census, 2012 ACS 1-year estimates, Selected Housing Characteristics, accessed on September 19, 2013, [http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS\\_12\\_1YR\\_DP04&prodType=table](http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_12_1YR_DP04&prodType=table).

29 - Ibid.

30 - ACS 2012 1-year estimates, Selected Housing Characteristics.

31 - Wilkins, R. Neal, Amy G. Snelgrove, Blair C. Fitzsimons, Brent M. Stevener, Kevin L. Skow, Ross E. Anderson, Amanda M. Dube. *Current Land Use Trends, Texas Land Trends*. Texas A&M Institute of Renewable Natural Resources. 2009. Texas AgriLife Extension. *Current Land Use Trends: Dallas/Fort Worth Metroplex*, accessed October 11, 2013, <http://txlandtrends.org/Briefings/MetroplexLandUse.aspx>.

32 - Wilkins, R. Neal, Amy G. Snelgrove, Blair C. Fitzsimons, Brent M. Stevener, Kevin L. Skow, Ross E. Anderson, Amanda M. Dube. *Current Land Use Trends, Texas Land Trends*. Texas A&M Institute of Renewable Natural Resources. 2009. Texas AgriLife Extension. *Current Land Use Trends: Dallas/Fort Worth Metroplex*, accessed October 11, 2013, <http://txlandtrends.org/Briefings/MetroplexLandUse.aspx>.

33 - Ibid.

34 - Texas Land Trends, *Regional Comparisons, Rockwall County*, accessed October 11, 2013, <http://txlandtrends.org/RegionalComp.aspx>.

35 - Conversation with Cody Sanderson, Deputy Chief Appraiser, Rockwall Central Appraisal District, October 11, 2013.

36 - Ibid.

## Water Supply and Water Quality

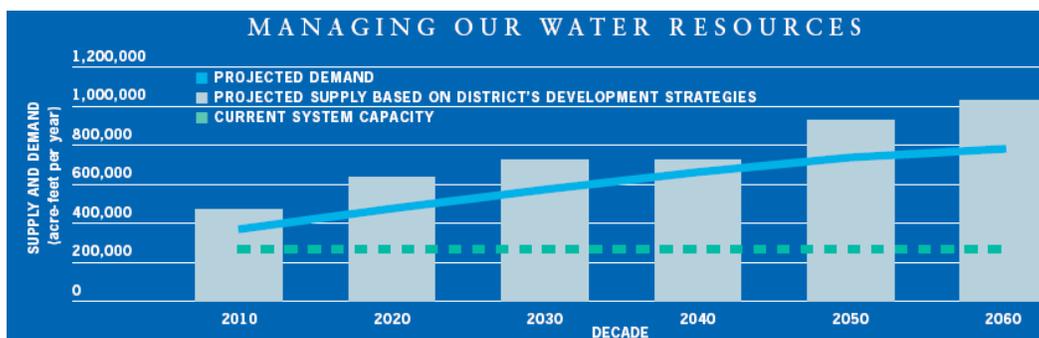
Rockwall County gets its drinking water through the North Texas Municipal Water District (NTMWD). The District serves a 2,200 square-mile service area located in nine counties adjacent to the north and east boundaries of Dallas. Within Rockwall County, Rockwall City, Royse City, and Wylie City are all members of the NTMWD. Today, the NTMWD Regional Water System provides treated drinking water supplies to over 1.6 million people in the 60 cities, towns, special utility districts, and water supply corporations.<sup>37</sup> Due to population growth, it is estimated that the population served by NTMWD will more than double by the year 2060 to an estimated 3.5 million served.<sup>38</sup>

The water utility districts within Rockwall County all receive treated water from NTMWD, which is supplied by the following sources: Lavon Lake, Lake Texoma, Jim Chapman Lake, Lake Tawakoni, and the East Fork Raw Water Supply Project. All supplies are piped into Lavon for treatment and delivery to the member cities and customers of NTMWD. Most of these watersheds lie outside Rockwall County jurisdictions.

Lake Lavon, which also sits on the East Fork of the Trinity River, was constructed in the 1950s and is located north of Rockwall County, between Wylie and Lavon, in Collin County. The lake was built to serve two purposes – to protect the river valley from flooding and to increase the available water supply in the region.<sup>39</sup> Today Lake Lavon maintains a total capacity of 748,200 acre-feet of water (although the NTMWD holds water rights to 118,000 acre-feet/year).<sup>40</sup>

Lake Lavon and Lake Ray Hubbard have significantly different surrounding landscapes. Lake Lavon is surrounded by rural land with cropland agriculture while much of Lake Ray Hubbard’s watershed has been urbanized. Lake Ray Hubbard is not a water source for NTMWD, but it is a water source for Dallas Water Utilities. The City of Dallas built and owns the lake.<sup>41</sup>

Given the tremendous projected population growth, the demand for water in the NTMWD is projected to increase dramatically by the year 2060. The graph below illustrates the district’s current system capacity, projected supply based on development strategies and the projected demand by 2060.<sup>42</sup> To serve needs through 2060, the NTMWD is predicting that they will need to add an additional source of raw water supply equal to the capacity of Lavon Lake (118,000 acre-feet/year) every decade for the next five decades.<sup>43</sup>



37 - North Texas Municipal Water District (NTMWD), 2011-2012, Comprehensive Annual Financial Report, accessed September 18, 2013, <https://ntmwd.com/financials.html>.

38 - NTMWD 2011-2012 Comprehensive Annual Financial Report p. viii.

39 - U.S. Army Corps of Engineers, Lake Lavon information, accessed September 19, 2013 [www.swf-wc.usace.army.mil/lavon/information/index.asp](http://www.swf-wc.usace.army.mil/lavon/information/index.asp).

40 - Ibid.

41 - Dallas Water Utilities, Questions and Answers about Reservoirs, accessed September 18, 2013, <http://www.dallascityhall.com/pdf/dwu/lakes.pdf>.

42 - North Texas Municipal Water District (NTMWD), 2006-2007 Annual Report, accessed September 13, 2013, [http://www.ntmwd.com/downloads/annualreports/NTMWD\\_AnnualReport2006-2007.pdf](http://www.ntmwd.com/downloads/annualreports/NTMWD_AnnualReport2006-2007.pdf).

43 - NTMWD, 2008-2009 Annual Report, p. 6, accessed on September 12, 2013, [https://ntmwd.com/annual\\_reports.html](https://ntmwd.com/annual_reports.html). Note: 2008-09 was the last year in which NTMWD created an annual report.

Additional sources of raw water supplies are being developed to supply the rapidly increasing needs of the NTMWD member and customer cities.<sup>44</sup> In 2008, the NTMWD completed the East Fork Raw Water Supply Project (supplying an additional 90.7 million gallons per day (MGD)) and the Upper Sabine Raw Water Supply Project (44.4-71.2 MGD).<sup>45</sup> In 2011-2012, NTMWD planned over \$2.6 billion of capital projects to be developed over the next twenty years.<sup>46</sup> These projects include the Lake Texoma to Wylie Water Treatment Plan Raw Water Pipeline Project, the construction of the Lower Bois d'Arc Creek Reservoir Project and the Sulphur River Basin Reservoir Project.

A severe drought in North Texas is adding to the region's water woes. In April, 2013 the NTMWD implemented Stage 3 of its *Water Conservation and Drought Contingency and Water Emergency Response Plan*.<sup>47</sup> The announcement came as water levels in Lake Lavon and Lake Chapman continued to drop and Lake Texoma water remained unusable due to the presence of invasive zebra mussels (Lake Texoma normally provides 28% of NTMWD's total raw water supply).<sup>48</sup> The goal of Stage 3 is a 10% reduction in water use. The drought has also affected tourism in Rockwall County. Recently, the City of Dallas was forced to close a popular boat ramp on Lake Ray Hubbard because of low water levels.<sup>49</sup>

If these strategies are not successful the NTMWD does not have the legal authority to issue a development moratorium. Today and in the past, the district has implemented water conservation strategies to deal with increased demand.<sup>50</sup>

## Existing Parks, Open Space & Trails

### Rockwall County

Rockwall County does not have a Parks and Recreation Department.<sup>51</sup> In 2011, Rockwall County developed a *Biker Master Plan* that estimates that there are 27.61 miles of shared use paths and 175.99 miles of additional shared use paths proposed within the county.<sup>52</sup> Existing shared use paths are primarily owned and managed by the City of Rockwall and not the county. The county has not placed any recent parks or open space related finance measures on the ballot.

### City of Fate

Fate sits in the heart of Rockwall County and the Department of Public Works manages parks facilities within the city. In 2006, the City maintained a downtown mini-park and a private recreational center.<sup>53</sup> There have been no recent ballot measures for parks, open space or trails in Fate.

### City of Heath

As of 2008, the City of Heath is approximately 51% developed and 45.7% vacant.<sup>54</sup> Heath has several city

44 - NTMWD website, accessed September 18, 2013, <https://ntmwd.com/history.html>.

45 - NTMWD, 2008-2009 Annual Report p. 3.

46 - NTMWD 2011-2012 Comprehensive Financial Report p. iv.

47 - Rick Ericson, NTMWD press release, "Below Average rainfall, low lake levels prompt NTMWD Board to implement Stage 3 of Drought Plan," accessed September 19, 2013, [https://ntmwd.com/downloads/newsreleases/drought\\_ntmwd\\_press\\_release\\_04252013.pdf](https://ntmwd.com/downloads/newsreleases/drought_ntmwd_press_release_04252013.pdf).

48 - Ibid.

49 - Tammy Mutasa, "Lake Ray Hubbard Boat Ramp Closed Indefinitely," NBCDFW.com, August 4, 2013, accessed September 18, 2013, <http://www.nbcdfw.com/news/local/Lake-Ray-Hubbard-Boat-Ramp-Closed-Indefinitely--219049841.html>.

50 - NTMWD, 2008-2009 Annual Report p. 7.

51 - Rockwall County website, accessed September 18, 2013, <http://www.rockwallcountytexas.com/index.aspx?NID=204>.

52 - Rockwall County, Rockwall County Bike Master Plan (2011), p. 16, accessed September 13, 2013, <http://www.rockwallcountytexas.com/DocumentCenter/View/2581>.

53 - City of Fate, City of Fate Mater Parks and Trail Plan (2006), p. 12.

54 - City of Heath, City of Heath Comprehensive Plan (2008), p. 504, accessed September 16, 2013, <http://www.heathtx.com/beta/wp-content/uploads/2013/06/CPChapt5.pdf>.

parcs and one trail system. These include Towne Center Park and the Towne Center trail system; and Terry Park, a seven-acre waterfront park now under renovation.<sup>55</sup> The project was made possible through a grant from the Texas Parks and Wildlife Commission, city funds, and a gift from local developers.<sup>56</sup>

**City of McLendon-Chisholm**

The City of McLendon-Chisholm has approximately 9 miles of pathways and trails.<sup>57</sup> There have been no recent ballot measures for parks, open space or trails in McLendon-Chisholm.

**City of Rockwall**

The Rockwall City Parks and Recreation Department manages 977 acres of land, 267 of which are developed.<sup>58</sup> The department offers programming for both youth and adults and operates: a large community center at Harry Myers Park, two public swimming pools, and several other city parks.<sup>59</sup> Since 2002, the City of Rockwall has made significant improvements and additions to its park and open space system including the acquisition and development of new neighborhood and community parks, the construction of The Harbor- a mixed use lakeside development with leisure amenities on the shores of Lake Ray Hubbard, and the planning and construction of new multi-use and mountain bike trails.<sup>60</sup>

In 2001, the city held a bond election that failed. If it had passed it would have provided funds for new neighborhood and community parks. A survey, conducted in August 2003 by the research firm Turco and Associates revealed that there is a need for more public parks in the northern and southern portions of the community. Heath and Fate (to the south and east of the city) rely heavily on the City of Rockwall to provide athletic fields and other open spaces.<sup>61</sup> In 2005 Rockwall residents passed a \$5.9 million bond for parks, trails and open space. The measure passed with 59 percent support.<sup>62</sup> Another citizen’s survey conducted by Turco & Associates in 2008 illustrated a need and support for additional recreational facilities to accommodate Rockwall’s escalating population. <sup>63</sup> When citizens were asked whether they would support City funding for parks and recreation projects within the next five years, they were most likely to strongly support or support the following facilities:

City of Rockwall Citizens Survey (2008) <sup>65</sup>	
Facility	Level of Support
Jogging/biking trails	91%
Additional neighborhood parks	81%
Performing arts center	80%
Nature center/environmental education center	78%
Additional large community-wide park	77%
Dalton Road Lakeside Park	76%
Multi-purpose sports complex	69%
Additional playgrounds	64%
Water park	63%
Dog park	63%
Outdoor municipal pool	58%

55 - City of Heath website, accessed September 18, 2013, <http://www.heathtx.com/index.asp?NID=18>.

56 - City of Heath website, accessed September 18, 2013, <http://www.heathtx.com/beta/living-in-heath/parks-and-trails>.

57 - McLendon-Chisholm Comprehensive Land Use Plan and Thoroughfare Plan, June 2007, p. 4.

58 - City of Rockwall, Parks and Open Space Master Plan 2010-2020, p. 22.

59 - However, in September, 2013 officials considered the removal of the popular pool at Harry Meyers Park because it does not meet state standards. Julieta Chiquillo, “Rockwall residents ask city officials to save Harry Myers Park Pool,” Dallas Morning News, September 4, 2013, accessed September 16, 2013. <http://www.dallasnews.com/news/community-news/rockwall-rowlett/headlines/20130904-rockwall-residents-ask-city-officials-to-save-harry-meyers-park-pool>.

60 - Ibid.

61 - City of Rockwall, Parks and Recreation Department Business Plan, p. 19, 24, 33.

62 - Trust for Public Land’s LandVote Database, accessed September 18, 2013, [www.landvote.org](http://www.landvote.org).

63 - City of Rockwall Parks & Open Space Master Plan p. 4.

### City of Rowlett

The City of Rowlett straddles Dallas and Rockwall Counties. The Parks and Recreation Department manages park facilities including a fitness center, racquetball courts, and two gymnasiums. The city offers fitness programs and classes, and it has over 600 acres of parkland.<sup>64</sup> Rowlett is planning to develop approximately 10 new park sites in the future.<sup>65</sup>

In 2002 residents of Rowlett passed a \$520,000 bond for recreation and parks. In 2006 a \$13.4 million bond measure for parks, open space, trails and recreation failed with only 38 percent support.<sup>66</sup>

### Royse City

The boundaries of Royse City extend into Collin and Hunt Counties. The Royse City Parks and Recreation Department consists of approximately 45 acres of developed parkland, with four playgrounds, three catch and release ponds, and one and one-half miles of nature trails and jogging paths. In addition, the city maintains a baseball/softball complex and a soccer complex, with various practice fields.<sup>67</sup> In its 2014 proposed budget, the city outlines its intent to acquire the land for and development of a sports field complex (among other capital projects) that would require a bond election and notes that a discussion as to the feasibility of a bond needs to be considered.<sup>68</sup>

### City of Wylie

The City of Wylie is primarily in Collin County but extends into Dallas and Rockwall Counties. In 2010, the city managed 663 acres of park land including 16 neighborhood parks, two community parks, two special purpose parks, five open space and nature area preserves, and the Dallas County-owned Muddy Creek Preserve.<sup>69</sup> A 2010 *Parks Master Plan* expressed a need for 10 to 12 new neighborhood park sites.<sup>70</sup> In 2011, the city opened the Wylie Municipal Complex which houses a 40,000 square foot recreation facility.

There have been no recent ballot measures for parks, open space or trails in Wylie.

## Inventory of County and City Planning Documents

This section will explain the role open space and development regulations play throughout county and city documents.

The State of Texas does not require counties in Texas to develop comprehensive planning documents. Thus, Rockwall County does not have an open space or land conservation plan to discern conservation planning efforts. However, in an effort to be proactive in thinking about the future of Rockwall County, the Rockwall County Commissioners Court released a statement and a set of objectives relating to land use and quality-of-life issues in 2008. The position is summarized to say, “The dynamics of Rockwall County’s geography and its rapid population growth present a very small window of opportunity to act on the quality of its future. Therefore, Our Future Is Now.”<sup>71</sup> Three key objectives are also identified and include: to preserve storm

64 - City of Rowlett, Parks and Recreation, accessed September 13, 2013, <http://www.rowlett.com/index.aspx?NID=25>.

65 - City of Rowlett, City of Rowlett Future Parks Listing, accessed September 12, 2013, <http://www.ci.rowlett.tx.us/index.aspx?NID=763>.

66 - Trust for Public Land’s LandVote Database.

67 - City of Royse City website, accessed September 12, 2013, <http://www.roysecity.com>.

68 - City of Royse City, Texas 2013-2014 Budget, accessed September 13, 2013, <http://www.roysecity.com/main-site/wp-content/uploads/2013/08/2013-2014%20Budget.pdf>.

69 - City of Wylie, Texas Parks Master Plan (2010), p. 4-3, accessed September 13, 2013 [http://www.wylietexas.gov/departments/parks\\_/docs/04\\_Existing\\_Conditions\\_\\_5\\_05\\_10.pdf](http://www.wylietexas.gov/departments/parks_/docs/04_Existing_Conditions__5_05_10.pdf).

70 - City of Wylie, Texas Parks Master Plan (2010), accessed September 13, 2013, [http://www.wylietexas.gov/departments/parks\\_/docs/05\\_Needs\\_\\_5\\_5\\_10.pdf](http://www.wylietexas.gov/departments/parks_/docs/05_Needs__5_5_10.pdf).

71 - Rockwall County Commissioners Court, February 2008 – See Appendix B.

water quality along corridors, to acquire land for a major Central Park, and to protect or establish open space connectivity throughout the county. This document is included in Appendix **B**.

Rockwall County's *Thoroughfare Plan* provided background on the county's planning efforts. Completed in 2000 and updated in 2007, this document helped the county to determine that traffic congestion was a major concern. In 2004 a county bond package was approved to fund interchanges. In 2008, Rockwall county voters approved a \$100 million bond to improve 15 major corridors within Rockwall County. Because all Texas Department of Transportation roadways must be designed to accommodate bicycle users, Rockwall County developed a *Bike Master Plan* in 2012.

Control over land use, zoning, and subdivisions rests primarily with municipalities, not counties. Counties in Texas have very limited subdivision authority and no zoning power. Land use regulation is limited to only what is specifically allowed by state law.<sup>72</sup> However, Texas Local Government Code authorizes the adoption of a comprehensive plan in Chapter 213 "for the purpose of promoting the sound development of municipalities and promoting public health, safety and welfare," and that "zoning regulations must be adopted in accordance with a comprehensive plan."<sup>73</sup>

### City of Fate

The City of Fate developed a *Master Parks and Trails Plan* in 2006 to provide an analysis of and developmental guidance for the placement of open space within the city. In the Report, the city proposes 12 neighborhood parks, three community parks, three active sports parks, 34.5 miles of greenbelt trails, and 26.2 miles of roadside trails by 2020.<sup>74</sup> The plan also states that "parkland dedication by the developer should be required for residential developments occurring within the City of Fate."<sup>75</sup> Today, the city has a mandatory park land dedication and fee ordinance.

### City of Heath

The City of Heath has a documented strategy for open space in its 2008 *Comprehensive Plan* as well as a formal trail plan, the *Ten-Year Pathways Implementation Plan*, which was approved in 2004. The *Comprehensive Plan* supports the trail concepts and recommendations made within the *Pathways Plan* and recommends that the city continues to use the plan to "create a community-wide trail system that can be used as a local transportation alternative to the automobile." One motive for the creation of this plan was the city's recognition that proximity to parks creates added property value and tax base.<sup>76</sup> The main purpose of the pathways plan was "to identify and measure distances for a set of high priority non-motorized pathways, which could enhance existing pathways, as well as those that have been or are anticipated to be developer-built."<sup>77</sup> High priority is given to those areas that provide connectivity from residential areas to schools, parks, Town Center, and other important destinations within the city.

While developing the comprehensive plan residents identified both best and worst characteristics of the city. The best characteristics were open space, residential large lots, Lake Ray Hubbard, good schools, small town rural atmosphere, and quality services. The worst characteristics were traffic congestion, lack of retail, lack of pedestrian access (trails/sidewalks/lake), the need for a "town plaza," and accessibility to the lake. Looking into the future the top five issues facing Heath identified in the planning process are the ability to: 1) deal with

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72 - County land use regulation authority in Texas is limited to what is specifically allowed. Subdivision authority for counties is in Chapter 232 of Texas Local Government Code.

73 - Texas Local Government Code Chapter 213.

74 - City of Fate, *City of Fate Master Parks and Trails Plan*, p. 20.

75 - *Id.* at p. 30.

76 - City of Heath *Comprehensive Plan* (2008), "Livability Strategy", p. 4-6, 4-7, accessed September 16, 2013, <http://www.heathtx.com/beta/departments/city-secretarys-office/comprehensive-plan>.

77 - City of Heath, *Ten-Year Pathways Implementation Plan*.

traffic congestion; 2) manage population growth and new development; 3) recognize how to take advantage of the lake; 4) develop more trails and open space; 5) provide appropriate retail; and 6) deal with the shortage of housing for seniors.<sup>78</sup>

More specific land conservation goals are to require the following when or wherever possible.<sup>79</sup>

- Pedestrian access in new developments and to adjacent development.
- Development proposals to consider the environment and open space conservation to preserve natural areas and functions.
- Preserve natural areas for public use whenever possible; such areas should include lakefront areas and creek corridors.
- Create strategies to facilitate pedestrian and bicycle access as an alternative form of transportation. As a part of this goal the city would like to pursue funding for retroactive and proactive integration of pedestrian and bicycle access.
- Preserve floodplains so that such areas can be used to create pedestrian and bicycle connections throughout the region.

To implement its park, trail and open space initiatives, the city has adopted a park dedication ordinance.<sup>80</sup>

### City of McLendon-Chisholm

The City of McLendon-Chisholm has an approved Comprehensive Land Use Plan and thoroughfare plan from June 2007. As the city faces growth pressure and increased development the land use plan indicates that the rural character of the city must be preserved and encouraged when considering future development.<sup>81</sup> It also states that “[in] the future, dedicated parks will be a necessary and desired element in the growth of the city. In the near future, the city will encourage parks, open spaces, trails (pedestrian, bike, and equestrian), and green belts as integrated parts of planned development.”<sup>82</sup>

### City of Rockwall

Rockwall City (county seat) has an approved *Comprehensive Plan* (approved as the *Hometown 2000 Comprehensive Plan*, updated in 2007 and 2011) and a 2010-2020 *Parks and Open Space Master Plan*. Together, these plans work to ensure a compatible long-range plan for the City of Rockwall.

Parks, recreation and open space goals and objectives outlined in the *Parks and Open Space Master Plan* include: 1) ensuring that every Rockwall resident lives within ¼ mile of a public or private park, greenway or common for their use; 2) actively exploring the potential for public waterfront use of the Lake Ray Hubbard shorelands and preservation of those areas for use by the public; 3) incorporating floodplains into an interconnected greenway network that preserves their natural flood water storage functions while providing trails, open space and conservation of natural areas; and 4) designing parks and open space improvements as first-class facilities.<sup>83</sup> It also expressed the belief that the “acquisition and preservation of natural open space which is woven into the overall park system remains a significant need in Rockwall.”<sup>84</sup> The master plan outlines park projects which would add approximately 310 acres of developed park land to the overall system.<sup>85</sup>

78 - City of Heath Comprehensive Plan (2008), p. 2-31.

79 - Id at p. 2-40,2-41, , 2-42.

80 - City of Heath Code of Ordinances, Chapter 13 Subdivision Regulations with Amendments, Park Land Dedication Article 13-3, accessed September 13, 2013 <http://www.heathtx.com/beta/wp-content/uploads/2013/06/SubDivisionRegulationsChapt13.pdf>.

81 - McLendon-Chisholm Comprehensive Land Use Plan and Thoroughfare Plan, June 2007, p. 2.

82 - Id. at p. 7.

83 - City of Rockwall Parks and Open Space Master Plan 2010-2020 (2010) p. 11-12. Accessed September 13, 2013 <http://www.rockwall.com/parks/documents/Final%20Rockwal%20Master%20Plan%20with%20all%20exhibits.pdf>.

84 - Id. at p. 49.

85 - Id. at p. 61.

The City of Rockwall has a mandatory park land dedication and fees ordinance. The ordinance does not, however, address the growing need for Community Parks.<sup>86</sup>

The city's Unified Development Code (UDC), adopted in 2004, implements policies and objectives of the city's *Comprehensive Plan, Thoroughfare Plan, and Open Space Plan*.<sup>87</sup> The open space requirement states that, "all projects in the city must reserve, dedicate and/or develop public open space consistent with the *Open Space Plan*, subdivision standards and development agreements."<sup>88</sup> Additionally, the UDC contains a Tree Preservation Ordinance and a Planned Development Zoning district, which provide for "increased recreation and/or open space opportunities for public use and to protect or preserve natural amenities and environmental assets" by requiring a minimum of 20 percent open space be set aside.<sup>89</sup>

### City of Rowlett

The City of Rowlett overlaps Dallas and Rockwall Counties. The City of Rowlett has a *Comprehensive Parks and Open Space Master Plan* which was completed in 2011 and is intended to aid the city as population growth continues. The goals included in this plan include providing parks and related amenities, facilities, trails/ greenways, and recreation programs.<sup>90</sup>

Rowlett also completed its *Comprehensive Plan in 2011 (Realize Rowlett 2020)*. In the plan, the city recommends creating impact fees for certain neighborhoods to fund acquisition of open space, improvements to pathways and maintenance of public areas.<sup>91</sup> Rowlett maintains a parkland dedication ordinance.

### City of Royse City

Royse City has a *City Master Plan*, completed in 2004, which contains conservation goals. Because of the rapid rate of growth, one of the main priorities in planning for their future is to ensure "that the rural character and unique heritage of the City [is] preserved and protected".<sup>92</sup> The plan promotes "pedestrian friendly neighborhoods" and states that new development "must indicate how it plans to utilize the existing flood plain area for pedestrian purposes."<sup>93</sup>

The city has implemented "Density Equivalent Development" in new residential developments where there is an established density per acre requirement. This concept is intended to help the city protect and preserve the open space ranch characteristics that residents enjoy.<sup>94</sup> In 2012, the city cut its impact fees in half for a two-and-a-half year period.<sup>95</sup>

### City of Wylie

The City of Wylie adopted a *Comprehensive Plan* in 2012 that includes a land use plan and map. The plan aims to, among other things, "protect natural and environmentally-sensitive areas as well as the remaining open space while making use of those areas for trails, bike routes and other connections."

The *Comprehensive Plan's* primary vision components for parks and recreation states that "because Wylie has

86 - Id. at p. 24.

87 - City of Rockwall, Unified Development Code, June 2010, p. 2. Accessed September 13, 2013 <http://www.rockwall.com/Planning/documents/UDC.pdf>.

88 - City of Rockwall, Unified Development Code, June 2010 - Article V. District Development Standards, Section 1 General, p. 1

89 - City of Rockwall, Unified Development Code, June 2010 - Article X. Planned Development Regulations, Section 1 Planned Development – General, p. 1.

90 - Rowlett Parks & Recreation Master Plan p. 19. Accessed September 13, 2013 <http://www.ci.rowlett.tx.us/DocumentCenter/Home/View/4533>.

91 - Rowlett Comprehensive Plan p. 35, accessed September 19, 2013, <http://www.rowlett.com/index.aspx?NID=230>.

92 - Royse City Master Plan p. 2 to 3.

93 - Royse City Master Plan p. 4.

94 - City Master Plan p. 5 and 6.

95 - Jim Hardin, "City Council votes to temporarily cut impact fees in half," Royse City Herald Banner, May 30, 2012, accessed September 18, 2013 <http://roysecityheraldbanner.com/local/x1968176098/City-council-votes-to-temporarily-cut-impact-fee-in-half>.

little undeveloped land available, it is crucial to put in place policies that will allow the acquisition of land and build upon Wylie's overall park system."<sup>96</sup> In 2010, the Wylie City Council approved a *Parks Master Plan* that serves as the blueprint for Wylie's park system development.<sup>97</sup>

The City of Wylie has a parkland dedication fee and ordinance that sets out minimum requirements of land dedication and/or fees for developers. The 2010 Parks Master Plan laid out recommended revisions to the parkland dedication ordinance to "no longer accept floodplain land as applying to the required land dedication, to begin accepting parks under five acres in size if they are dedicated as part of a mixed-use development project and are approved by City Council, and to adopt a Park Improvement Fee to contribute to the cost of developing neighboring parks."<sup>98</sup>

## Conclusion

Rockwall County is one of the fastest growing counties in the country, while being the smallest county in Texas. The area is quickly transforming from a largely agricultural economy to a more urbanized economy of residential neighborhoods, goods and services. In general, regulations regarding open space, trails, and recreation are limited to city and town boundaries. The communities within Rockwall County have undertaken a variety of planning efforts including the creation of comprehensive plans, land use plans, parks and trails master plans, transportation plans, and development ordinances. In fact, all communities in Rockwall County have subdivision and zoning ordinances, and the majority of them have adopted parkland dedication ordinances. Three of the local municipalities, Wylie, Heath and Rockwall have created Parks and Recreation Advisory Boards. These boards provide a forum for park and open space issues and make recommendations to their respective city councils on matters relating to the establishment, maintenance, and operation of city park and recreation programs.

Similarities exist among the goals of the various communities that have done open space planning. Recurring themes among the various open space and park planning efforts of the jurisdictions within the county are: developing trails, protecting floodplains for recreation as well as flood control, preserving community character and quality of life, increasing bike and pedestrian connectivity, protecting visual and physical access to nearby lakes, developing new parks in currently underserved areas of the county, and increasing recreational opportunities in general. There is also a heavy reliance on parkland dedication fees from new development as a significant source of local revenue for these programs.

Additionally, the Rockwall County Open Space Alliance advises the county and cities regarding the preservation of green spaces. The Open Space Alliance has its roots in the 2011 Rockwall County Master Planning Workshops, and was officially recognized and created by the Rockwall County Commissioners Court in August 2012. The group's ultimate vision is to provide an umbrella organization where the cities of the county can share plans for open space as they develop.

Local jurisdictions are taking a hard look at quality-of-life issues impacted by development through community planning, creating increased opportunities for parks, open space and water quality efforts at the city level. In addition, the development of the Open Space Alliance and the outlook for continued growth in Rockwall County highlight the potential for countywide coordination of similar efforts.

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96 - City of Wylie, Comprehensive Plan Land Use Distribution Philosophy, 1999, p. 1.

97 - City of Wylie website.

98 - City of Wylie, Parks Master Plan (2010) p. 6-7, accessed September 13, 2013 [http://www.wylietexas.gov/departments/parks\\_/docs/06\\_Recommendations\\_\\_5\\_05\\_10.pdf](http://www.wylietexas.gov/departments/parks_/docs/06_Recommendations__5_05_10.pdf).

### III. Conservation Finance Assessment

To help public agencies or land trusts acquire land, TPL assists communities in identifying and securing public financing. TPL's conservation finance program offers technical assistance to elected officials, public agencies and community groups to design, pass and implement public funding measures that reflect popular priorities.

In Texas, TPL has helped protect almost 40,000 acres. Since 1996, TPL also has supported 22 local conservation finance ballot measures, and 21 of these have passed generating over \$780 million dollars for parks and land conservation purposes. TPL most recently helped the City of Austin pass a \$30 million general obligation bond for open space, watershed protection, and wildlife habitat in November 2012. The measure was approved with 56 percent support. At the same election TPL assisted Harris County with the passage of a \$166 million park bond which garnered 68 percent support.

The Rockwall County Open Space Alliance invited The Trust for Public Land to meet with county and local officials to discuss conservation finance opportunities for protecting natural areas and creating connected trail corridors between the cities in Rockwall County. The objective for this study is to research the most viable local funding options for long-term land conservation in Rockwall County and its municipalities and provide analysis of which local options and funding levels are economically prudent and likely to be publicly acceptable.

#### 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<sup>99</sup> for parks and open space purposes by Rockwall County and selected cities.<sup>100</sup>

The most popular funding mechanism in Texas for land conservation has been general obligation bonds. Over the past decade, of the 54 local conservation measures voted on, 49 were bonds, of which almost 90 percent passed. Interestingly, one of the failed bond measures was in Rowlett (a portion of which is in Rockwall County) in May 2006.

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99 - Texas Constitution, Article XVI); 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.").

100 - There is no room for Rockwall County to impose a countywide sales tax. There are multiple cities in Rockwall County that impose a 2.00% city sales tax, which means a countywide sales tax would break the 2.00% local cap.

<b>Texas Local Conservation Finance Measures (2002 - present)</b>					
<b>Jurisdiction Name</b>	<b>Date</b>	<b>Finance Mechanism</b>	<b>Conservation Funds Approved</b>	<b>Status</b>	<b>% Yes</b>
Allen	5/12/2007	Bond	\$8,000,000	Pass	71%
Arlington	11/4/2008	Bond	\$2,250,000	Pass	58%
Arlington	5/7/2005	Bond	\$3,375,000	Pass	59%
Austin	11/6/2012	Bond	\$30,000,000	Pass	56%
Austin	11/7/2006	Bond	20000000	Pass	73%
Austin	11/7/2006	Bond	\$50,000,000	Pass	69%
Bee Cave	11/7/2006	Bond	3500000	Pass	77%
Bexar County	11/4/2003	Bond	\$3,700,000	Pass	58%
Cedar Park	11/6/2007	Bond	\$10,980,000	Pass	58%
Collin County	11/6/2007	Bond	\$4,250,000	Pass	68%
Collin County	11/4/2003	Bond	\$5,500,000	Pass	63%
Dallas	11/7/2006	Bond	\$36,750,000	Pass	81%
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	11/6/2012	Bond	\$5,000,000	Pass	75%
El Paso	2/7/2004	Bond	\$2,089,198	Pass	64%
Frisco	5/13/2006	Bond	\$22,500,000	Pass	72%
Frisco	9/14/2002	Bond	\$5,200,000	Pass	81%
Georgetown	11/4/2008	Bond	\$9,000,000	Pass	58%
Harlingen	9/13/2003	Bond		Fail	44%
Harris County	11/6/2007	Bond	\$38,000,000	Pass	52%
Hays County	5/12/2007	Bond	\$30,000,000	Pass	68%
Highland Village	11/2/2004	Sales tax	\$3,750,000	Pass	61%
Highland Village	5/4/2002	Bond		Fail	38%
Highland Village	5/4/2002	Bond		Fail	40%
Highland Village	5/4/2002	Bond		Fail	38%
Highland Village	5/4/2002	Bond		Fail	45%
Hutto	11/3/2009	Bond	\$1,000,000	Pass	51%
Irving	11/7/2006	Bond	\$5,000,000	Pass	69%
Kendall County	11/2/2004	Bond	\$5,000,000	Pass	62%
Lubbock	5/15/2004	Bond	\$340,000	Pass	71%
McKinney	5/8/2010	Bond	\$6,000,000	Pass	72%
Missouri City	11/4/2008	Bond	\$5,000,000	Pass	72%
Missouri City	9/13/2003	Bond	\$395,000	Pass	65%
Murphy	11/4/2008	Bond	\$1,900,000	Pass	65%
Pasadena	8/1/2002	Bond	\$13,500,000	Pass	71%
Plano	5/9/2009	Bond	\$15,200,000	Pass	59%
Plano	5/7/2005	Bond	\$37,600,000	Pass	73%
Richardson	5/8/2010	Bond	\$4,083,500	Pass	57%
Rockwall	11/8/2005	Bond	\$5,955,000	Pass	59%
Rowlett	5/13/2006	Bond		Fail	38%
Rowlett	5/4/2002	Bond	\$520,000	Pass	67%
San Antonio	11/2/2010	Sales tax	\$90,000,000	Pass	66%
San Antonio	11/2/2010	Sales tax	\$45,000,000	Pass	67%
San Antonio	5/12/2007	Bond	\$34,918,490	Pass	69%
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 Antonio	11/4/2003	Bond	\$3,890,000	Pass	60%
San Marcos	11/8/2005	Bond	\$2,000,000	Pass	68%
Seabrook	11/6/2007	Bond	\$2,150,000	Pass	60%
Travis County	11/8/2011	Bond	\$49,995,000	Pass	59%
Travis County	11/8/2005	Bond	\$40,000,000	Pass	66%
Williamson County	11/7/2006	Bond	\$10,000,000	Pass	61%

## Bonds

To raise funds for capital improvements, such as land acquisition or park improvements, counties and cities 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, city or flood control district may issue bonds to acquire lands for park or historic purposes.<sup>101</sup> General obligation bonds that are to be paid from property taxes require approval by the voters in an election.<sup>102</sup> G.O. Bonds may be amortized over a 40 year period, although market conditions usually dictate a shorter period of 15 to 20 years.

Property taxes levied to pay the debt service on the bonds are limited to \$0.80 per \$100 of taxable value with majority approval of the qualified voters. For obligations backed by the \$0.80 per \$100 valuation limit, the Attorney General of Texas has administratively by rule, limited the amount of bonds he will approve to an amount, which produces debt service requirements of \$0.40 of the \$0.80 limit or less, calculated at 90 percent collections.<sup>103</sup>

Any property taxes imposed to pay debt service for cities of 5,000 or more are constitutionally capped at \$2.50 per \$100 of assessed valuation for home-rule cities like Fate.<sup>104</sup> Property taxes imposed to pay debt service for cities of 5,000 or less are constitutionally capped at \$1.50 per \$100 of assessed valuation.<sup>105</sup>

Through the Commissioners Court or an appointed Parks Board, park revenue bonds may be issued for acquiring, improving, equipping, maintaining, or operating public parks but only with majority approval of voters.<sup>106</sup> 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.

### Rockwall County Bonding

As of October 2013, Rockwall County had about \$106 million in general obligation debt outstanding, and a debt margin of roughly \$214 million.<sup>107</sup> The net assessed valuation of the county for bond purposes was nearly \$7.2 billion.<sup>108</sup>

The county has an AA and an Aa2 bond rating from Standard & Poor's and Moody's respectively. These are ratings of "upper-medium" to high grade/high quality.<sup>109</sup> Both ratings are increases over those reported in 2008. Moody's did note that Rockwall County has slightly above average debt burden with plans for future borrowing.

### Utilizing GO Bonds for Parks and Recreation

Rockwall County could issue new debt for parks and recreation purposes upon receiving voter approval. The chart below illustrates the estimated annual debt service, required property tax levies, and annual household cost of various general obligation bond issue amounts. For example, a 15 million bond would cost the average household about \$30 each year.

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

102 - Gov't Code § 1251.001.

103 - Pollan, Thomas M. 2012. Public Finance Handbook for Texas Counties. Prepared for The Texas Association of Counties.

104 - Texas Const., Art. XI, §5.

105 - Ibid.

106 - Local Gov't Code §320.071 to .074.

107 - Personal communication with the Rockwall County Treasurer's Office.

108 - Rockwall County Appraisal District.

109 - Rockwall County Treasurer Website.

<b>Rockwall County Bond Financing Costs</b>				
<i>Assumes a 20-year bond issues at 4.0% Interest Rate</i>				
<i>Total Assessed Valuation 2013 (AV)=7,239,682,300</i>				
<b>Bond Issue</b>	<b>Annual Debt Svce</b>	<b>Prop. Tax Increase</b>	<b>Cost/ Year/ \$100K House</b>	<b>Cost/ Ave./ Household*</b>
\$ 5,000,000	\$367,909	\$ 0.005	\$4.32	\$9.88
\$ 10,000,000	\$735,818	\$ 0.010	\$8.64	\$19.76
\$ 15,000,000	\$1,103,726	\$ 0.015	\$12.96	\$29.64
\$ 20,000,000	\$1,471,635	\$ 0.020	\$17.28	\$39.52
<i>*Based on average home value of \$209,421. Includes \$15,000 homestead exemption</i>				

The following bond charts are for the cities of Rockwall, Fate, Heath, Royse, Rowlett and McLendon-Chisolm. Heath, Royse City, and Rowlett have boundaries that extend beyond Rockwall County.

<b>City of Rockwall Bond Financing Costs</b>				
<i>Assumes a 20-year bond issues at 4.0% Interest Rate</i>				
<i>Total Assessed Valuation (AV)=\$3,668,722,717</i>				
<b>Bond Issue</b>	<b>Annual Debt Svce</b>	<b>Prop. Tax Increase</b>	<b>Cost/ Year/ \$100K House</b>	<b>Cost/ Ave./ Household*</b>
\$ 1,000,000	\$73,582	\$ 0.002	\$1.70	\$3.57
\$ 5,000,000	\$367,909	\$ 0.010	\$8.52	\$17.84
\$ 10,000,000	\$735,818	\$ 0.020	\$17.05	\$35.69
\$ 15,000,000	\$1,103,726	\$ 0.030	\$25.57	\$53.53
<i>*Based on average home value of \$192,947. Includes \$15,000 homestead exemption</i>				

<b>City of Fate Bond Financing Costs</b>				
<i>Assumes a 20-year bond issues at 4.0% Interest Rate</i>				
<i>Total Assessed Valuation (AV)=\$519,476,163</i>				
<b>Bond Issue</b>	<b>Annual Debt Svce</b>	<b>Prop. Tax Increase</b>	<b>Cost/ Year/ \$100K House</b>	<b>Cost/ Ave./ Household*</b>
\$ 500,000	\$36,791	\$ 0.007	\$6.02	\$11.17
\$ 1,000,000	\$73,582	\$ 0.014	\$12.04	\$22.34
\$ 2,000,000	\$147,164	\$ 0.028	\$24.08	\$44.68
\$ 3,000,000	\$220,745	\$ 0.042	\$36.12	\$67.03
<i>*Based on average home value of \$172,731. Includes \$15,000 homestead exemption</i>				

<b>City of Fate Bond Financing Costs</b>				
<i>Assumes a 20-year bond issues at 4.0% Interest Rate</i>				
<i>Total Assessed Valuation (AV)=\$519,476,163</i>				
<b>Bond Issue</b>	<b>Annual Debt Svce</b>	<b>Prop. Tax Increase</b>	<b>Cost/ Year/ \$100K House</b>	<b>Cost/ Ave./ Household*</b>
\$ 500,000	\$36,791	\$ 0.007	\$6.02	\$11.17
\$ 1,000,000	\$73,582	\$ 0.014	\$12.04	\$22.34
\$ 2,000,000	\$147,164	\$ 0.028	\$24.08	\$44.68
\$ 3,000,000	\$220,745	\$ 0.042	\$36.12	\$67.03
<i>*Based on average home value of \$172,731. Includes \$15,000 homestead exemption</i>				

<b>Royse City Bond Financing Costs</b>				
<i>Assumes a 20-year bond issues at 4.0% Interest Rate</i>				
<i>Total Assessed Valuation (AV)=\$469,365,733</i>				
<b>Bond Issue</b>	<b>Annual Debt Svce</b>	<b>Prop. Tax Increase</b>	<b>Cost/ Year/ \$100K House</b>	<b>Cost/ Ave./ Household*</b>
\$ 500,000	\$36,791	\$ 0.008	\$6.66	\$8.43
\$ 750,000	\$55,186	\$ 0.012	\$9.99	\$12.65
\$ 1,000,000	\$73,582	\$ 0.016	\$13.33	\$16.87
\$ 1,500,000	\$110,373	\$ 0.024	\$19.99	\$25.30
<i>*Based on average home value of \$122,604. Includes \$15,000 homestead exemption</i>				

<b>City of Rowlett Bond Financing Costs</b>				
<i>Assumes a 20-year bond issues at 4.0% Interest Rate</i>				
<i>Total Assessed Valuation (AV)=\$3,171,899,616</i>				
<b>Bond Issue</b>	<b>Annual Debt Svce</b>	<b>Prop. Tax Increase</b>	<b>Cost/ Year/ \$100K House</b>	<b>Cost/ Ave./ Household*</b>
\$ 1,000,000	\$73,582	\$ 0.002	\$1.97	\$2.79
\$ 5,000,000	\$367,909	\$ 0.012	\$9.86	\$13.93
\$ 10,000,000	\$735,818	\$ 0.023	\$19.72	\$27.86
\$ 15,000,000	\$1,103,726	\$ 0.035	\$29.58	\$41.79
<i>*Based on average home value of \$136,085. Includes \$15,000 homestead exemption</i>				

<b>City of Mclendon-Chisolm Bond Financing Costs</b>				
<i>Assumes a 20-year bond issues at 4.0% Interest Rate</i>				
<i>Total Assessed Valuation (AV)=\$193,009,273</i>				
<b>Bond Issue</b>	<b>Annual Debt Svce</b>	<b>Prop. Tax Increase</b>	<b>Cost/ Year/ \$100K House</b>	<b>Cost/ Ave./ Household*</b>
\$ 50,000	\$3,679	\$ 0.002	\$1.62	\$5.68
\$ 100,000	\$7,358	\$ 0.004	\$3.24	\$11.37
\$ 250,000	\$18,395	\$ 0.010	\$8.10	\$28.42
\$ 500,000	\$36,791	\$ 0.019	\$16.20	\$56.85
<i>*Based on average home value of \$313,230. Includes \$15,000 homestead exemption</i>				

TPL's bond cost calculations provide an estimate of debt service, tax increase, and cost to the average homeowner in the community of potential bond issuances for parks and land conservation. Assumptions include the following: the entire debt amount is issued in the first year and payments are equal until maturity; 20-year maturity; and 4 percent interest rate. Property tax estimates assume that the government body would raise property taxes to pay the debt service on bonds, however other revenue streams may be used. The cost per household represents the average annual impact of increased property taxes levied to pay the debt service. The estimates do not take into account growth in the tax base due to new construction and annexation over the life of the bonds. The jurisdiction's officials, financial advisors, bond counsel and underwriters would establish the actual terms of any bond.

Typically, bond proceeds are limited to capital projects and may not be used for operations and maintenance purposes.<sup>110</sup> The acquisition or development of conservation lands could result in the future need for additional funds for maintenance and operations.

### Process for Issuing Bonds

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. Proper notice includes posting of the election order at various public places and publication in a newspaper of general circulation. After the election has been called, the county must publish notice of the election in the newspaper on the same day of the week for two consecutive weeks. The first notice must be published at least fourteen days before the date of the election.<sup>111</sup>

The proposition for "[t]he issuance of bonds"<sup>112</sup> 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.<sup>113</sup> A majority of qualified voters must approve issuance of the bonds.

The county will need to approve the order to issue the bonds at a regularly scheduled meeting of the commissioner's court. The order authorizing the bonds is also the order authorizing the sale and the levy of the tax to support debt service on the bonds. As such, at least three members of the court must vote in favor of the levy.<sup>114</sup>

The order must describe the measure to be voted, setting out the full proposition(s) and the actual ballot language. The proposition to be voted on must distinctly 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 annual interest on the bonds and to provide a sinking fund to redeem the bonds at maturity; and
- (5) the maturity date of the bonds or that the bonds may be issued to mature serially over a specified number of years not to exceed 40.<sup>115</sup>

110 - Federal IRS rules governing the issuance of tax-exempt bonds limit the use of proceeds to capital purposes such that only a small fraction of bond funds may be used for maintenance or operations of facilities. State and local laws may further limit the use of bond proceeds.

111 - Gov't Code §1251.003.

112 - 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.

113 - Gov't Code §1251.002.

114 - Local Gov't Code §81.006(c).

115 - Gov't Code §1251.002.

In 2011, the Legislature added the following requirements:

(e) In addition to any other requirement imposed by law for a proposition, including a provision prescribing the proposition language, a proposition submitted to the voters for approval of the issuance of bonds or the imposition, increase, or reduction of a tax shall specifically state, as applicable:

(1) with respect to a proposition seeking voter approval of the issuance of bonds:

(A) the total principal amount of the bonds to be authorized, if approved; and

(B) a general description of the purposes for which the bonds are to be authorized, if approved.<sup>116</sup>

Bond elections must be called on a uniform election date, which has meant either the second Saturday in May or the first Tuesday after the first Monday in November. In 2011, a significant change was made to election laws that prevent a county from holding a bond election on the May Uniform Election Date in even-numbered years. Therefore, each general or special election in this state shall be held on one of the following dates:

(1) the second Saturday in May in an odd-numbered year;

(2) the second Saturday in May in an even-numbered year, for an election held by a political subdivision other than a county; or

(3) the first Tuesday after the first Monday in November.<sup>117</sup>

The change to only two Uniform Election Dates will require the commissioner's court to consider what other political subdivisions may have on the ballot. An election must be called at least 70 days prior to the election date.<sup>118 119</sup>

## Property Taxes

Property taxes provide more revenue for local services in Texas than any other source. The local governing body establishes the property tax rate each year. The state may not levy or collect property taxes.<sup>120</sup> The county portion of the property tax revenue may be directed to acquire parkland and open space and obtain conservation easements.<sup>121</sup> However, other than the local governing body passing a resolution there is no statutory procedure for dedicating property tax revenue for specific purposes.<sup>122</sup> So the decision to allocate property tax for conservation purposes would need to be made annually during the budgeting process.

Counties may impose three individual rates of property taxes not exceeding a total rate of \$1.25 of \$100 of appraised value. Specifically, they may not impose a property tax rate in excess of \$0.80 on \$100 of appraised value in any one year for general fund, permanent improvement fund, road and bridge fund and jury fund purposes.<sup>123</sup> Counties have authority to levy a property tax not in excess of \$0.30 on \$100 of appraised value for the purpose of farm-to-market roads or flood control.<sup>124</sup> 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.<sup>125</sup>

116 - Election Code §57.072.

117 - Election Code §41.001.

118 - In addition, the county must submit the bond order calling the election and an explanation of the voting characteristics of the county to the Department of Justice. A bond election is a special election, and the county is required to submit the election to the United States Department of Justice for review pursuant to the Voting Rights Act. The review takes place during the 60 day period prior to the election. If at all possible, the county should call the bond election sufficiently before the 60th day to permit the Department of Justice to rule on the election in advance of the election.

119 - Public Finance Handbook for Texas Counties, <http://www.county.org/member-services/legal-resources/publications/Documents/Public-Finance-Handbook.pdf>.

120 - Texas Constitution, Article VIII, § 1-e.

121 - Telephone conversation with State Property Tax division, 30 July 2002.

122 - Telephone conversation with State Property Tax division, 31 July 2002.

123 - Texas Constitution, Article VIII, § 9-a. This is the authority under which Rockwall County might levy a tax for parks and conservation.

124 - Texas Constitution, Article VIII, § 1-a. Rockwall does not levy this tax.

125 - Texas Constitution, Article VIII, § 9-c.

Homes in Rockwall are assessed at 100 percent of the market value. There are a few exemptions to the property tax provided in the state constitution and laws. The property tax code in Texas requires a county that levies a farm-to-market flood control tax to grant a \$3,000 residence homestead exemption to each qualified homeowner. Rockwall County does not levy this tax.<sup>126</sup> For school district taxes, homeowners may qualify for a residence homestead exemption on their principal residence. This is a general homestead exemption and is available to all homeowners who qualify. The exemption amount is \$15,000.<sup>127</sup> About 60 to 70 percent of the homes receive the \$15,000 homestead exemption.<sup>128</sup>

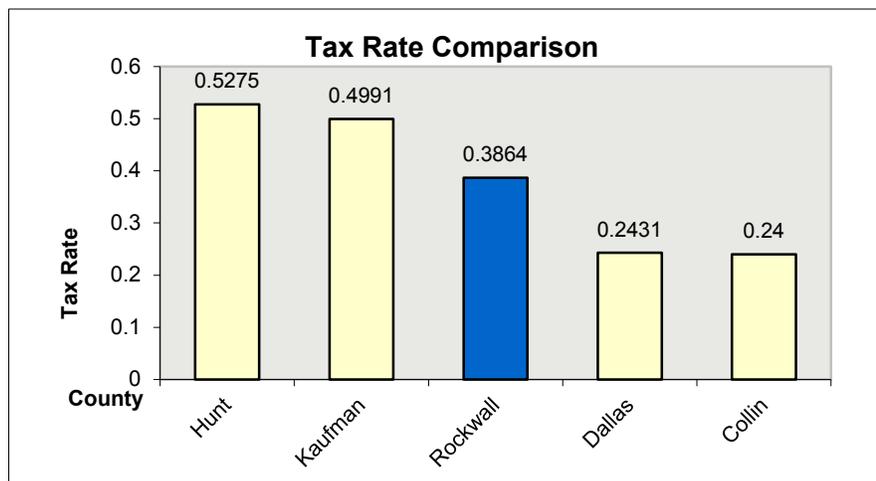
The total amount of property taxes imposed in any year may not exceed the amount imposed in the preceding year unless the governing body gives notice of its intent to increase taxes and holds a public hearing.<sup>129</sup>

### Rockwall County Property Tax<sup>130</sup>

The amount of the property tax rate for any given year is determined by two components – maintenance and operation budget requirements<sup>131</sup> and debt service budget requirements. Only the rate associated with the latter becomes a binding obligation on current and subsequent commissioners’ courts. The former is the result of the budgeting process whereby annual requirements are reviewed by the members of the court and must be voted on each year. The final property tax rate is thus the result of agreement on the amount to be funded for M&O plus the debt obligation amount.

Rockwall County has had unwritten policy which has, over recent years, allocated between \$0.0001 and \$0.0025 cents of the property tax rate to the Road and Bridge Fund. The Court could consider a similar policy for parks and open space.

The following chart compares the 2012 property tax rates for the surrounding counties. As is demonstrated, Rockwall County has about an average rate (this does not include specific taxing jurisdictions such as school districts) in comparison to its surrounding counties.<sup>132</sup>



126 - Personal Communication with Dennis Hart, State of Texas, Property Tax Division. Property Tax Code Section 11.13(a).

127 - Texas Constitution, Article VIII, §§ 1-a, 1-c; Texas Tax Code § 11.13.

128 - Personal Communication with Ray Helm, Rockwall Central Appraisal District. Article 8 Section 1c of the Texas Constitution.

129 - Id. at §21.

130 - Personal Communication with Bill Sinclair, Rockwall County Treasurer.

131 - Rate for day-to-day maintenance and operations.

132 - <http://www.window.state.tx.us/taxinfo/proptax/taxrates/>.

### Utilizing the Property Tax for Parks and Recreation

Rockwall County has capacity to levy a property tax for parks and recreation purposes. The chart below illustrates the revenue and cost of various property tax rate increases as it affects residential properties in Rockwall County. For example, a \$.015 per \$100 property tax increase could generate over \$1 million annually and cost the average household about \$30 each year.

Estimated Revenue and Cost of Additional Property Tax				
Tax Increase	Taxable Valuation*	Annual Revenue	Cost /Year/ \$100K House	Cost /Year/ Avg. Home **
\$ 0.005	\$7,239,682,300	\$361,984	\$4.25	\$9.72
\$ 0.010	\$7,239,682,300	\$723,968	\$8.50	\$19.44
\$ 0.015	\$7,239,682,300	\$1,085,952	\$12.75	\$29.16
\$ 0.020	\$7,239,682,300	\$1,447,936	\$17.00	\$38.88
\$ 0.025	\$7,239,682,300	\$1,809,921	\$21.25	\$48.61
\$ 0.030	\$7,239,682,300	\$2,171,905	\$25.50	\$58.33
<i>*Total assessed valuation for 2013.</i>				
<i>**Based on average home price of \$209,421. Includes \$15,000 homestead exemption</i>				

### 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.<sup>133</sup> 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 vote to increase the tax at a future meeting and schedule a public hearing.<sup>134</sup> The governing body must then publish a notice for the public hearing.<sup>135</sup> See Appendix **D** for legal notice.

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 after the meeting to propose a tax increase, 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.

133 - Texas Constitution, Art. VIII, §21.

134 - Property Tax Code §26.05.

135 - Id. at §26.06(b).

## IV. Election Analysis

Because bond measures ultimately require voter approval, an examination of recent election history and results on fiscal questions can be instructive.

### Voter Registration & Turnout<sup>136</sup>

As of October 2013 there were 49,017 total registered voters in Rockwall County. On November 6, 2012, Rockwall County voted overwhelmingly for Republican presidential candidate Mitt Romney with 76 percent support. In 2008 the county supported Senator John McCain with 72 percent support.

Rockwall County Voter Turnout			
Date	Regist. Voters	Ballots Cast	% Turnout
Nov-12	48,550	35,865	74%
Nov-10	45,919	18,962	41%
Nov-08	45,540	32,269	71%
Nov-07	36,999	7,246	20%
Nov-06	41,184	6,737	16%
Nov-04	38,126	25,581	67%

In order for a measure to be placed on the November 2014 ballot the Commissioner's Court would have to approve the issue. The Court usually works with an attorney on bond issues, and they would prepare the ballot language in English and Spanish. This would then be brought to the County Clerk for certification. The deadline for calling a bond election for the November 2014 ballot is August 18, 2014.<sup>137</sup>

### Election Results<sup>138</sup>

Voters in Rockwall County have decided a number of county referenda in recent years by which to gauge their support for public spending. Voters have not been averse to passing finance measures in the county. Since 2005, seven out of ten measures passed.

On November 6, 2007 Rockwall County voters supported statewide Proposition 4, a constitutional amendment issuing bonds of \$1 billion for state capital improvements including upgrades to Texas state parks. About 65 percent of Rockwall County voters supported the amendment. A similar proposition in November 2001, garnered 48 percent of the county vote, though the constitutional amendment passed statewide. In November 2009, Rockwall County voters rejected statewide Proposition 1 which authorized the financing of land acquisition to buffer areas adjacent to military installations. The measure passed statewide with 55 percent support but failed in Rockwall County with 48 percent support.

<sup>136</sup> - Information gathered from Texas Secretary of State's website and Rockwall County election site.

<sup>137</sup> - Sec. 3.005. TIME FOR ORDERING ELECTION.

<sup>138</sup> - These results include only jurisdictions which are entirely within Rockwall County i.e. Fate, Rockwall, and the county itself.

Rockwall County Public Spending Election Results					
Date	Measure	Description	% Yes Statewide	%Yes County	%Yes City or School Dist.
Nov-11	Bond	Statewide Prop 2, Texas Water Development Board \$6 billion in bonds	52%	52%	n/a
Nov-08	Bond	Countywide question, \$100 million road bonds	n/a	68%	n/a
Nov-07	Bond	Statewide Prop 2, \$500 million in bonds for student loans	66%	69%	n/a
Nov-07	Bond	Statewide Prop 4, \$1 billion in bonds for capital improvements	58%	65%	n/a
Nov-07	Bond	Statewide Prop 12, \$5 billion in bonds for highway improvement projects	63%	73%	n/a
Nov-07	Bond	Statewide Prop 15, \$3 billion in bonds for cancer prevention and research	61%	66%	n/a
Nov-07	Bond	Statewide Prop 16, \$250 million in bonds for economically dstressed areas	61%	64%	n/a
Feb-06	Bond	Rockwall Independent School District \$62.55 million for elementary school improvements	n/a	n/a	62%
Feb-06	Bond	Rockwall Independent School District \$10.55 million for stadium renovation	n/a	n/a	45%
Feb-06	Bond	Rockwall Independent School District \$6.83 million for an aquatic center	n/a	n/a	45%
Sep-05	Bond	\$29 million bond for county government complex	n/a	47%	n/a

In November 2005, voters in the City of Rockwall, the County Seat, supported a nearly \$6 million bond for the creation of new trails and parks throughout the city. The measure passed with 59 percent support. The ballot language for this question is shown below:

*PROPOSITION NO. 4*

*Shall the City Council of said City be authorized to issue the bonds of said City, in one or more series or issues, in the aggregate principal amount of \$5,955,000.00 with the bonds of each such series or issue, respectively, to mature serially within not to exceed 40 years from their date, and to be sold at such prices and bear interest at such rates as shall be determined within the discretion of the City Council, for the purpose of constructing, improving and equipping municipal parks consisting of the Park at Foxchase, The Park at Emerald Bay, the Park at Hickory Ridge and the Park at the Shores, constructing, improving and equipping trails and trail connections and the acquisition of land and interests in land therefor, and the acquisition of land and interests in land for a community park in the northern area of the City and a community park in the southern area of the City, with any remaining bond proceeds to be used for improvement and equipment of existing parks, and shall said City Council be authorized to levy and cause to be assessed and collected annual ad valorem taxes in an amount sufficient to pay the annual interest on said bonds and provide a sinking fund to pay said bonds at maturity?*

*This proposition allocates \$5.955 million for the creation of new trails and parks throughout the city. Land would be acquired for a new North Community Park and a South Community Park, and new parks would be developed at Fox Chase, Emerald Bay, Hickory Ridge and The Shores.*

The Travis County bond measure from 2011 provides another example of ballot language.

#### Bond Proposition NO. 2

The issuance of \$82,105,000 of bonds for the purposes of constructing and improving county parks and the acquisition of land and interests in land in connection therewith, including, without limitation, the acquisition of open space park land; and acquiring conservation easements on land for any authorized purposes, including, without limitation, to retain or protect natural scenic, or open-space value of real property or assure its availability for agricultural, recreational, or open-space use, protect natural resources, maintain or enhance air or water quality, or conserve water quantity or quality, and the levying of the tax in payment thereof.

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Photo from: [www.rockwallisd.com/aquatics/our-facility/about-rockwall/5716947622\\_bab0fab2a4\\_b/](http://www.rockwallisd.com/aquatics/our-facility/about-rockwall/5716947622_bab0fab2a4_b/)

For any questions or more information please contact:

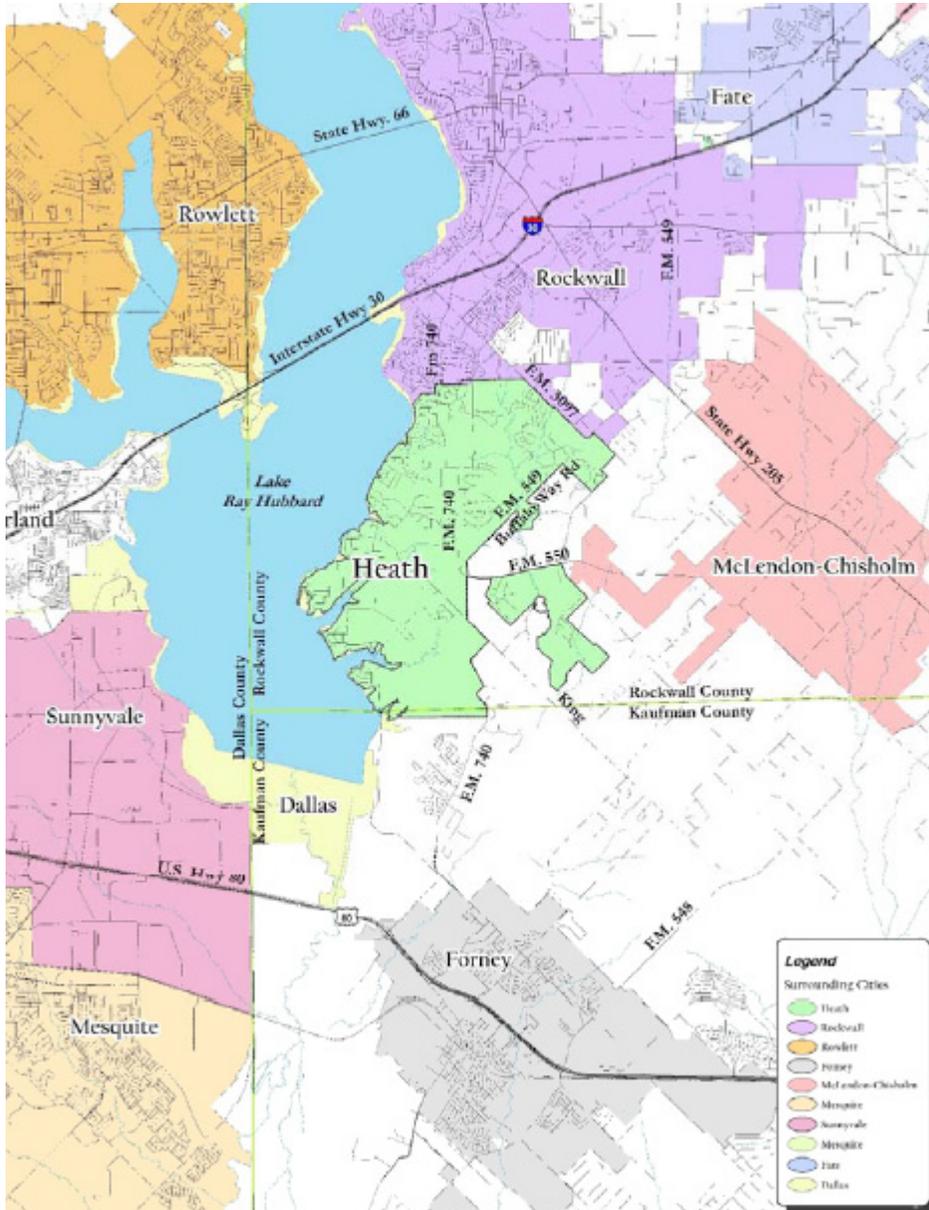
**Tom Gilbert**

Senior Conservation Finance Director  
The Trust for Public Land  
85 Old Dublin Pike  
Doylestown, PA 18902  
*Phone: 267-261-7325*

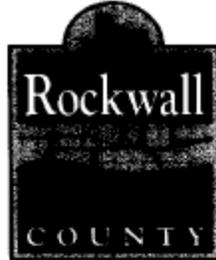
**Andrew du Moulin**

Director, Center for Conservation Finance Research  
The Trust for Public Land  
Conservation Finance Program  
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*andrew.dumoulin@tpl.org*  
*phone: 617-371-0557*

## Appendix A: Lake Ray Hubbard<sup>139</sup>



## Appendix B: Rockwall County Open Space Planning Position Document



**ROCKWALL COUNTY COMMISSIONERS COURT**

**FEBRUARY 5, 2008**

### **ROCKWALL COUNTY OPEN SPACE PLANNING POSITION**

*The dynamics of Rockwall County's geography and its rapid population growth present a very small window of opportunity to act on the quality of its future. Therefore, Our Future Is Now.*

#### **Open Space Planning/Conservation Visioning Objectives:**

- \* To Preserve Quality Storm Water Corridors.**
- \* To Secure A Major Central Park.**
- \* To Protect/Establish Corridors Essential For Open Space Connectivity County Wide.**

## **Appendix C: Rockwall County Community Goals and Priorities for Open Space Protection**

### **Create New Parks**

- a. Dog park
- b. Team sport complexes
- c. Create a large scale nature park
- d. Swimming hole (natural)

### **Provide Recreational Trails and Enhance Bicycle and Pedestrian Safety**

- a. Provide for a trail along shoreline/ public access to the lake
- b. Hiking trails
- c. Biking trails/paths/sidewalk connections
- d. Preserve right of way for bike trails along roadways
- e. Provide connectivity to/from schools, parks, community
- f. Provide adequate signage for bicyclists
- g. Encourage public transportation use and alternative transportation
- h. Fill the funding void left by TXDOT

### **Provide Recreational Opportunities/Activities**

- a. Encourage physical activity, exercise and wellbeing
- b. Provide educational activities/opportunities for adults and children
- c. Provide structured recreation opportunities
- d. Provide local recreation opportunities
- e. Encourage exploration, experience with nature
- f. Enable relaxation, provide natural “retreat”
- g. Facilitate outdoor special events

### **Preserve Farms and Farmland**

- a. Preserve agricultural land, pastures, cornfields
- b. Create opportunities for local food production

### **Preserve Water Resources**

- a. Preserve our watershed
- b. Preserve wetlands and floodplain
- c. Preserve small lakes and ponds
- d. Preserve lake coves and inlets
- e. Value the natural function of water/ecosystems

### **Protect Cultural Resources**

- a. Historic sites (Zollner Ranch, “The Rock Wall”)
- b. Protect viewshed west of Ridge Road

**Preserve Wildlife and Wildlife Habitat**

- a. Migratory butterfly habitat
- b. Native Prairie, specifically the Wallace Tract

**Enhance Our Community**

- a. Maintain a high quality of life
- b. Enhance property values
- c. Avoid complete urbanization (“rooftops over entire community”, “concrete jungle”)
- d. Effectively utilize waterfront resources
- e. Rockwall as an outdoor park “destination” (attract revenue to community)
- f. Create a community culture/personality surrounding outdoor activities
- g. Provide opportunities for social interaction
- h. Neighborhood connectivity
- i. Enhance safety for community; for bicyclists and runners, pedestrian friendly
- j. Create sense of community (“keep Rockwall, Rockwall”)

## Appendix D: Legal Notice for Property Tax Increase

### 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
- (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:<sup>140</sup>

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140 Property Tax Code §26.06(c).

## 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).

1 - North Central Texas Council of Governments, *North Central Texas Demographic Forecast (2003)*, accessed September 24, 2013, <http://www.midlothian.tx.us/DocumentCenter/Home/View/408>.

2 - City of Rockwall, *Parks and Open Space Master Plan 2010-2020*, p. 36.