

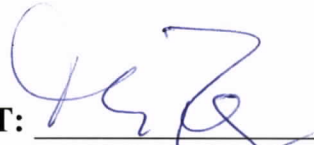
RESOLUTION NO. 20220915-026

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Council adopts the City's State Legislative Agenda for the 88th Texas Legislative Session as set forth in the attached exhibit.

ADOPTED: September 15, 2022

ATTEST:

A handwritten signature in blue ink, appearing to read 'Myrna Rios', is written over a horizontal line.

Myrna Rios
City Clerk

DRAFT

CITY OF AUSTIN
2023 STATE LEGISLATIVE AGENDA
88TH LEGISLATURE

MAYOR & COUNCIL

Message from the Mayor:

The City of Austin looks forward to working with the 88th Legislature to best meet the needs and concerns of Austin residents. In this program you will find the City of Austin's 2023 State Legislative Agenda approved by our City Council. The result of an inclusive process, we believe that this agenda best represents the needs and concerns of Austin residents. It is our intent that this agenda guide our city staff, in coordination with our strategic partners, in their efforts to advocate on behalf of the City of Austin and its residents.

We look forward to working together on policies that make Texas, and Texas cities, greater.

Mayor Steve Adler

Mayor Pro Tem Alison Alter, District 10

Natasha Harper-Madison, District 1

Vanessa Fuentes, District 2

Sabino "Pio" Renteria, District 3

José "Chito" Vela, District 4

Ann Kitchen, District 5

Mackenzie Kelly, District 6

Leslie Pool, District 7

Paige Ellis, District 8

Kathie Tovo, District 9

City Manager

Spencer Cronk

AUSTIN AT A GLANCE

GENERAL LEGISLATIVE PRINCIPLES

The City of Austin's 88th State Legislative Agenda reflects the City's priorities for efficient and cost-effective government services that foster Austin's prosperity, sustainability, and safety. The City of Austin supports legislation that enhances City services, reduces the cost of providing services, prioritizes a prosperous business climate, and improves the quality of life for its residents. The City of Austin opposes legislation that strips Austin residents of their right to self-governance, increases taxpayer costs for City services that residents rely on, undermines the principle of home rule, negatively affects the City's financial ability to act in the best interest of its residents, or imposes on Austin taxpayers the burden of paying for State mandates or collecting revenues for the State.

To that end, the City has adopted certain **legislative priorities** and authorizes the City Manager and the City's professional Intergovernmental Relations team to protect interests critical to preserving the principle of home rule and Austin residents' right of self-governance consistent with these priorities.

In addition, the City has adopted statements of **support** and authorizes the City Manager and the City's professional Intergovernmental Relations team to actively support legislation related to specific position(s) adopted by the City Council while not proactively seeking introduction of legislation.

Lastly, the City has adopted statements of **opposition** and authorizes the City Manager and the City's professional Intergovernmental Relations team to actively oppose any legislation that contradicts or undermines the specific position(s) adopted by the City Council.

The City of Austin also supports the legislative initiatives of strategic community partners, such as regional government entities, Texas cities, the Texas Municipal League, educational institutions, non-profits, and private sector entities that enhance educational, cultural, and infrastructure resources in the Austin region to the extent these initiatives do not conflict with the City's agenda.

88th Legislature Priorities Affecting Cities

The City of Austin recognizes that the Texas Legislature has identified the following issues as legislative priorities for the 88th Legislative Session and directs the City Manager to use his staff and the City's Intergovernmental Relations team to:

- ❖ Oppose legislation that attempts to diminish the City's ability to govern its residents' investment in municipally-owned utilities or that negatively impacts the current status of Austin Energy, including City Council's authority to set rates.
- ❖ Oppose legislation that negatively affects the City's financial ability to act in the best interests of Austin's residents or reduces the City's ability to achieve a AAA credit rating, including but not limited to:
 - Imposing a limitation on city expenditures, a more restrictive revenue cap of any type, or an exclusion of new property in the effective rate calculations; or
 - Lowering the homestead appraisal cap or expanding the appraisal cap to non-homestead properties.
- ❖ Protect Austin residents' right to govern themselves and work with their City government to adopt and enforce ordinances that address the health, safety, and public welfare of the community, including but not limited to, the ability to regulate earned sick leave, payday and auto title lending, and fair chance hiring.
- ❖ Preserve property value for Austin taxpayers by protecting the City's authority to promote good land use through:
 - land use and zoning regulations (including short-term rentals, billboard regulations, tree preservation and mitigation fees, parkland dedication, and landscape regulations);
 - building codes;
 - planning requirements;
 - impact fees, building permit or registration fees;
 - annexation;
 - floodplain regulations; or
 - eminent domain.
- ❖ Protect Austin's civil rights ordinances and oppose legislation that attempts to diminish the City's ability to protect Austinites' employment, housing, public accommodation, and other civil rights that would threaten Austin's welcoming environment to businesses, conventions, and events and would tarnish Austin's status as an inclusive community for all.
- ❖ Support legislation that strengthens the financial soundness and health of the City's Retirement Systems.
- ❖ Oppose legislation that prohibits or restricts the City's current ability to petition the Legislature and its elected representatives on behalf of its residents.

STATEMENTS OF SUPPORT & OPPOSITION

TAX REFORM & DEBT ISSUANCE

- ❖ Support legislation that provides local options for revenue expansion and diversification and creates a tax and revenue system that promotes equity, responsiveness, and the authority for local officials to act in the best interest of residents.
- ❖ Support legislation that would require mandatory disclosure of real estate sales prices or substantially improves the real estate appraisal process, including the appeals process.
- ❖ Support legislation that simplifies and accurately notifies taxpayers of the impacts of the City's adopted property tax rate.
- ❖ Support legislation that provides meaningful property tax relief to Austin residents by preserving and expanding the state homestead exemption, including but not limited to:
 - Allowing for a percentage-based homestead exemption subject to a cap on the maximum value exempted; or
 - Allowing for a local-option flat-tax exemption to ad valorem taxes.
- ❖ Oppose legislation that places Austin's taxpayers with the burden of paying for State mandates and collecting revenues for the State.
- ❖ Support legislation that protects or enhances municipal revenues and the flexibility to use such revenues.
- ❖ Oppose legislation that restricts the ability of the City to issue debt or that would cause confusing and onerous public notification requirements.
- ❖ Support legislation that would allow for a reduction, cap, or exemption to water drainage fees for persons age 65 or older or disabled.
- ❖ Support legislation and funding that ensures sustainable funding for public schools.

WATER & WASTEWATER, ENVIRONMENT, AND SUSTAINABILITY

- ❖ Preserve and protect the City's current and future water resources and water quality.
- ❖ Oppose any legislation that would restrict the City's ability to protect the floodplain.
- ❖ Support legislation that promotes healthy and equitable communities and economic prosperity through the protection and preservation of the region's air, land, and water and Austin's natural resources and open spaces, including policies that address the causes of the climate crisis as well as mitigation strategies.
- ❖ Support legislation that provides financial assistance for high priority security, resilience, and sustainability-related water and wastewater projects, drainage infrastructure, repair and replacement of aging infrastructure, and the improvement and maintenance of water and wastewater infrastructure.
- ❖ Support higher water conservation standards for plumbing fixtures, irrigation, landscape practices, and sustainable water reuse, and protect the City's authority to establish conservation standards.
- ❖ Support legislation that would increase oversight of proposed pipeline developments or otherwise provide greater protections for owners of conservation lands or easements.
- ❖ Support legislation and funding for local and regional air quality planning, research, and monitoring in areas with air quality issues across the state.
- ❖ Support legislation and funding that increases the resilience of communities in the face of climate and environmental, economic, and/or social shocks and stressors.

HEALTH & PROSPERITY

- ❖ Support adequate funding for public health care programs, including Women's Preventative Health and Family Planning Services, chronic disease prevention, behavioral health and substance abuse programs, to support the uninsured and underinsured residents of Austin and all local and regional health care programs.
- ❖ Support legislation and funding to strengthen the resilience of public health care programs and healthcare systems.
- ❖ Support legislation that advances workplace equity for family building support; increases the number of people with access to health insurance that covers infertility medical treatment, specifically IVF and fertility preservation; and protects the right of people to make reproductive health decisions for their own bodies and their families.
- ❖ Support legislation to provide an exemption of feminine hygiene products and child and adult diapers from the sales and use tax.
- ❖ Support legislation and funding that creates equitable access to and availability of affordable, safe, quality child care and education for all families of children aged birth to five; affordable, safe, quality after-school programming; and evidence-based home visiting programs for families with young children.
- ❖ Support legislation and funding to strengthen the resilience of the child care industry and ensure equitable access during a disaster, including measures to increase child care subsidies and expand subsidy funding for full-day programs needed for school-age children in the event of virtual instruction; and measures to improve coordination at state agencies for guidance, data collection, and funding for childcare programs during a disaster response.
- ❖ Protect the City's ability to enforce basic health and safety standards for the public, including but not limited to restaurant, food truck, and daycare inspections.
- ❖ Support legislation that improves access to fresh, healthy, and affordable food.
- ❖ Support legislation and funding to increase compensation, including Medicaid reimbursement, for home health aides, community attendants, direct support professionals, and direct care workforce in institutional settings.
- ❖ Support legislation and funding to ensure appropriate oversight and enforcement of infectious disease protocols and mitigation rules in long-term care (LTC) facilities and provide widespread testing and associated personal protective equipment (PPE) for residents and staff in all LTC facilities.
- ❖ Support legislation and funding to improve disease and laboratory reporting and strengthen epidemiological responses to public health conditions or threats.
- ❖ Support legislation and funding to dismantle systemic racism, including efforts to address public health disparities due to racial inequities.

ANIMAL SERVICES

- ❖ Support legislation that positively affects the mission and service delivery of municipal animal shelters, animal health, and any other animal related regulations to save the lives of shelter pets, to work with rescue agencies and non-profits, and to model best practices for shelter pets and wildlife.

PUBLIC INFRASTRUCTURE

- ❖ Protect the City's ability to manage and control public rights-of-way and publicly owned land, to receive fair market compensation for use of public rights-of-way, and to require private companies to pay for the costs of relocating their facilities and infrastructure.
- ❖ Support the City's ability to require proportional traffic mitigation or infrastructure improvement requirements from developments as part of the site development process.
- ❖ Oppose legislation that limits the City's ability to regulate and enforce the City's building codes, land use and zoning regulations, floodplain regulations, and registration or license requirements to the standards adopted by the City in order to address the health, safety, and public welfare of the community within the City's limits and its extraterritorial jurisdiction (ETJ).

TRANSPARENT AND EFFICIENT GOVERNMENT

- ❖ Support legislation that clarifies and improves the state's requirements for disclosure and filing requirements for business entities contracting with the City.
- ❖ Support legislation that reduces the costs of providing services by authorizing public notices on the Internet or through electronic service.
- ❖ Oppose legislation that erodes municipal sovereign immunity.
- ❖ Maintain the ability of Austin to acquire property for uses that benefit its residents and protect local taxpayers from paying additional compensation to individuals and businesses.
- ❖ Oppose legislation that allows special districts to form inside the City limits or ETJ without City Council approval.
- ❖ Oppose legislation that limits or prohibits the City's current ability to communicate or advocate with legislators or limits or prohibits the authority of the Texas Municipal League to use any funds to communicate with legislators.
- ❖ Oppose legislation that would increase state regulation of local ballot language or the initiative or referendum process.

EQUITY & AFFORDABILITY

- ❖ Support legislation that promotes equity for residents of Austin including pay-equity, education-equity, housing-equity, and health-equity.
- ❖ Support legislation and funding that will bolster the City's efforts to stabilize and sustain neighborhoods, preserve and expand the supply of housing that is affordable, expand economic opportunities, meet critical social needs, and fund other critical needs in low- and moderate-income neighborhoods.
- ❖ Support legislation that allows cities to implement mandatory inclusionary zoning programs.
- ❖ Support legislation that prohibits predatory practices that pressure families to sell their homes.
- ❖ Support legislation and funding that aligns employment, education, healthcare, and other essential services to housing that is affordable and accessible to transit.
- ❖ Support legislation that affirms civil and human rights, and ensures that those targeted on the basis of race, nationality, religion, or immigration status can turn to government without fear of recrimination.

HOMELESSNESS

- ❖ Support legislation and funding to provide social services for individuals experiencing homelessness, mental health disorders, and/or substance use disorders.

EDUCATION, ECONOMIC AND WORKFORCE DEVELOPMENT

- ❖ Support legislation and funding that improves the City's ability to attract economic development, promote tourism, and provide economic opportunities for Austin's creative sector.
- ❖ Support legislation and funding to strengthen the resilience of the creative and hospitality industries, including live music and art venues, restaurants, and bars.
- ❖ Support the continuation of state incentives and tools to supplement local economic development strategies.
- ❖ Support legislation and funding that improves the quality of education for successful pathways to high school graduation, college, and careers.
- ❖ Support legislation and funding that provides Austin students and residents with career pathway opportunities, including work relief programs, job training, and apprenticeship programs.
- ❖ Support legislation and funding that provides high-risk workers with public health and safety protections, support, and education related to a pandemic response or other health emergency.

- ❖ Support legislation and funding to promote reliable and affordable access to the internet and related technologies and to increase digital inclusion in Texas, including efforts to provide digital literacy and technology training.
- ❖ Support legislation and measures that will reinforce the City's efforts to strengthen communities' financial resilience and boost the local economy, including resiliency and equity initiatives that provide for unmet needs.

ACCESS FOR INDIVIDUALS WITH DISABILITIES

- ❖ Support legislation and funding that increases accessibility to public facilities and transit for individuals with disabilities.

PARKS

- ❖ Support funding for the Texas State Park System, the Texas Recreation & Parks Account Local Park Grant Program, and any program or funding that directly benefits parks, recreation, open space, trails, and tourism.

LIBRARIES

- ❖ Support increases in state aid for public libraries.
- ❖ Oppose legislation and reduction of funding that limits the City's ability to provide knowledge and education to the Austin community through technology and books.

PUBLIC PENSION SYSTEMS

- ❖ Support legislation that maintains joint state and local authority over City of Austin employee retirement plans.
- ❖ Oppose legislation that would negatively affect the City's public pension systems.

TRANSPORTATION & AVIATION

- ❖ Support legislation and funding for transportation and technology projects and initiatives dedicated to improving regional mobility; for increasing partnerships between local and state agencies to ensure improvements are well integrated and the regional mobility system is improved as a whole; and to maintaining, expanding, and improving transportation infrastructure and local transportation options.
- ❖ Support legislation that improves contracting options for delivery of transportation projects.
- ❖ Support increased state funding for transportation projects and regional partnerships or legislation that creates local funding options for transportation projects.
- ❖ Support legislation that would allow a city to lower the prima facie speed limit from 30 mph to 25 mph or less, or that would reduce requirements for local jurisdictions related to lowering the prima facie speed limit.
- ❖ Support legislation that in accordance with federal law provides local governments and airport authorities with sufficient resources to provide for a safe and efficient aviation system and allows airports to be as self-sustaining as possible.
- ❖ Support legislation and funding to invest in multimodal transportation systems through emerging technologies and smart mobility.
- ❖ Support legislation that allows Capital Metropolitan Transportation Authority (Capital Metro) or other regional partners to improve and expand the public transportation system to connect Downtown Austin to the region.
- ❖ Support legislation and funding that would strengthen the City's ability to improve traffic safety and to reach its goal of achieving zero serious injuries or deaths.
- ❖ Support legislation and funding that improve the ability of the City to manage traffic congestion through transportation demand management programming, infrastructure, and land use strategies.

- ❖ Support all project delivery & funding tools for local/regional transportation agencies to access private capital by preserving the ability to issue revenue bonds secured by user fees. Allow local metropolitan planning organizations to decide if managed lanes work for specific projects.
- ❖ Support the City's ability to increase the share of Austin residents who work at home instead of commuting to work.
- ❖ Protect the city's ability to gather and use transportation data for traffic management.
- ❖ Support the City's ability to design complete communities where land use encourages convenient transportation options and all modes are integrated into the transportation network.

PUBLIC SAFETY

- ❖ Support continued funding and support of Police, Fire, and EMS operations, and oppose legislation that restricts their ability to effectively serve and protect the Austin community.
- ❖ Support legislation increasing funding for child safety programs, school safety, and crossing guards.
- ❖ Support legislation that improves the City's ability to administer effective municipal court programs including efficient and equitable enforcement of court orders.
- ❖ Support funding of homeland security and emergency management programs that provide direct assistance to the City.
- ❖ Support legislation that reduces gun violence in coordination with local law enforcement, including legislation to:
 - Limit or prevent access to firearms by domestic abusers or individuals who pose a risk of harm to themselves or others;
 - Regulate and prevent access to bump stocks;
 - Promote safe storage for firearms;
 - Raise the minimum age of purchase from 18 to 21 for semi-automatic, assault style rifles;
 - Allow local jurisdictions to regulate the sale or public carry of semi-automatic, assault style rifles;
 - Prohibit the sale or possession of ammunition magazines capable of carrying more than 10 rounds; and
 - Increase penalties for illegally allowing minors unsupervised access to firearms.
- ❖ Oppose legislation that would deregulate gun silencers/suppressors.
- ❖ Support legislation and funding to local governments that would expand and improve existing efforts to address the opioid epidemic and reduce overdoses and overdose deaths, including measures to decriminalize and increase access to drug testing products; stop the illicit trafficking of fentanyl, carfentanyl, oxycodone, and other opioids; and provide for greater cooperation at the regional, state, and federal levels with regard to policy discussions on the issue of opioid abuse.
- ❖ Support efforts to protect individuals who request medical assistance related to an overdose and oppose legislation that increases arrests and the severity of criminal punishment related to experiencing or reporting an overdose.
- ❖ Support legislation that improves the City's ability to ensure the health, welfare, and safety of municipal employees.
- ❖ Oppose legislation that restricts the City's flexibility to effectively mitigate, prepare for, respond to, and recover from emergencies and disasters, including flooding, wildfires, extreme temperatures, and public health disasters.
- ❖ Support legislation that reduces risk to lives and property from flooding and wildfires.
- ❖ Support legislative efforts to continue support for sexual assault victims, including the continuation of the Texas Sexual Assault Survivors Task Force and the clearing of rape kit backlogs.
- ❖ Support legislation and funding to allow qualified medical and mental health professionals to safely perform related duties currently restricted to law enforcement officers, including the authority to detain and transfer an individual believed to have a mental illness and who is a substantial risk of serious harm to themselves or others.

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- ❖ Oppose legislation that negatively affects the City's ability to maintain public confidence, trust, and support in the fairness and integrity of the Austin Police Department.
- ❖ Support legislation to reduce the improper or excessive use of force by police, enhance bias, crisis intervention, and de-escalation training, expand civilian oversight of police departments, and improve relations between police and those they serve.
- ❖ Support legislation that requires the use of de-escalation techniques and other alternative techniques to use of force whenever possible.
- ❖ Support legislation and funding to reduce or eliminate arrests or incarceration for low-level, non-violent offenses and ban arrests for offenses that are only punishable by fines.
- ❖ Support legislation that would increase investigations, transparency, and public reporting of:
 - Improper or excessive use of force and use of deadly force;
 - Officer misconduct, complaints, and resulting disciplinary consequences;
 - Racial profiling data and other racial disparity and equity data; and
 - Body camera footage.
- ❖ Support legislation and funding to improve background checks and screening of incoming police cadets and active officers being considered for promotion, including measures to increase access to officer misconduct records from other jurisdictions.
- ❖ Support legislation that would improve a jurisdiction's ability to investigate officer misconduct, enforce disciplinary actions, or prosecute officer misconduct.

VOTING & ELECTIONS

- ❖ Support legislative or executive action that promotes and protects voting rights and access to voting, as well as greater inclusion and civic empowerment, including:
 - Modernizing and increasing access to voter registration;
 - Expanding access to polling places, extending the early voting period, and improving standards for polling places and poll worker training;
 - Protecting and strengthening the ability of employees to vote during early election periods and on election days, including recognizing voting days as state holidays;
 - Increasing state funding for voter education and elections administration, processes, and security;
 - Creating a Civic Engagement Board to increase democratic participation and engagement particularly among underrepresented communities;
 - Increasing outreach and distribution of elections and voter registration information to eligible Texans who are not currently registered to vote;
 - Providing for civics education and voter registration information in jails and for individuals returning from incarceration upon completion of probation;
 - Restoring voting rights and the right to stand as a candidate for formerly incarcerated individuals;
 - Improving accommodations for voters with disabilities and protecting the rights and access of Texas voters serving in the military;
 - Providing for no-excuse absentee voting that would allow voting-by-mail for all eligible voters, especially during a declared state of emergency;
 - Eliminating partisan and racially discriminatory redistricting; and
 - Repealing punitive and restrictive identification requirements to access the ballot.