

MEMORANDUM

TO: Claire Powell, City Manager

FROM: James Kunke, Community Relations & Tourism Director

DATE: October 21, 2024

SUBJECT: **Approval of a Resolution Adopting the City's Legislative Agenda for the 2025 Texas Legislature; and Authorizing the Mayor and City Manager to Communicate the City's Adopted Legislative Priorities.,**

BACKGROUND

The 89th Texas Legislature convenes on January 14, 2025, and is expected to consider legislation on a wide range of issues with a direct impact on municipal government in general and on Lewisville in particular. Topics already appearing in interim charge reports include appraisal caps, tax rate limits, debt limits, revised election procedures, state-imposed limits on land use and planning authority, and other mandates or restrictions that could be set by the state.

City Council typically adopts a Legislative Agenda that sets the city's priorities and key issues for each session. Since the 2013 session, Council also has granted authority for the Mayor or City Manager to sign letters and other documents to communicate the city's legislative priorities. This approach has allowed faster response to emerging issues.

Staff has reviewed the city's 2023 legislative packet as adopted and later amended by Council; the latest materials from Texas Municipal League (TML), North Texas Commission, and other agencies; input from statewide professional organizations; and requests from councilmembers to prepare a general list of legislative priorities organized by topic.

Although the one-page handout and other public materials are still being designed, the full list of legislative objectives, critical issues, and priorities is attached to the resolution being presented tonight for City Council consideration.

ANALYSIS

During past legislative sessions, the city's role has largely been to voice opposition to proposed legislation that would cause direct harm to the city or would interfere with the city's ability to provide quality services to its residents. That is likely to be true again this year.

The 2023 Texas Legislature was an active session for cities, with many bills designed to erode or pre-empt home rule authority of municipalities. Texas Municipal League again took the lead in

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fighting harmful bills and promoting bills that would help cities be more effective and efficient. TML frequently asks member cities to participate by letter or other show of support.

Lewisville has remained active in the legislative process during the past few sessions in an effort to protect local authority over local issues. We expect to be active again during 2025 with letters, written and in-person committee testimony, and open communication with our local legislative delegation.

The city has retained lobbyist Brandi Bird to assist our communication and advocacy efforts during the 2025 legislative session. Brandi was instrumental in the DCTA legislation that was drafted and passed in 2019 and the City's massage parlor bill that passed in 2023. She assisted in development of the proposed 2025 Legislative Agenda.

During the workshop held in August, City Councilmembers discussed possible critical issues for the legislative session and identified seven priority topics. These issues will receive the highest level of monitoring from the City's legislative team, although we retain the flexibility to respond to bills on any other topic listed in the 2025 Legislative Agenda.

Staff worked closely with Brandi Bird to review the list of topics selected by the City Council and to assess each one as to its likelihood to be addressed by the legislature this session and by how much of an opportunity the City would have to influence any such legislation. Based on that assessment, we recommend the following seven Priority Issues:

- Sales tax sourcing and sales tax agreements relief
- Provide responsible property tax relief
- Initiatives to address the affordable housing crisis
- Support state investment in public transit infrastructure
- State funding for TSTC land acquisition and construction in Denton County
- Preserve the voice of local government in legislative matters
- Increased TxDOT resources for aesthetic maintenance of interstate highways

The full Legislative Agenda includes a summary of each priority issue. Other proposed legislative positions are listed in the document and divided into seven main categories: Local Authority, Local Revenue, Parks Funding, Public Safety, Social Equity, Transportation, and Water. The common theme to all seven categories is our belief that cities are the level of government most connected to, and thus most accountable to, the people they serve. As a result, the state should recognize and preserve local authority and support cities in their mission of providing quality local services to all Texans.

Within each broad Legislative Agenda topic, there is a list giving the city's position on multiple sub-topics, some of them very specific to legislation filed in past sessions or pre-filed this

session. Because the legislative priorities are represented by seven main topics, there is flexibility to allow emerging legislative issues to be addressed through one or more of those topics.

There are 12 legislative positions that are being proposed for amendment or addition in the 2025 Legislative Agenda. They are based on positions taken by regional and state organizations, concerns of City staff, or suggestions from councilmembers. If adopted, these items will become official positions of the City of Lewisville. For that reason, we want to ensure councilmembers are familiar with these items and support the proposed amendments or additions.

- ****AMENDED**** SUPPORT amendments to “right to farm” legislation to restore the ability of a City to enforce reasonable public health and public nuisance ordinances, especially for locations that are adjacent to residential uses or community gathering spaces
- ****NEW**** SUPPORT any legislation that would preserve or protect the ability of cities to responsibly use tax-increment financing to pay for public infrastructure
- ****NEW**** OPPOSE legislation that would prevent the court from issuing Capias or Capias Pro Fine Warrants to defendants who have failed to appear or failed to comply with the Judge’s orders.
- ****NEW**** SUPPORT increased funding and programming through the Texas State Library & Archives Commission (TSLAC) to provide access to affordable e-resources for work and study, and to provide increased support and training to Texas libraries related to workforce and economic development initiatives
- ****NEW**** SUPPORT legislation that will protect the right to read, intellectual freedom, academic freedom, and First Amendment rights of Texans in school, public, and academic libraries
- ****NEW**** SUPPORT Broadband Development Office funding and programs for initiatives where libraries can play a key role in program development, and implementation (telehealth, workforce training, etc.)
- ****NEW**** SUPPORT legislation that would provide consistency and uniformity in the compliance fees for compliance dismissals of Class “C” misdemeanors.
- ****NEW**** OPPOSE legislation that would repeal DPS’ Failure to Appear/Failure to Pay Program through OmniBase Services. The program allows courts to suspend a defendant’s driver’s license when they fail to satisfy the judgments placed against them.
- ****AMENDED**** OPPOSE any diversion of funding from, including appropriation riders, the Local Park Grant Program, or that subverts TPWD’s competitive grant process unless they are funded through general revenue appropriations.
- ****AMENDED**** OPPOSE erosion of municipal authority to require a development to dedicate a portion of land for parkland use, impose a parkland dedication fee, or a combination of both

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- ****NEW**** SUPPORT legislation to revise definitions in the Weapons chapter of Texas Penal Code 46.01 to not classify the TASER 10 as a firearm
- ****NEW**** OPPOSE legislation that would make it more difficult for legally eligible Texans to register to vote, or that would make it more difficult for legally registered Texans to participate in the Constitutionally protected voting process

Throughout the 2025 legislative session, all letters, testimony, and formal comments submitted by city officials will be posted on our website, cityoflewisville.com. This transparency measure will allow residents to see what positions are being advocated and the reasons for those positions.

CITY STAFF'S RECOMMENDATION

That the City Council approve the resolution as set forth in the caption above; and authorize the Mayor and City Manager to communicate the City's adopted legislative agenda.