

MEMORANDUM

TO: Claire Powell, City Manager

FROM: James Kunke, Community Relations & Tourism Director

DATE: December 19, 2022

SUBJECT: **Approval of a Resolution Adopting the City's Legislative Agenda for the 2023 Texas Legislature.**

BACKGROUND

The 88th Texas Legislature convenes on January 10, 2023, 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 pre-filed legislation include appraisal caps, tax rate limits, debt limits, revised election procedures, law enforcement changes, lobbying bans, 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 2021 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.

The City plans to submit and seek passage of a bill during the 2023 session that would grant cities the authority to regulate the operation of massage parlors that have a history of criminal violations. A preliminary draft of the bill language is attached to this memo.

Although the one-page handout and other public materials still are 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.

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The 2021 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 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 2021. It is not known at this time whether committee hearings will be held in person or online, but City officials will testify at hearings as often as is needed.

We expect to be at least as active during the 2023 session. Interim committee discussion throughout 2022 and some of the 1,000-plus pre-filled bills indicate that anti-city sentiment is still common in Austin.

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

During the workshop held on Nov. 21, City Councilmembers discussed possible critical issues for the legislative session and identified 10 topics for consideration. These topics 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 2023 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 eight Critical Issues:

- Sales tax sourcing and sales tax agreements relief
- State funding for school safety measures
- Initiatives to address the affordable housing crisis
- Improved hiring and separation process for police officers
- Provide reasonable property tax relief
- Preserve the voice of local government in legislative matters
- Keep the May local elections date
- Support state investment in public transit infrastructure

The two items from Council's workshop list that are being recommended for removal are cleaning up the state-mandated budget calendar (because we do not believe there will be any bills filed on that topic this session), and preserving local government revenue streams (because

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we do not believe city voices will be welcomed on that topic). Both items are still included in the full Legislative Agenda and will be monitored for engagement opportunities.

The full Legislative Agenda includes a summary of each critical 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.

Throughout the 2023 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.

RECOMMENDATION

It is staff's recommendation that the City Council approve the resolution as set forth in the caption above.