

**RESOLUTION NO. 14-31**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, ADOPTING A LEGISLATIVE AGENDA FOR THE 84th SESSION OF THE TEXAS LEGISLATURE.**

WHEREAS, local government is the most direct and frequent point of contact with its residents; and

WHEREAS, the process for local government is a public and participatory process whereby the actions of local governments are subject to the public scrutiny of the residents; and

WHEREAS, local government is responsible for providing basic and emergency services; and

WHEREAS, local governments are the first responders in local emergencies; and

WHEREAS, the ability of local government to provide those services is dependent on the ability to have the necessary resources and authority to carry out its responsibilities; and

WHEREAS, local government officials are elected by the residents they represent to provide a wide array of services; and

WHEREAS, state representatives and senators are charged with working in the best interest of the citizens they represent; and

WHEREAS, residents of the state of Texas expect elected government officials representing local governments to make every effort to be informed on the needs of the constituents and the local government to ensure that local governments have the necessary authorities and resources in which to fulfill the desired needs of the citizens who have elected them; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL  
OF THE CITY OF SUGAR LAND, TEXAS:**

**Section 1.** That City Council members will meet with area state representatives and senators to discuss the City's legislative agenda and provide both information and assistance on all matters relating to bills and other legislative matters that come before the Legislature to ensure that they have the resources to call upon in making decisions that impact the lives of their constituents.

**Section 2.** The City of Sugar Land shall proactively seek the filing and passage of any legislation identified as being sought in Exhibit A.

**Section 3.** The City Council IG Committee and the City's representative on the Texas Municipal League (TML) Resolutions Committee shall work with TML, peer cities in the State and other appropriate entities to jointly pursue the passage or defeat of legislation that is listed as "supported" or "opposed" by the City of Sugar Land in Exhibit A.

**Section 4.** The City Manager and his staff shall:

- a. Take all necessary actions to inform Sugar Land residents of the City's legislative agenda;
- b. Encourage residents to make every effort to be aware of the local and state governing and legislative process and expect their elected representatives from all levels to seek a proactive and positive relationship that does not pass a burden from the State to the County or City without providing the tools and resources to undertake the added responsibility.

**Section 5.** That it believes it is incumbent of all legislators to work in consort with City and County government to ensure that the entire governing process is as effective as possible and, to that end, seek input and advice from the local level of government on issues that have a direct impact on their ability to undertake their responsibilities.

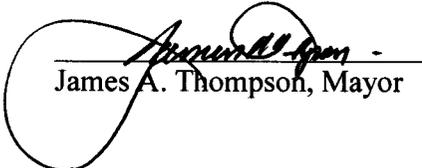
**Section 6.** That it expects elected representatives of state government to fully understand the implications of legislation they act upon to ensure there are no negative impacts on the community and to strongly support and take all actions necessary in furtherance of the attached legislation agenda, as it may be amended from time to time.

**Section 7.** That it believes the state legislative body should not exempt its members any regulation that they impose upon any other member of a political subdivision unless it can clearly be shown that there is a clear and compelling need to do so.

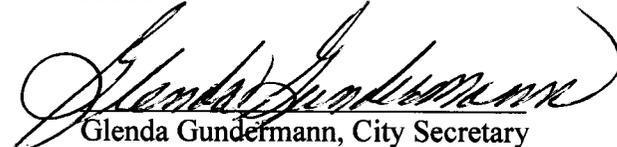
**Section 8.** That it adopts the 2015 Legislative Agenda as shown on Exhibit A, attached to and incorporated into this resolution by reference.

**Section 7.** That Resolution No. 12-24 is repealed.

APPROVED on September 02, 2014.

  
James A. Thompson, Mayor

ATTEST:

  
Glenda Gundermann, City Secretary

Reviewed for Legal Compliance:

Attachment: Exhibit A- 2015 Legislative Agenda

## **EXHIBIT A**

### **THE CITY OF SUGAR LAND 2015 LEGISLATIVE AGENDA Position Statements**

#### **Un-Funded Mandates**

1. *Oppose legislation that would require expenditures by the City without a source of revenue provided by the State.*
2. *Oppose legislation that would impose a presumption that first responders incurred illnesses or injuries in the line of duty.*

#### **Municipal Powers**

1. *Oppose legislation that erodes the authority of city government or is detrimental to cities.*
2. *Support legislation that is beneficial to the City's interest.*

#### **Municipal Revenue**

1. *Oppose changes to the current property and sales tax systems as well as other income producing structures that would cause the City to lose revenue or the ability to raise revenue.*
2. *Support simplifying the effective tax rate calculation for notice purposes only, provided the legislation would have no effect on the underlying effective tax rate and rollback tax rate calculations themselves.*
3. *Support legislation that accurately notifies and explains to taxpayers the actual impacts of the effective tax rate while deleting parts of the notification and adoption process that causes confusion and is inconsistent with the goal of providing a transparent budget and tax rate setting process.*
4. *Support any initiative to restore funding from the Sporting Goods Sales Tax, dedicated to Local Park Fund Grants and State Parks.*
5. *Support legislation that would enable municipalities to raise the fee amounts for the City portion of municipal court fees collected by cities.*
6. *Oppose legislation that would restrict the ability of municipalities to issue debt through either General Obligation or Certificates of Obligation bonds.*
7. *Support state or federal legislation that would expand the use of public, educational, and government (PEG) fees to include operational and related costs associated with PEG channels.*
8. *Oppose legislation that would further lower the appraisal cap and unfairly shift taxes to other taxpayers.*
9. *Support legislation that would increase funding for arts & cultural programs.*

#### **Collective Bargaining**

1. *Oppose legislation that would impose expanded collective bargaining rights.*
2. *Oppose legislation that would expand the current meet and confer law.*

#### **Land-Use Regulation and Annexation**

1. *Oppose legislation that would restrict the zoning authority of cities.*
2. *Monitor the creation or modification of special districts within the City and its ETJ, and support or oppose them as necessary.*
3. *Oppose legislation that erodes the authority of cities to annex.*

4. *Oppose any legislation that would limit the City's ability to enact building code requirements or assess building inspection fees.*
5. *Support legislation to modify language in state law under Local Government Code Chapter 212 in order to eliminate the public hearing requirement for residential re-plats which must be approved per state law if all code requirements are met or to revise the required public notice to include a statement that says, "If the plat meets all codes, it must be approved."*

### **Economic Development**

1. *Oppose attempts to restrict the ability of cities to use Type A (4A) and Type B (4B) funds.*
2. *Support the ability of cities to hold a single election to eliminate one sales and use tax and to adopt another.*
3. *Oppose attempts to restrict the use of economic development tools available to local governments such as tax abatement, tax increment reinvestment zones, and Chapter 380 agreements.*
4. *Support expansion or continuation of adequate funding for the Texas Enterprise Fund, Emerging Technology Fund, Skills Development Fund, Texas Enterprise Zone Program, and the Research and Development tax credit program.*
5. *Support continuation of the Hotel Occupancy Tax (HOT) for tourism marketing.*

### **Transportation**

1. *Support state-funded and local-option funding choices to be utilized for transportation purposes.*
2. *Support legislation that would discontinue the diversion of transportation revenues to non-transportation purposes and appropriate all revenues from highway user fees and taxes to fund transportation projects.*
3. *Support funding of the voter-approved Texas Rail Relocation & Improvement Fund.*

### **Right-of-Way and Utilities**

1. *Oppose legislation that would negatively impact the City's authority over its right-of-way.*
2. *Oppose legislation that would limit the current ability of the City to receive fair market compensation for use of its public rights-of-way.*
3. *Oppose legislation that would impose on cities: mandatory water conservation measures; "tap fees" or other types of state charge on municipal water systems; or any other onerous regulations as it relates to utilities provided by a city.*
4. *Support legislation to enable the City to build and operate recreational facilities in utility easements, including power line easements, for the purposes of walking and biking trails and other recreational uses/facilities, while also reducing any liability for those utility owner/operators.*
5. *Support legislation that would increase the authority of municipalities in requiring increased public notice of major pipeline activities – such as flaring – that have a direct impact on the quality of life of city residents.*
6. *Oppose any legislation that would diminish or limit the City's original jurisdiction over electric and gas rates.*

### **Water Resources**

1. *Actively monitor, evaluate, and act, if necessary, on any legislation related to the Gulf Coast Water Authority, the Fort Bend Subsidence District, and the Brazos River Authority including governance, water planning, water fees, and Watermaster issues.*
2. *Support legislation that would protect and expand the City's ability to purchase water, provide water to its residents and customers, use water within its City and Extraterritorial Jurisdiction*

*Areas, and collaborate with local and regional entities on projects or initiatives that seek to enhance the City's water resources goals.*

- 3. Support legislation that provides funding for State Water Plan projects that increase the State's water resources or further establishes long-term planning efforts for an affordable and reliable water supply for the Fort Bend and Houston areas – provided that the investments already made by the City are reflected in any proposed financing mechanisms.*

### **Open Meetings/Open Records**

- 1. Oppose any attempt that would make the current open meetings and public information laws more restrictive and ambiguous.*
- 2. Support uniform application of the public information and open meetings laws at every level of government including State legislative and executive branches.*
- 3. Support clarifications to public information and open meetings laws so that elected officials, including State legislative & executive officials, can better communicate with their constituents.*
- 4. Support expansion of the ability to charge for costs related to reproduction of public information, including costs of materials, labor, overhead, electronic copies and for viewing of documents.*
- 5. Support legislation reducing the financial burden on local governments required by the Open Meetings Act and Open Records Requests.*

### **Homeowners Associations (HOAs)**

- 1. Support the authority and role of Homeowners Associations and to oppose limitation of functions HOA's were created to perform.*
- 2. Support legislation that would enable HOAs to gain access to funding to maintain properties as neighborhoods age.*

### **Public Advertising**

- 1. Support legislation that would enable the use of electronic notice for all public notices.*

### **Texas Municipal Retirement System**

- 1. Support legislation that would protect the City's previous and future investments in the TMRS system.*

### **Purchasing**

- 1. Support legislation to clarify change orders for Public Works projects as it relates to previous changes to Chapters 252, 271, and 2267 of the Texas Local Government Code.*
- 2. Support continuation of alternative project delivery methods that allow municipalities to select contractors based on both price and qualifications.*

### **Public Safety**

- 1. Support the ability of local governing bodies to determine the appropriate use of technology in public safety.*
- 2. Oppose any further reduction of local government oversight of the safety of home cottage food facilities.*



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA OF:</b>	<b>09-02-14</b>	<b>AGENDA REQUEST NO:</b>	<b>III-B</b>
<b>INITIATED BY:</b>	<b>RICK RAMIREZ, PE <i>R.R.</i> INTERGOVERNMENTAL RELATIONS MANAGER</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>INTERGOVERNMENTAL RELATIONS</b>
<b>PRESENTED BY:</b>	<b>RICK RAMIREZ, PE <i>R.R.</i> INTERGOVERNMENTAL RELATIONS MANAGER</b>	<b>DIRECTOR:</b>	<b>N/A</b>
		<b>ADDITIONAL DIRECTOR (S):</b>	<b>N/A</b>

<b>SUBJECT / PROCEEDING:</b>	<b>2015 STATE LEGISLATIVE AGENDA</b>
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<b>EXHIBITS:</b>	<b>RESOLUTION NO. 14-31 AND EXHIBIT A</b>
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CLEARANCES	APPROVAL
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<b>LEGAL:</b>	<b>EUGENIA CANO ACTING CITY ATTORNEY <i>EAC</i></b>	<b>ASSISTANT CITY MANAGER:</b>	<b>JIM CALLAWAY <i>JC</i></b>
<b>PURCHASING:</b>	<b>N/A</b>	<b>ASSISTANT CITY MANAGER:</b>	<b>N/A</b>
<b>BUDGET:</b>	<b>N/A</b>	<b>CITY MANAGER:</b>	<b>ALLEN BOGARD <i>Allen Bogard</i></b>

BUDGET
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<b>EXPENDITURE REQUIRED: \$</b>	<b>N/A</b>
<b>CURRENT BUDGET: \$</b>	<b>N/A</b>
<b>ADDITIONAL FUNDING: \$</b>	<b>N/A</b>

RECOMMENDED ACTION
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Approve Resolution No. 14-31 adopting the 2015 State Legislative Agenda.

## EXECUTIVE SUMMARY

As part of the City's established Intergovernmental Relations program, the City works to ensure its interests are protected and/or enhanced throughout the state legislative process. The primary focus of this activity is the development of a State Legislative Agenda for the biennial legislative sessions, which is reviewed by the City Council Intergovernmental Relations (IG) Committee and ultimately approved by the City Council.

Accordingly, City staff recently reviewed the draft 2015 State Legislative Agenda – which was prepared with the help of the City's legislative consultants, Focused Advocacy – with the City Council IG Committee, as well as with the full City Council at the August 21, 2014, workshop.

With the concurrence of the City Council, Resolution No. 14-31 and its related Exhibit A are attached and provide the City's stated position(s) on a variety of issues with the potential to impact municipalities. As presented at the workshop, with expected turn-over in the legislature due to key elections in November and major issues expected to be priorities, staff prepared a much less aggressive agenda in comparison to recent years. This agenda is focused on protecting the City's interest from harmful legislation and to support legislation that bolsters the City's interest.

Staff recommends approval of Resolution No. 14-31 adopting the 2015 State Legislative Agenda. Once adopted by the City Council, staff will begin working with Focused Advocacy to share the City's formal positions on the identified issues with the appropriate state representatives. Following the commencement of the 84<sup>th</sup> Legislative Session in January 2015, staff will then provide regular updates to the IG Committee – and the full City Council as needed – on the status of the City's State Legislative Agenda, including whether or not any amendments are needed due to the dynamic nature of the legislative process.

## EXHIBITS