

RESOLUTION NO. xx-xx-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, APPROVING THE CITY'S LEGISLATIVE PRIORITIES AND AGENDA FOR THE 89th TEXAS LEGISLATIVE SESSION, AUTHORIZING CERTAIN PERSONS TO REPRESENT AND COMMUNICATE THE CITY'S LEGISLATIVE INTERESTS, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO SIGN ALL LETTERS, PETITIONS, AND/OR OTHER DOCUMENTS ON BEHALF OF THE CITY TO PROMOTE THE CITY'S LEGISLATIVE PRIORTIES AND AGENDA.

WHEREAS, the 89^h Texas Legislature convenes in January 2025; and

WHEREAS, the Texas Legislature and its administrative agencies will consider many measures and actions that affect the City of Lewisville, Texas; and

WHEREAS, City staff has prepared and recommends approval of the City of Lewisville's 2025 Legislative Priorities and Agenda attached hereto as Exhibit "A"; and

WHEREAS, the City Council finds that the Legislative Priorities and Agenda are in the best interest of the City and its citizens, should be adopted, and should be forwarded to the Legislature for consideration; and

WHEREAS, the City Council is of the further opinion that the Mayor, the City Manager and/or the City Manager's designee should be authorized and directed to take action with regard to the Legislative Priorities and Agenda as outlined below.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEWSVILLE, TEXAS, THAT:

SECTION 1. The City of Lewisville's 2025 Legislative Agenda, attached hereto as Exhibit "A", is hereby adopted and approved as the Legislative Priorities and Agenda for the City of Lewisville.

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SECTION 2. The Mayor, the City Manager, and/or the City Manager’s designee are authorized to communicate the items included in the City’s Legislative Priorities and Agenda to the members of the Texas Legislature, in general, and/or to the appropriate legislative committees, committee members, and other persons or groups that may influence the 89th Legislative Session.

SECTION 3. For those items designated as “support,” the Mayor, the City Manager and/or the City Manager’s designee are directed to actively pursue passage of the appropriate legislation if it is introduced by some other entity. Efforts to obtain passage of the legislation may include drafting appropriate legislation, seeking a sponsor, and actively pursuing passage of such legislation by providing testimony and through other means.

SECTION 4. For those items designated as “oppose,” the Mayor, the City Manager, and/or the City Manager’s designee are directed to attempt to impede the passage of any such legislation.

SECTION 5. The Mayor and the City Manager are specifically authorized to sign any and all letters, petitions, and/or other documents on behalf of the City in order to promote the City’s Legislative Priorities and Agenda.

SECTION 6. When testimony before various committees is needed to support or oppose a bill, the Mayor, the City Council Members, the City Manager, and/or the City Manager’s designee are authorized to testify so long as the testimony is consistent with the approved Legislative Priorities and Agenda and the travel is coordinated through the City Manager’s office.

SECTION 7. This Resolution shall become effective from and after its passage.

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**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
LEWISVILLE, TEXAS, ON THIS THE 21ST DAY OF OCTOBER, 2024.**

APPROVED:

TJ Gilmore, MAYOR

ATTEST:

Thomas Harris III, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

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Exhibit A

CITY OF LEWISVILLE, TEXAS – 2025 LEGISLATIVE AGENDA

The following represents the legislative objectives and priorities for the City of Lewisville during the 89th Texas Legislature including the 2025 regular session, any special sessions that might be called, and any interim committees or studies that might be assigned. This document also establishes the City's position on legislative issues at the federal level.

The following positions have been carefully vetted by the Lewisville City Council, and are based on the foundation that local elected officials live and work within the community they serve, are readily available to the public, and regularly hear from their constituents.

Throughout this document, it is understood that a position statement supporting a legislative action also establishes opposition to legislative measures that would have the opposite effect, and vice versa.

CRITICAL ISSUES

Lewisville City Council has designated the following topics as critical legislative issues during the 89th Texas Legislature. The City's legislative team will focus much of its attention on these areas, while still watching for other important items that might arise.

- **Sales tax sourcing and sales tax agreements relief**

The Texas Comptroller's Office has adopted a rules change that alters the way sales tax is allocated for online purchases. The new rule would change more than 50 years of practice by collecting sales tax based on the location of the buyer (destination-based) rather than the location of the sale (source-based). Implementation of the rule change is currently on hold pending litigation. We believe this rules change should be negated and any change should be made through the established legislative process rather than through administrative rules changes.

A change to destination sourcing would cost too much and produce little, if any, benefit. It places a large burden on businesses - especially small businesses - that ship, mail, or deliver to customers in multiple parts of Texas. They will have to obtain expensive new software, or hire professional help, to track the sales tax rates of more than 1,400 taxing entities. This will be particularly burdensome for businesses that provide services at a customer's location, such as pest control and landscaping. More than 20,000 new addresses are added in Texas every month that the Comptroller and small businesses statewide will have to track for destination sourcing.

- **Provide Responsible Property Tax Relief**

We understand that additional property tax relief is a priority of the 89th Texas Legislature. As the Legislature considers this important issue, we ask that you consider there are certain fixed costs of necessary services, such as police and fire, that make up the majority of municipal budgets. If property tax is reduced or capped, money has to come from other sources to avoid the reduction or elimination of vital services that residents expect and deserve.

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When similar measures are considered during the coming legislative session, there must be some effort made to balance the impacts of those measures so that they do not inadvertently shift the tax burden to property owners who do not directly benefit from the measure.

- **Affordable housing**

Rapid population growth, limited housing stock, high construction costs, and inflationary pressures have combined to make affordable housing a serious challenge for many Texas families. Nationally, 49 percent of Americans say affordable housing is a major problem in their local community. Lewisville City Council has heard from a growing group of seniors living on fixed incomes who are struggling, often unsuccessfully, to keep up with rapid rent increases during the past two years. We believe the far-reaching scope of this problem warrants immediate attention from the Legislature.

Lewisville supports comprehensive research by state officials to identify short- and long-term solutions for this statewide problem. Options might include grant and incentive programs to developers of affordable housing, grant programs to assist fixed-income seniors with their housing costs, and applying residential eviction processes to residents in an extended stay hotel property who have received an exemption from Hotel Occupancy Tax under Texas law.

We also believe that legislative intervention is needed to close a current loophole in Texas law that allows a PFC in one jurisdiction to purchase a property in another jurisdiction, removing that property from the second jurisdiction's tax roll, in exchange for cash payments from the property developed. Cameron County PFC has purchased two properties in Lewisville. Removing those properties from the tax roll cost our city \$500,000 in property tax revenue this year while Cameron County PFC received a cash payment equal to a percentage of tax revenue being taken from the city, county, and school district where the properties are located and public services are provided. We do not believe this loophole is in keeping with the intent or purpose of Texas law and should be closed.

- **Support State Investment in public transit**

As Texas' population grows, traffic congestion worsens, and the state of Texas population is currently projected to double to 55 million people by 2050. The state's highway capacity cannot keep up with that growth, and all options will be necessary to handle the transportation needs of 55 million people, including public transit. Currently, the state does not provide any state funding for public transportation. We encourage the Legislature to invest in the future of Texas by allocating some funding to expand public transit infrastructure in the metropolitan areas. This would have a positive impact on both affordable housing woes and the current workforce shortage. Public transportation also helps to reduce road congestion and travel times, air pollution, and energy and oil consumption, all of which benefit both riders and non-riders alike.

- **Support State Funding for TSTC Land Acquisition and Construction in Denton County**

The 98th Texas Legislature passed a bill authorizing Texas State Technical College (TSTC) to locate a new campus in Denton County. TSTC is the only college in Texas whose funding depends on its students working after graduation. TSTC is efficiently and effectively helping Texas meet the high-tech challenges of today's global economy, in partnership with business and industry, government agencies, and other educational institutions. With more than 50 years serving Texas, TSTC is a public coeducational

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institution of higher education offering courses of study in technical education leading to the award of Certificates and Associate of Applied Science degrees. They also provide technical education and training to business and industry, continuing education to the public, and training programs for community and state economic development.

The placement of a TSTC campus in Denton County will prepare today's workforce for tomorrow's jobs, including vital fields that currently have labor shortages. It will make Denton County and all of North Texas more competitive in attracting new and thriving industries, which will lead to even more high-quality jobs seeking a prepared and eager workforce. Lewisville believes strongly in the long-term potential of a TSTC campus in Denton County.

All but one of the 10 TSTC campuses were built with state dollars appropriated by the Legislature. We do not believe this campus was authorized without a strong desire that the project be successful, and waiting an undetermined number of years for local fundraising through industry and local government agencies would add great uncertainty to the project's ultimate success. We support state funding for land acquisition and campus construction so that TSTC can open its 11th campus and serve a major metropolitan market that is ready to receive trained and skilled workers for industry for today and tomorrow.

- **Preserve the voice of local government**

There are 962 cities and towns in Texas, each one with its own unique mix of opportunities and challenges. Each one has local leaders who are chosen by their neighbors to represent them on many important matters. This includes serving as a voice for those residents in the legislative process.

However, those elected leaders do not have the time to spend months in Austin to track bills and actively participate in the legislative process. Eliminating their ability to have professionals to represent their citizens' interests in Austin, or prohibiting cities from paying dues to professional organizations that engage in lobbying, would effectively silence the voice of the men and women who have been chosen by their neighbors to represent them.

- **Increased TxDOT funding for maintenance and litter control**

Texas Department of Transportation is responsible for building and maintaining the state's highway system. This includes aesthetic maintenance such as mowing and trash/debris collection. However, in recent years, infrastructure costs have risen to the point that aesthetic maintenance has suffered. We receive many complaints from Lewisville residents about the appearance of the state highways running through our city. This reflects badly on our community and could, over time, have negative economic impacts. The TxDOT district office attempts to remedy those issues but is not always able to do so in a timely manner due to limited resources. We would like to see increased resources be made available to TxDOT and dedicated specifically to aesthetic maintenance of state highways, especially along urban highways such as IH-35E through Lewisville.

GENERAL ISSUES

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Lewisville City Council has approved the following positions on topics that could come before the 89th Texas Legislature. City staff is authorized to communicate the City's position on each of the items listed below.

LOCAL AUTHORITY

Cities are the level of government that is closest to the people it serves, and therefore decision-making authority should be placed at the municipal level whenever reasonable.

Lewisville will:

OPPOSE legislation that would erode local authority over land uses

OPPOSE legislation that would erode or invalidate a city's ability to establish and enforce reasonable business regulations

SUPPORT the continuation of existing eminent domain authority and related tools used for planning and development of projects serving a valid public purpose

OPPOSE legislation that would change the current two dates per year on which local elections can be held, unless it is to give cities additional flexibility

OPPOSE any legislation that would infuse municipal elections with political party affiliation

SUPPORT measures to strengthen or restore municipal authority to manage and maintain public rights-of-way, including the right to seek adequate compensation for their use

SUPPORT maintaining the ability of municipal government to participate in utility rate cases on behalf of their residents

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

OPPOSE legislation that would restrict or hinder a city's ability to annex property located within its ETJ

SUPPORT strengthening the ability of cities to regulate the placement of pipelines and drilling sites within their municipal boundaries

OPPOSE legislation that would expand or mandate meet-and-confer or collective bargaining for any class of municipal employee, or that would expand civil service law for municipal employees

OPPOSE legislation that would further erode local control related to retirement issues for municipal employees

SUPPORT revising or eliminating outdated print advertising mandates for cities

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SUPPORT legislation protecting the ability of local government officials to use public funds to communicate with legislators and state agencies on matters of public interest, as well as pay membership dues to organizations that hire lobbyists

SUPPORT legislation that would amend state requirements to create a more efficient and reasonable schedule for developing the city budget, including provisions that would hold appraisal districts accountable for reporting deadlines

SUPPORT legislation that would limit or reduce the number of reports cities are required to file with the state, especially when the information being reported already is available through other means

SUPPORT legislation that would amend provisions of HB-3167, enacted during the 2019 legislature, to provide that the governing body may delegate to one or more officers or employees the authority to approve, deny, or conditionally approve plans; and to give the applicant discretion to waive the deadline for a response, including allowing an extension on a plat application

SUPPORT legislation that would give the governing body of a Home Rule City in Texas the authority to call a local option election without first receiving a request petition from the public

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.

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

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

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.)

LOCAL REVENUE

Providing quality municipal services to Texans requires the ability to generate adequate revenue to pay for those services. The City Council carefully balances tax rates, with the high quality services our citizens demand.

Lewisville will:

OPPOSE any measure that would redirect existing local revenue to the state

OPPOSE any legislation that would increase or expand appraisal caps

OPPOSE any legislation that would erode local taxing authority, including measures that would create new obstacles to funding sources or that would restrict the use of existing revenue streams

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OPPOSE any legislation that would change the definition of “debt” or restrict certain debt types from inclusion in the debt service property tax rate calculation

SUPPORT any legislation that would preserve or protect the ability of cities to responsibly use tax-increment financing to pay for public infrastructure

OPPOSE any legislation that would erode the concept of “fair market” appraisals

SUPPORT efforts to require reporting of actual sales prices in real estate transactions as a step toward a more equitable appraisal process for property tax purposes

SUPPORT legislation that would close the “dark box” loophole being used by some large retailers to artificially devalue commercial properties for tax purposes, a process that has the effect of shifting a disproportionate property tax burden onto homeowners

SUPPORT refining the current ability of commercial property owners to select comparison properties during the property appraisal process, establishing standards to ensure the comparable properties are a fair comparison and accurately reflect the local real estate market

OPPOSE any increased state fees, or reallocation of existing fees, on municipal court fines and proceedings, or any legislation that would have the effect of requiring municipal courts to collect revenue for the state

SUPPORT legislation that would provide consistency and uniformity in the compliance fees for compliance dismissals of Class “C” misdemeanors.

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.

OPPOSE any legislation that would create new sales tax exemptions, expand current exemptions, or expand the annual “sales tax holiday”

OPPOSE any reduction in local sales tax authority, either the current local sales tax cap or currently authorized uses

SUPPORT maintaining all economic development tools available to cities so Texas cities can remain competitive with cities outside the state.

SUPPORT measures that would expand allowable uses of PEG fee revenue to include operations and staffing related to video production and broadcast

SUPPORT legislation that creates flexibility in the use of Hotel Occupancy Tax revenue to allow that an amount up to a fixed percentage of total annual HOT revenue may be used in support of parks and recreation facilities with a documented tourism impact

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SUPPORT legislation that would reverse the Texas Comptroller’s rules change that adopts destination-sourced sales tax for all online purchases

OPPOSE legislation that would expand the use of destination sourcing sales and use tax collections

SUPPORT legislation that would protect existing economic development agreements created by cities under existing state law, and exempt those existing agreements from the pending change to destination-sourced sales tax

PARKS FUNDING

Public parks are popular recreation options for Texans, but multiple studies also have shown that a well-maintained park system has positive economic impacts on a community and on a state. Sustainable federal, state, and local funding of parks secures the viability of state parks, and it has a direct positive impact on local parks that Texans value and love.

Lewisville will:

SUPPORT adequate state funding for maintenance and operation of state parks, recreation areas, natural areas, and monuments; and ensuring those facilities are widely and readily available to the public

SUPPORT expanded state and federal funding to assist with creating, maintaining, and operating local parks and trail systems

SUPPORT ensuring that parks and recreation agencies are included as eligible partners and beneficiaries in any strategy or guideline aimed at benefiting healthy lifestyles, creating safe zones, increasing physical activity, conservation, or preservation

SUPPORT legislation and funding for programs that improve mental health through parks and recreation

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.

SUPPORT expanding options for parks, recreation, open space, and trails on utility corridors, to include waiving all liability for those purposes to the utilities

SUPPORT increasing local access to pass-through federal dollars for parks and related uses

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

PUBLIC SAFETY

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Police, fire, and emergency medical care are among the most important services a city provides its residents. Those services often represent the majority of a municipality's budget.

Lewisville will:

OPPOSE legislation that would compromise police officer safety.

OPPOSE efforts to legalize recreational use of marijuana in Texas

SUPPORT clarifying the authority of municipalities to enact residency restrictions on registered sex offenders

SUPPORT measures that would prioritize the production of public safety vehicles in the manufacturing supply chain

OPPOSE legislation that would create an expectation for local law enforcement agencies to enforce federal immigration law.

OPPOSE any legislation that would subject local police to criminal charges for enforcing federal firearms laws, or subject any city that allows such enforcement to a lawsuit by the state's attorney general or to punitive reductions in state funding

SUPPORT new direct or grant funding from the state for crisis intervention, de-escalation, implicit bias, and other best practices training for certified peace officers

SUPPORT providing full funding for the Bill Blackwood Law Enforcement Management Institute of Texas and unification of all Texas Police Chiefs Leadership Series training programs

SUPPORT state funding to improve police officer wellness, with an emphasis on suicide prevention

SUPPORT providing adequate funding of state law enforcement agencies on public lakes

SUPPORT legislation that would dedicate increased and stable funding to cities and school districts for measures related to campus and student safety and security

SUPPORT measures that would enhance the state's mental health system including increased funding to mental health providers who provide community-based services, and increased capacity for in-patient mental health treatment

SUPPORT new direct or grant funding from the state for multi-disciplinary crisis response teams

SUPPORT discontinuing the redirection of dedicated telephone taxes to purposes other than 911 services

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SUPPORT seeking assistance from the state in the form of opt-in programs to help local governments protect electronic databases from criminal breach, including state funding mechanisms to assist with cybersecurity priorities

SUPPORT legislation that would create a database for rejected peace officer applicants and decertified officers, and make that database available to law enforcement agencies

SUPPORT legislation that would make sustained Brady violations or sustained excessive force complaints valid grounds for decertification following due process

SUPPORT legislation that would revise Texas Local Government Code, Chapter 143, to remove barriers to holding unfit officers accountable while maintaining their due process rights

SUPPORT legislation that would standardize “Use of Force” policies in Texas using the Texas Best Practices Recognition program as a model

SUPPORT legislation that would adopt comprehensive background checks for firearm purchases made online or at gun shows

SUPPORT legislation that would prevent an NICS-prohibited person from obtaining, possessing, or accessing a firearm in Texas

OPPOSE legislation that would permit first responders other than certified peace officers to carry a firearm while on the job

SUPPORT making it an offense for a person to post on a publicly accessible website the residence address or telephone number of an individual the actor knows is a public servant or a member of a public servant’s family or household

SUPPORT legislation that would create criminal penalties for violation of bond conditions and that would create a statewide database to centralize inquiries for bond conditions on released individuals awaiting trial

OPPOSE state and federal regulations that would increase the maximum size of long-haul trucks on public highways

SUPPORT legislation to revise definitions in the Weapons chapter of Texas Penal Code 46.01 to not classify the TASER 10 as a firearm

SOCIAL EQUITY

Lewisville is a city that celebrates its ethnic, cultural, and economic diversity. We believe Texas should be a place of tremendous opportunity that is equally accessible to all persons regardless of race, ethnicity, religious beliefs, sex, gender identification, or economic status. This requires the state to aggressively protect the rights of all Texans.

Lewisville will:

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SUPPORT enacting state regulation to prevent exploitative payday and vehicle title lending and to subject these businesses to appropriate state banking regulations

SUPPORT legislation that would apply residential eviction processes to residents in an extended stay hotel property who have applied for and received an exemption from Hotel Occupancy Tax

SUPPORT developing plans and dedicating resources needed for greater broadband connectivity, especially in low-income areas, to enhance access to public education, healthcare, employment, news, and information

SUPPORT legislation that improves racial equity in all sectors of the state including education, employment, healthcare, housing, and criminal justice

SUPPORT measures that would provide state funding and support for affordable housing initiatives, including grant and incentive programs to developers, and measures that would cap yearly rent increases for low-income and fixed-income renters

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

TRANSPORTATION

Transportation is a key factor in the future viability of our community. Roads provide a vital network that connects Lewisville to the region and the state. Effective public transit options represent a responsible and reliable way to provide workers with access to employment centers. Funding those needs is a crucial investment in the future of Lewisville, Texas.

Lewisville will:

SUPPORT identifying and securing full and timely funding for the second phase of Interstate 35E reconstruction

SUPPORT implementation of the Texas Bullet Train High-Speed Rail Project connecting Dallas-Fort Worth with Houston

SUPPORT providing increased and consistent state funding to build and maintain a high-quality, efficient highway system

SUPPORT ending the diversion of transportation revenues to non-transportation purposes

SUPPORT increasing state investment in public transit, including regional rail service

SUPPORT providing greater flexibility for cities to fund local transportation projects, including potential new state funding sources for important local and regional roads and trail systems

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SUPPORT measures to strengthen or restore municipal authority to manage and maintain public rights-of-way, including the right to seek adequate compensation for their use

OPPOSE legislation that impedes local authorities from adopting, implementing, or considering ordinances that regulate traffic controls and safety in their communities

SUPPORT allowing voluntary “complete streets” participation by cities, but not imposing mandatory “complete streets” requirements on cities

SUPPORT the United States Department of Transportation’s Recreation Trails Program and similar programs at the state or federal level

SUPPORT accessibility so long as it does not impose an unfunded mandate on cities

OPPOSE any diversion of voter-approved state transportation funding (Prop 1 and Prop 7).

WATER

Future viability requires the ability to provide for the long-term water supply needs of residents and businesses in Lewisville, North Texas, and statewide. This must include both maintaining current water supplies and developing new water sources.

Lewisville will:

OPPOSE any legislation that would undermine city original jurisdiction, and oppose any efforts to make local water rates subject to approval by any state agency

SUPPORT researching and assessing some level of water re-use, especially for upstream cities in North Texas such as Lewisville

SUPPORT establishing and enforcing water conservation standards at the local level, not at the state or federal level unless adequate ongoing funding is provided

OPPOSE additional state “tap fees” or other state fees on municipal water systems

SUPPORT fully funding the State Water Plan, and creating future state funding sources

OPPOSE any legislation that might restrict Lewisville’s ability to continue providing a safe and reliable local water supply

SUPPORT working with the state, regional partners, and other cities to identify and secure options for new water sources