

RESOLUTION NO:

RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS ESTABLISHING THE CITY'S LEGISLATIVE AGENDA FOR THE 89TH REGULAR SESSION OF THE TEXAS LEGISLATURE

WHEREAS, during the most recent legislative session of the Texas Legislature, more than 1,500 bills were filed which impacted Texas municipal operations and municipal finances; and

WHEREAS, the filing of legislation for the next biennial session of the Texas Legislature begins November 11, 2024,

WHEREAS, during the upcoming 140-day legislative session, which begins January 14, 2025, many significant decisions affecting Texas cities will be made by the Texas Legislature; and

WHEREAS, it is anticipated that the much of the legislation filed will propose changes that directly impact the health, safety and welfare of our citizens or impact municipal services and finances; and

WHEREAS, it is a challenge for the City of Pflugerville, given its limited resources, to effectively monitor legislation; and

WHEREAS, it is important to establish the City of Pflugerville's priorities and positions, communicate them to the legislature and advocate on their behalf.

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

SECTION 1. The following legislative positions are adopted by the Pflugerville City Council for the 89th Regular Legislative Session:

1) GENERAL LEGISLATIVE POSITION

- a. The City seeks to preserve its current authority to govern the City, its citizens, and its property in accordance with its strategic goals and interests.
- b. The City will oppose any legislation detrimental to the City's strategic goals; erodes municipal authority, has a negative impact on municipal operations, is contrary to the health, safety, and welfare of its citizens; that mandates or results in increased costs or loss of revenues; or that would diminish the fundamental authority of the City and the City Council that has been elected to govern.
- c. The City supports any legislation viewed as advancing the City's strategic goals and interests; or that improves the health, safety, and welfare of its citizens; or that responsibly increases revenues; or that advances the City's authority to conduct the public's business.

4)2) SEEK INTRODUCTION & PASSAGE:

- a. The City seeks introduction and passage of legislation to enact a resolution designating the City of Pflugerville as the Trail Capital of Texas.

- a.b. The City seeks introduction and passage of legislation to enact the following changes to an Emergency Service District (ESD) with territory located within, or seeking to expand to the City of Pflugerville:
 - i. Clarify existing state law in Chapter 775, Texas Health and Safety Code to ensure ESDs with service territory within the City of Pflugerville must:
 - 1. request and receive approval from the elected governing body of the City to expand ESD territory into the City (i.e. – “annex” new ESD territory within the City’s corporate limits) before the issue of expansion is placed on a ballot; and
 - 2. if the governing body of the City rejects the ESD request for annexation into the City, the ESD must provide a petition to be validated by the City Secretary from at least 50% of the property owners in the area proposed to be annexed before the question of expansion may be placed on the ballot.
 - ii. Similar to the governance structure for ESD’s authorized in Section 775.0345, Texas Health Safety Code (i.e. - the counties of Harris, Smith and Orange), change the governance structure for an ESD located within the City of Pflugerville or its ETJ to an elected board of directors – as opposed to an board of directors appointed by the County Commissioner’s Court.
- c. The City seeks introduction and passage of legislation that prohibits the Texas Department of Transportation from requiring municipalities to cover the cost of potential lost toll revenue resulting from use of toll road frontage road improvements or other competing road improvements.
- ii.d. The City seeks introduction and passage authorizing it to retain 100% of state sales, use, and hotel occupancy taxes generated by a hotel project, along with eligible tax proceeds, for 10 years from the project's initial occupancy, as outlined in Rule 3.12.

2)3) GENERAL LEGISLATIVE POSITIONS:

- a. The City **supports** legislation that positively impacts:
 - i. the health, safety, and welfare of its citizens;
 - ii. home-rule municipal authority or local control including development standards and processes;
 - iii. the City’s comprehensive plan or economic development strategic plan; or
 - iv. municipal services, finances, or the Texas Municipal Retirement System (TMRS).
- b. The City **opposes** legislation that negatively impacts:
 - i. the health, safety, and welfare of its citizens;⁵
 - ii. home rule municipal authority or local control including development standards and processes;⁵
 - iii. the City’s comprehensive plan or economic development strategic plan;⁵
 - iv. municipal services, finances or the TMRS⁵
 - iv.v. the City’s city limits and extra-territorial boundaries, and or

~~v~~.vi. the authority to advocate for itself or its citizens-

3)4) SPECIFIC LEGISLATIVE POSITIONS:

a. The City **supports** legislation which overturns prior legislation that:

- i. Placed limitations on a municipality's ability to annex,
- ii. Limited building material requirements,
- iii. Imposed restrictions on value based fees,
- iv. Imposed "shot clock" requirements on planning and development reviews,
- v. Restricts Traffic Impact Analysis (TIA) requirements for subdivision or site plan approval, and
- vi. Allows unilateral disannexation without City Council consent.

~~a~~.b. The City **supports** legislation that:

- i. creates meaningful property tax relief,
- ii. provides more state funding for public education; or
- ~~ii~~.iii. allows the City to issue certificates of obligation Debt for infrastructure,
- iv. simplifies the process by which the property tax rate is adopted or makes the process more transparent, and
- v. allows for unilateral annexation,
- vi. imposes restrictions on short-term rentals,
- vii. prohibits manufactured homes in single-family zoning,
- viii. protects and preserves trees, including requirements for tree planting, maintenance, and replacement in urban and suburban developments, and
- ~~iii~~.ix. enables development to incorporate diverse landscapes featuring native plants that require less water, while preventing HOAs from prohibiting xeriscaping.

~~b~~.c. The City **supports** legislation that helps create, advance, or otherwise finance projects related to:

- i. transportation,
- ii. water and wastewater,
- iii. economic development,
- iv. parks, recreation, parks, and trails.

~~e~~.d. The City **opposes** legislation that:

- i. reduces the property or sales tax base,
- ii. impairs the City's ability to issue debt,
- iii. creates unfunded mandates,
- iv. requires the City to generate revenues for the State,
- v. causes property to be appraised for less than market value or unfairly shifts the tax burden, ~~or~~
- vi. requires a mandatory election to ratify the tax rate,
- vii. reduces any development standards including subdivision requirements,
- viii. removes the extension of streets for purposes of municipal master planning, and
- ~~vi~~.ix. imposes timeframes for municipal planning and development reviews.-

~~d~~.e. The City **opposes** legislation that erodes:

- i. parkland dedication and parkland development fee structures,
- ~~i.ii.~~ the management of the public right-of-way,
- ~~ii.iii.~~ fair market compensation for the use of the public's rights-of-way,
- iv. franchise agreements,
- v. municipal authority to annex,
- ~~iii.vi.~~ enforceability of municipal regulations on signs, land use, and design requirements, and
- ~~iv.vii.~~ jurisdiction in utility rate cases.

4)5) THE CITY WILL MONITOR LEGISLATION THAT IMPACTS:

- ~~a. COVID related economic assistance and economic recovery,~~
- ~~b.a.~~ Public safety funding and tactics,
- ~~e.b.~~ Emergency authorization authority,
- ~~d.c.~~ Redistricting House, Senate, or Congressional districts in Travis County,
- ~~e.d.~~ LCRA, ~~and~~ water supplies (including groundwater ~~issues~~) issues) and water rights,
- ~~f.e.~~ Emergency Service Districts (ESD), Water Supply Corporations (WSC), and any other special purpose districts (such as MMDs or MUDs), ~~and~~
- f. Capital Metro or the MoKan Corridor,
- g. Use of 4B Sales Tax or Hotel Occupancy Tax funding for parks and recreation projects, and
- ~~g.h.~~ Human resources-related policies for sworn and non-sworn employees (including but not limited to changes to government or administrative codes that affect compensation, benefits, paid or unpaid leave, worker's comp, etc.).

5)6) COMMUNITY COLLABORATION

- a. The City of Pflugerville is committed to collaboration with community partners and will support the Legislative Agendas of the following, except if in conflict with the City:
 - i. Chamber of Commerce, and
 - ii. Pflugerville Independent School District.

SECTION 2. This resolution shall be in full force and effect from and after its passage and approval and it is accordingly so resolved and that the City's authorized agents may act on it accordingly.

PASSED AND APPROVED this 22nd day of October, 2024.

Victor Gonzales, Mayor

ATTEST:

Trista Evans, City Secretary