

Placeholder: City of Austin skyline



CITY OF AUSTIN

2021 STATE LEGISLATIVE AGENDA

87TH LEGISLATURE



MAYOR & COUNCIL

Message from the Mayor:

The City of Austin looks forward to working with the 87th Legislature to best meet the needs and concerns of Austin residents. In this program you will find the City of Austin's 2021 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 Delia Garza, District 2

Natasha Harper-Madison, District 1

Sabino "Pio" Renteria, District 3

Greg Casar, District 4

Ann Kitchen, District 5

Jimmy Flannigan, District 6

Leslie Pool, District 7

Paige Ellis, District 8

Kathie Tovo, District 9

Alison Alter, District 10

City Manager

Spencer Cronk

PLACEHOLDER: COUNCIL PICTURE

PLACEHOLDER: GRAPHIC ABOUT AUSTIN

PLACEHOLDER: TEXAS CAPITOL

GENERAL LEGISLATIVE PRINCIPLES

The City of Austin's 87th 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.

87th Legislature Priorities Affecting Cities

The City of Austin recognizes that the Texas Legislature has identified the following issues as legislative priorities for the 87th 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 rate cases approved by City Council.
- ❖ 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 AAA bond 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 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 ensures the financial soundness and health of the City of Austin Employees' Retirement System and the Austin Police Retirement System.
- ❖ Oppose legislation that prohibits or restricts the City's current ability to petition the Legislature and its elected representatives on behalf of its residents.

PLACEHOLDER

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 would allow for a percentage-based homestead exemption subject to a cap on the maximum value exempted or 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 through either General Obligation or Certificates of Obligation bonds 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 to modernize procurement methods and debt financing for the purchase of cloud computing technology assets.

WATER & WASTEWATER, ENVIRONMENT, AND SUSTAINABILITY

- ❖ Preserve and protect Austin'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 grants and financing 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 conversation 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 that increases the resilience of communities in the face of climate, 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 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; evidence-based home visiting programs for families with young children; and that strengthens the resiliency of the child care industry.
- ❖ Support legislation and funding to strengthen the resiliency of the child care industry and insure 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 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.

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.
- ❖ 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 for 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 resiliency of the creative and hospitality industries, including live music & 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 COVID-19.
- ❖ Support legislation that promotes reliable and affordable access to the internet and related technologies.

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

- ❖ Maintain 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 or legislation that creates local-option 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 that would reduce the costs of 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 by 2025.
- ❖ 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 collections.
- ❖ Support funding of homeland security programs that provide direct assistance to the City.
- ❖ Support legislation that reduces gun violence in coordination with local law enforcement including legislation that would limit or prevent access to firearms by domestic abusers, regulate and prevent access to bump stocks, and promote safe storage for 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; stop the illicit trafficking of fentanyl, carfentanil, 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 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, and public health disasters.
- ❖ Support legislation that reduces risk to lives and property from flooding and wildfires.
- ❖ 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 implicit-bias 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 that eliminates the use of discretionary 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:
 - Recognizing voting days as state holidays;
 - Increasing requirements for employers to grant employees time off to vote during early election periods and on election days;
 - Modernizing voter registration, including online voter registration, same-day or automatic voter registration, and providing funding and guidance for paper-verified ballots and upgraded voting machines;
 - Expanding the early voting period and Countywide Polling Place Program and mandating voter registration at all county offices and points of services;
 - Moving voter registration responsibilities from county tax assessor collectors to county clerks, to reflect the prohibition of poll taxes;
 - Improving standards for polling places, poll worker training, and volunteer deputy registration training and certification, including making it more inclusive;
 - Increasing state funding for voter education and elections administration, processes, and security;
 - Repealing punitive and restrictive identification requirements to access the ballot;
 - Restoring voting rights and the right to stand as a candidate for formerly incarcerated individuals;
 - Funding for civics education and voter registration information in jails and for individuals returning from incarceration upon completion of probation;
 - Increasing outreach and distribution of elections and voter registration information to eligible Texans who are not currently registered to vote;
 - Designating colleges and universities as voter registration agencies and establishing polling places on campuses;
 - 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;
 - Creating a Civic Engagement Board to increase democratic participation and engagement particularly among underrepresented communities; and
 - Enforcing existing state law requirement for school administrators to register eligible high school students to vote.