



Item Brief

Meeting Date

January 14, 2025

Agenda Item

Discuss and consider action: Resolution No. R2025-01: K. McBurnett

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ESTABLISHING A LEGISLATIVE PLATFORM AND PRIORITIES FOR THE 89TH LEGISLATIVE SESSION IN TEXAS

Information

The 89th Legislative Session of the Texas Legislature will convene on January 14, 2025. By establishing legislative priorities, the City of Burnet can focus its communication and advocacy efforts with area legislators.

The attached resolution outlines broad areas of focus for the session. Approving this resolution does not, in any way, limit the City's ability to advocate during the legislative session. The City retains the flexibility to support or oppose bills as they are introduced, regardless of whether they are mentioned in this resolution. This document serves as a guide and communication tool for working with legislators.

Fiscal Impact

None

Recommendation

Staff recommends approval Resolution No. R2025-01.

RESOLUTION NO R2025-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, ESTABLISHING A LEGISLATIVE PLATFORM AND PRIORITIES FOR THE 89TH LEGISLATIVE SESSION IN TEXAS

WHEREAS, the City of Burnet is a home rule municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, Texas municipalities and counties have been empowered by the Texas Constitution and the Texas Legislature to promote public health, safety, and general welfare through the adoption of reasonable regulations; and

WHEREAS, the highest priority of the City of Burnet City Council is to preserve its ability to govern effectively and efficiently in a manner responsive to its unique citizens, local businesses, and visitors; and

WHEREAS, the City Council finds legislative involvement to be a legitimate exercise of its elected duties as the governing body serving those who live, work, visit, and own property in the city limits and the extraterritorial jurisdiction; and

WHEREAS, the City Council of the City of Burnet ("City Council") finds it to be in the public interest, and necessary for the public health, safety and welfare, that the city take positions on certain issues that may come before the 89th Texas Legislature in 2025; and

WHEREAS, the City Council has identified the following issues as being worthy of voicing a position on behalf of the people of Burnet.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AS FOLLOWS:

A. The City of Burnet Council Supports -

1. Population Brackets: The City Council hereby supports the inclusion of population brackets for every bill considered by the Legislature.
2. Local Control: The City Council hereby supports legislation that upholds the principle of local government and reinforces the lawful statutory authority of the elected leaders of Burnet to respect the priorities of their citizenry and respond to local challenges and opportunities.
3. Protection of Municipal Rights of Way: The City Council supports legislation that protects the city's authority to manage public rights-of-way including requiring compensation for use of public rights-of-way for broadband/fiber optic services.

4. Revocation of HB 2439: The City Council supports the revocation of House Bill 2439, which prohibits municipalities from enforcing ordinances, rules, or policies that require specific building materials for construction, renovation, or maintenance if those materials are permitted under the 2012 International Building Code (IBC) or the 2012 International Residential Code (IRC). Because of this legislation, cities can no longer require a certain percentage of masonry (brick, stone, stucco, etc.) on the exterior of homes or other buildings unless explicitly allowed by state or federal law. This bill was passed during the 86th legislative session.
5. Revocation of HB 2127 and SB 2038: The City Council supports the revocation of House Bill 2127, which restricts a city's ability to adopt and enforce ordinances addressed in several State Codes, and Senate Bill 2038, which permits petitions for release from a city's ETJ. Both bills were passed during the 88th legislative session.
6. Growth and Development Control: The City Council hereby supports legislation that provides additional tools for cities to responsibly manage growth and development through alternative moratorium triggers due to resource limitations, drought conditions, permitting, and others.
7. Water Conservation: The City Council hereby supports legislation that provides additional tools for managing water conservation including storm water harvesting, water sourcing, automatic meter reading software, and regulatory authority to manage water use during drought conditions. The City Council also supports legislation that creates additional funding for native planting incentive programs, smart water uses, and potential partnerships with Texas A&M University to develop native planting programs state-wide.
8. Signs: The City Council hereby supports legislation that would affirm State and City authority over off-premise and other commercial signs. The City Council supports legislation that supports Scenic Highways in the Hill Country. The City Council supports legislation that would provide for the ability to regulate political signage.
9. Lighting: The City Council hereby supports legislation that would expand the City's authority to regulate lighting and Dark Sky requirements.
10. Transportation: The City Council supports legislation that would provide tools for increased collaboration with the Texas Department of Transportation related to projects within the city limits and ETJ of the City of Burnet, including legislation that would allow for additional tools for transportation funding.
11. Property Tax: The City Council supports legislation that would increase transparency in the ad valorem (property) tax and budget adoption by coordinating state, county, and city timelines for review, notice, and approval of ad valorem tax.

The City Council supports legislation that would increase the accuracy of appraisals of all types of property.

12. Competitive Bidding and Proposals: The City Council supports legislation that would increase the competitive bidding threshold to a minimum of \$125,000.

13. Payment Bonds: The City Council supports legislation to increase the performance bond and payment bond requirements to a minimum of \$125,000.

B. The City of Burnet City Council Opposes -

1. Preemption of Local Control: The City Council hereby opposes legislation that erodes local control or weakens the ability of locally elected leaders to respond to challenges or opportunities unique to the Burnet community or Texas Hill Country region.

2. Local Support and Advocacy: The City Council opposes any legislation seeking to remove the ability of the Texas Municipal League or any organization whose purpose is to advocate on behalf of local government in Texas in any capacity.

3. ETJ Regulation: The City Council hereby opposes any legislation that seeks to erode the city's ability to regulate its ETJ, including boundary changes, annexations and disannexations. The City Council supports the revocation of Senate Bill 2038 passed during the 88th legislative session.

4. Property Taxes: The City Council hereby opposes legislation that eliminates any source of municipal revenue, specifically property taxes, without thorough impact studies or alternative funding avenues. The City Council hereby opposes legislation that expands appraisal caps or imposes revenue caps on ad valorem (property) taxes without thorough impact studies or alternative funding avenues.

5. Trees: The City Council hereby opposes legislation that restricts the ability of municipalities to preserve their scenic landscapes and protect trees.

6. Stormwater Controls and Watersheds: The City Council hereby opposes legislation that limits the authority of municipalities to provide for water quality protection and pollution prevention by regulating impervious cover, lot sizes, drainage infrastructure, and other aspects of development that impact stormwater controls and watersheds.

7. Signs: The City Council hereby opposes legislation that lessens municipal authority to regulate signs or preempts municipal sign regulations in either the city limits or ETJ.

8. Land Use/Zoning: The City Council hereby opposes legislation that lessens municipal authority to regulate land use, including short-term rentals. The City

Council opposes legislation that limits the authority or the amount of time the City has to adequately review site plans and plats. The City Council opposes any bill that would preempt local regulation over activities impacting density, zoning, permitting, and inspections.

9. Municipal Courts: The City Council hereby opposes legislation that curtails the authority of a municipal court to enforce its judgments.
10. Elections: The City Council opposes legislation that would require partisan elections for elected officers or otherwise limit municipal elections.

C. Administration-

1. Legislators: The City Council directs City staff to provide a copy of this Resolution to the State Senator for District 24, and State Representative for Districts 19.
2. Legislators: The City Council directs City staff to provide a copy of this Resolution to the Texas Municipal League.
3. Advocacy: City officials are hereby authorized to advocate and otherwise convey positions expressed herein in accordance with the city's Charter, Code, and state and federal law.

The meeting at which this Resolution was passed was open to the public, and public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED AND APPROVED on this the 14th day of January 2025.

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Maria Gonzales, City Secretary