

# City of Irving Legislative Program for the 88<sup>th</sup> Texas Legislature (2023)

The City of Irving's legislative program represents the interests of Irving residents and taxpayers in this growing city. Irving's legislative program helps the City Council maintain the high level of services for residents and maintain a quality of life they expect. Irving has a long history of working with the Texas Legislature and executive agencies to equip and empower city leaders to govern effectively and maintain the level of customer service for its residents and businesses in a fiscally responsible way.

## Primary Issues

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More than 2,000 bills filed during the 87<sup>th</sup> Legislative Session potentially affected local governments. As a general statement, Irving works to oppose harmful legislation affecting current City practices or restricting the city's options. This has been the focus of the city's legislative program for most of the last decade and is expected to require a significant amount of effort in the 88<sup>th</sup> session. In order to protect and enhance the City of Irving's ability to serve its residents, taxpayers and visitors, the city's legislative team will make the following issues priorities during the 88<sup>th</sup> Legislative session:

- 1) Seek amendments to the Texas Local Fire Fighters Retirement Act (TLFFRA) that validate and authorize voluntary, contractual agreements between a city and a local fire fighters' retirement system, such as the Irving Firemen's Relief and Retirement Fund.
- 2) Support legislation that gives local governments the ability to increase, if desired, the homestead property tax exemption beyond the current constitutional cap of 20 percent of assessed value.
- 3) Protect the city's ability to control its revenue streams, including property taxes, sales taxes, hotel occupancy taxes and city fees and fines, from state-imposed changes or diversion from the city to the state of Texas.
- 4) Oppose efforts to censor community input, such as refusing to allow testimony by city leaders on behalf of their residents, and/or prohibiting communication on behalf of local governments by private firms, nonprofit associations and city staff during legislative discussions.
- 5) Improve the process for securing Texas Enterprise Fund approvals.
- 6) Maintain the option to conduct nonpartisan City Council elections, bond elections and other local elections on the May uniform election date.
- 7) Allow decisions relating to operations of public safety departments to be made by city officials.
- 8) Allow residents to vote to authorize a sales tax dedicated to street maintenance and repair.
- 9) Support improved access to broadband in underserved areas while not imposing additional costs or mandates on city residents.
- 10) Update statutes to allow effective enforcement of laws relating to catalytic converter theft.

## Recurring Legislative Issues

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A significant number of issues that either benefit or harm Irving's ability to serve its residents and businesses can arise during a legislative session. Some items are beneficial. Others are not in the best interests of Irving residents and businesses. The city works with legislators and associations such as the Texas Municipal League and the North Texas Commission to prevent negative ideas from becoming law. The following list is broken down by category.

### Revenue Protection and Finance

#### Support

- Legislation that decreases the property tax burden by enhancing state funding for public schools.
- Preservation of current municipal authority to issue debt for capital projects.
- Legislation that maintains the true market value of property when appraised for tax purposes.
- Soundness in the Texas Municipal Retirement System and TLFRA to support the dedication of public servants and retirees.

### Transportation

#### Support

- Funding for all phases of the State Highway (SH) 183/SH 114/Loop 12 Managed Lanes Project.
- Adequate funding for the Texas Department of Transportation's Turnback Program and affirmation of its strictly voluntary nature.
- Support for a privately financed, high-speed rail solution between Dallas and Houston.
- Responsible right-of-way maintenance for state property within city limits.
- Safety of city streets for vehicle, bicycle and pedestrian traffic.

### Water Supply and Wastewater Management

#### Support

- Statewide water planning that includes future reservoir designations and water supply for high-growth urban areas to sustain their populations and development opportunities.
- Preservation of municipal authority to acquire right-of-way for water supply and wastewater operations.
- Water and wastewater reuse for both potable and nonpotable purposes.
- Preserving the rights to Lake Chapman and Irving's water supply pipeline.
- Funding the Evapotranspiration data network operated by Texas A&M Agrilife.
- Advancing desalination as a water supply source.

#### Oppose

- Mandates for costly, additional devices on existing and new residential and commercial irrigation systems.
- Legislation that adversely affects municipalities' future water rights and interbasin transfers.
- Unreasonable water and permit fees levied against cities.
- Legislation that restricts Irving's ability to continue to serve as a regional water supplier or conveyer.

## Local Regulatory and Development Authority

### Support

- Continued ability to declare disasters and implement emergency measures during a disaster.
- Continued use, when necessary, of eminent domain.
- Continued ability to manage and control the use of public rights-of-way.
- Support beneficial changes to statutes that would allow Irving to better manage the use of building materials in new buildings and additions to existing buildings, in the interests of maintaining the quality, appearance and integrity of neighborhoods.

### Oppose

- Limits to city landscaping requirements and tree preservation ordinances.
- Elimination or limits on regulatory authority regarding short-term rentals.
- Restrictions on city's zoning and building code authority; imposition of "shot clocks" for development plan approval when submitted plans are incomplete.
- Reductions or elimination of development, planning, building and inspection fees.

## Economic Development

### Support

- Allow the use of all available economic development tools, such as agreements that rebate a portion of new sales taxes generated by companies that locate in Irving.
- Mechanisms to redevelop downtowns into economically viable areas.
- Maintaining the existing use and allocation of hotel occupancy tax revenue.
- Continued availability of the qualified hotel program.
- Leveraging of public-private relationships to drive economic development projects.
- Exploration of innovative methods to promote and incentivize tourism and the visitor economy at the state, regional and local levels.
- Modify open carry legislation regarding private users of publicly owned facilities such as convention and arts centers.

## Efficient Governance

### Support

- Clear and concise bond election language that ensures debt information disclosure without confusing voters.
- Web-based information-posting solutions for required legal notices.
- Protection from costly and frivolous lawsuits, including preservation of governmental immunity.
- Legislation that supports efforts to ensure the hiring and retention of qualified police officers, and equitable processes for hiring, evaluation, promotion and discipline of employees.
- Strengthening the Texas Public Information Act (TPIA) by protecting the city from abusive requestors.
- Statutory TPIA exemptions for commonly requested and granted exemptions to public disclosure, including:
  - Privacy for juveniles.
  - Victims of sexual assault.
  - Victims of abuse.
  - Informers' privilege for complainants of ordinance violations.

- Certain government-operated utility customer information.
- Affording city officials privileges under the Open Meetings Act similar to county commissioners:
  - Allowing discussion of advisory board appointments in executive session.
  - Allowing discussion of certain contract negotiations in executive session.

## Safety and Security

### Support

- Allow decisions relating to operations of public safety departments to be made by city officials.
- The authority to administer effective juvenile justice and associated programs.
- Solutions that ensure compliance and accountability with state and local laws from residential and commercial property owners.
- Provision of adequate appropriations for jails and prisons.
- Flexibility for cities to enact fees that recover the costs of some public safety activities.
- Efficient and equitable civil service procedures.
- Support and funding for cooperation between local, state and federal public safety agencies.
- Continuation of revenue sharing as a result of participation in local, state and federal task force asset seizures.

### Oppose

- Mandated fees or operational changes in court operations without financial support from the state.
- Additional process or fee mandates within animal control.

## Public Health and Prosperity

### Support

- Continued funding for efforts at The University of Texas at Austin's Bureau of Economic Geology to study seismic activity and produce reports analyzing the results of those studies.
- Legislation that provides or enhances grant programs to domestic violence shelters and transitional housing programs for direct client assistance, operational assistance and facility improvements.
- Preservation and expansion of the city's ability to address issues related to substandard buildings and nuisance abatement.
- Promotion of alternative energy development for municipalities.
- Increases in low- and moderate-income residents' access to health services.
- Legislation that benefits parks, recreation, open space, trails and tourism.
- Support for interlibrary loan programs as a prerequisite to library accreditation.
- Preservation and expansion of online database access through the Texas State Library and Archives Commission.
- Support for the expansion of local art and neighborhood revitalization efforts.
- Support of initiatives that improve air quality.
- Legislation and programs that enhance recycling and litter abatement.

## Regulated Utilities

### Support

- A city's right to control what structures are placed in its rights of way by telecommunications companies.
- Regulatory and financial initiatives to place utilities underground.

## Oppose

- Regulatory findings by the Public Utility Commission (PUC) that ignore city zoning and development regulations when locating utility infrastructure.
- Piecemeal ratemaking procedures as a substitute for more formal utility rate cases heard by the PUC.
- Reductions in franchise fee or right of way rental charges paid by regulated electric, gas and cable utilities and telecommunications companies.
- Reduction or elimination of a city's rate regulation authority.