

**CITY OF EL PASO**  
**STATE LEGISLATIVE PRIORITIES FOR**  
**84TH LEGISLATIVE SESSION**

**WORKING DRAFT**

**MAYOR AND CITY COUNCIL**

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# **CITY OF EL PASO**

## **2014 State Legislative Priorities**

**Strategic Policy Statements:** The City Council of the City of El Paso has met to formulate strategic policies to serve as guiding principles for the governance of the City of El Paso. Decision regarding City of El Paso positions regarding legislative matters will be weighed against these guiding principles when formulating positions.

1. **FISCAL:** The City of El Paso will seek to ensure long-term fiscal stability and sustainability of the City government.
2. **CUSTOMER SERVICE:** The City of El Paso will be a high-performance, customer-focused organization.
3. **CITIZEN INVOLVEMENT:** The City of El Paso will facilitate opportunities for citizens to be involved in local government.
4. **TRANSPORTATION:** The City of El Paso has a goal of becoming the least car dependent City in the Southwest.
5. **COMMUNITY DEVELOPMENT:** The City of El Paso shall become the most livable city in the United States and be recognized as an international city.
6. **ECONOMIC DEVELOPMENT:** The City of El Paso will help businesses create quality jobs in El Paso and revitalize targeted areas of town, thereby adding to the tax base and fostering a healthy economy.

**General Principles:** The City of El Paso supports legislation that enhances the City's ability to solve problems and improve the quality of life for its citizens. The City of El Paso opposes legislation that reduces the City's authority or increases the City's costs. We will work with other cities to enhance and protect the authority of municipalities and to ensure that City taxpayers are not burdened with additional unfunded mandates.

The City of El Paso will also support legislative initiatives of community partners that enhance the educational, cultural, and infrastructure resources in our region.

This document reflects the City's adopted legislative policy as approved by City Council. The City's legislative program is organized into three categories:

- I. **Priority Legislative Initiatives** - The City will actively seek to secure legislators to author bills for these initiatives, unless otherwise noted. The City will support and provide positive testimony for these initiatives and actively pursue passage of the bill.
- II. **Statement of Support or Opposition** – City staff and authorized representatives will make known the City’s position on these issues. Depending on the issue, staff will work to either assist in the passage of the bill or work against passage to preserve the City’s interests. The important distinction between this category and the earlier category is that the City will not seek introduction of any legislation, but will vocalize the City’s position in support or opposition.
- III. **Issues to Monitor** – City staff and authorized representatives will monitor and track the development of any related legislation. Staff will seek advice and direction from the Mayor before taking an official position or taking any action to influence an outcome.

**For more information, please feel free to contact:**

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# **I. PRIORITY LEGISLATIVE INITIATIVES**

## **1. ELECTRIC UTILITY REFORMS**

- A. Seek approval from the Public Utility Commission (PUC) regarding solar initiatives at Ft. Bliss.
- B. Seek legislation to prevent PUC staff from blocking a “unanimous” settlement of a rate case if all parties to the case agree on settlement terms.
- C. Seek passage of legislation to enact El Paso specific provisions to allow for solar generation projects to be more widely deployed.
- D. Seek passage of legislation to require the PUC to consider the unique circumstances presented when conducting a rate case in a “non-competitive” service area that is outside of ERCOT.
- E. Seek passage of legislation for adjustment to the military base discount to allow for either a cap, sunseting, or shared burden with EPEC.

## **2. GENERAL LAND OFFICE (GLO) DEVELOPMENT**

- A. Seek passage of legislation to require the GLO to comply with local zoning and other regulations governing development and land use when State property located within City limits is leased to third parties and used commercially.
- B. Seek passage of legislation to require the GLO comply with zoning and other regulations governing development and land use when Relinquishment Lands are used for mining.

## **II. STATEMENTS OF SUPPORT AND OPPOSITION**

### **1. TRANSPORTATION**

The City of El Paso supports a State Transportation Funding System that:

- A. Creates local options for voter approved road, rail and transit projects through funding mechanisms such as new resident impact fees, vehicle registration fees, mobility improvement fees, drivers license fees, local option gas taxes, parking fees, and emissions fees, etc.
- B. Creates a sustainable and predictable funding source.
- C. Allows for more flexibility to use funds for different modes of transportation and mobility to reduce congestion.
- D. Expedites project delivery.
- E. Expands opportunities for public/private partnerships.
- F. Eliminates the diversions of State transportation revenue to non-transportation uses.

### **2. MILITARY AND VETERANS AFFAIRS**

- A. Support measures that provide for the continued growth of Ft. Bliss, including additional state resources and tools that proactively support military bases and protect against any future base closures or downsizing.
- B. Support funding for workforce development to create programs to assist in educational benefits, job training, and job placement of enlisted members as they return from service, accompanying military spouses, and veterans.
- C. Support measures that encourage and promote the hiring of members of the military and veterans.
- D. Seek additional resources dedicated to military installations, soldiers and their dependents, and veterans including incentives for those who wish to purchase homes through tax breaks or other means.
- E. Support funding to help protect areas around military installations across the state from encroachment by incompatible uses.
- F. Support measures that reduce wait times for veterans seeking care at VA clinics and medical centers.

- G. Support continued funding for outreach and peer services to address the mental health needs of Texas veterans, enlisted members as they return from service, and their families.

### **3. ECONOMIC DEVELOPMENT**

- A. Support legislation to create opportunities to allow for local option preferences in public procurement and public works projects.
- B. Support legislation to create opportunities to allow for local option preferences for veteran-owned businesses or business that employ members of the military and veterans in public procurement and public works projects.
- C. Support legislation that provides for increased economic development incentives to be used by communities along interstate borders competing for projects with neighboring states.
- D. Support legislation that decreases the time to process and review applications for economic development incentives.
- E. Support legislation that increases access and flexibility to use economic development incentives.
- F. Support measures that would allow for increased flexibility to apply for and use the Major Events Trust Fund and Special Events Trust Fund to attract major events.

### **4. PROPERTY AND SALES TAXES**

- A. Support for additional reforms, including sales price disclosure and amendments to the equity appraisal statute that assist in ensuring accurate and fair property tax appraisals.
- B. Support legislation to allow for tax exemptions to be granted at a specified dollar amount in lieu of a percentage of taxable value.
- C. Support legislation to increase penalties for chronically delinquent taxpayers.
- D. Support efforts to reform the Central Appraisal District's governance structure, appraisal process, appeal process, accountability and transparency to the public.
- E. Support efforts that provide for improved accuracy in the appraisal of properties and increased reliability of the certification of tax rolls for governing entities.
- F. Support legislation that provides for flexibility for governing entities when appeals of substantial appraisals are settled at a lower amount after tax rolls have been certified.
- G. Oppose legislation that would mandate a reduction in the current appraisal growth cap.

- H. Oppose legislation that would impose revenue caps of any type, including a lowered rollback rate, mandatory tax rate ratification elections, or lowered rollback petition requirements.
- I. Oppose legislation that would erode the protections currently in place in existing law.

## **5. TEXAS PARKS AND WILDLIFE**

- A. Support the continued funding of the Wyler Aerial Tramway.
- B. Support the appropriation of funding for a new visitor's center at the Franklin Mountain State Park.
- C. Support passage of legislation maximizing the use of revenue from the sporting goods sales tax to increase funding for parks and recreating programs for both Local and State parks and that all Texas Recreation and Parks Account Local Park Grant Program ("TRPA") and Municipality Recreating and Parks Account ("URBAN Account") funded park projects be subject to the established TPWD competitive scoring system.
- D. Support increased funding for the Texas State Park System and for the Texas Recreation and Parks Account Local Park Grant Program.

## **6. ILLEGAL TIRE DISPOSAL**

- A. Support increased local enforcement tools and penalties to deal with *illegal tire disposal* within the City, particularly when stored or disposed of in temporary storage facilities.
- B. Support measures that increase the State's enforcement efforts against *illegal tire disposal*.

## **7. TRANSIT**

- A. Increase local funding options for transit projects and support legislation that would require that all expenditures for highway construction in the State of Texas allow for funding dedicated transit lanes, bike paths, and pedestrian friendly complements and rail projects.

## **8. MOBILITY**

- A. Support efforts to expedite commercial truck safety inspections at international ports of entry by coordinating efforts between the Texas Department of Public Safety (DPS) and the Federal Motor Carrier Safety Administration (FMCSA) to create one-stop safety inspection facility for commercial trucks at the land ports of entry in the El Paso region.

- B. Secure funding for infrastructure improvements and traffic control and assistance at the international ports of entry to address the problems arising from southbound inspections.

## **9. PENSION REFORMS**

- A. Support legislation that allows for greater local control to ensure the overall financial stability of the fund.

## **10. PAYDAY LENDING REFORMS**

- A. Support legislation that would create further protection from predatory lending practices and close the “loophole” that allows payday lenders to use Credit Service Organizations to avoid usury laws in Texas while at the same time capping fees on any loans brokered by Credit Service Organizations so that the fees plus the interest paid are not higher than Texas usury limits.

## **11. WAGE THEFT ISSUES**

- A. Support passage of legislation that will enhance penalties for wage theft and provide protection for employees who report and seek to recover wages owed to them.

## **12. CODE ENFORCEMENT**

- A. Support legislation to allow cities to recover emergency response costs associated with blighted or abandoned properties in order to safeguard the public against the imminent risk of harm.

## **13. BRIDGE WAIT TIMES/PORTS OF ENTRY**

- A. Support funding for proposals by TxDOT that will assist in addressing the bridge/ports of entry wait time.
- B. Support funding to address infrastructure needs at the ports of entry.
- C. Seek new authority for assessment of fees for use of City streets by trucks crossing international borders.

## **14. TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS**

- A. Support the use of a sliding scale of points based upon the amount of local dollars being contributed.
- B. Support the use of funds in a project contributed by a public housing authority be considered a local contribution when the project being considered is a project that includes affordable housing, subsidized housing, and market rate housing; includes a

mixture of funding sources; and said project has been sponsored by the municipality as evidenced by a resolution from the governing body of the municipality.

## **15. TRIBAL RIGHTS**

- A. Support legislation to increase economic development opportunities for the Ysleta del Sur Pueblo.
- B. Support the efforts of the Ysleta del Sur Pueblo to restore gaming rights on tribal land.

## **16. DOWNTOWN REVITALIZATION**

- A. Support enactment of legislation to allow for incentives to assist with the implementation of the El Paso Downtown Revitalization Plan such as mixed income housing tax credits, State historic tax credits, and renewable energy tax credits and incentives.
- B. Seek funding for restoration of historically significant buildings and simplification of process at the State Historical Preservation Office to remove barriers to redevelopment.

## **17. ENVIRONMENTAL**

- A. Support efforts by “PACE” (Property Assessed Clean Energy) to create financing tools for solar energy and water efficiency projects.
- B. Seek legislation to require renewable energy “buy back” programs in the State of Texas.
- C. Support renewable energy tax credits that complement federal renewable energy tax credits.
- D. Support changes in the Public Utility Commission requirements to simplify the procedure for El Paso Electric to pay Renewable Energy Credits to individuals who are pushing power back onto the grid with renewable energy projects.
- E. Support measures to enhance the use of solar energy “buy back” programs in the State of Texas.
- F. Support measures to continue to increase the use of crumb rubber and shredded tire pieces in highway construction.
- G. Support legislation that allows a deposit/refund to be collected for the purposes of recycling glass bottles.
- H. Support measures in the legislature that will advance clean energy solutions by creating incentives and rebates to encourage installation of solar panels and energy efficiency measures in Texas homes and businesses.

## **18.REGULATION OF DEVELOPMENT**

- A. Support the restriction and limitation of the creation of Municipal Utility Districts within the County limits.
- B. Support legislation to allow counties additional development authority, provided that such legislation does not erode city authority in the extraterritorial jurisdiction (ETJ) or conflict with development regulations enacted by cities with authority over the ETJ.
- C. Support measures that school bond elections for the construction of new school(s) include associated infrastructure costs for such development.

## **19.LIBRARIES**

- A. Support increased state aid for public libraries.

## **20.WORKFORCE DEVELOPMENT**

- A. Support the continuation and enhancement of the Skills Development Fund job-training program.
- B. Support Project ARRIBA in securing and obtaining state funds that provide workforce training in demand occupations.

## **21.GENERAL GOVERNMENT**

- A. Support funding and programs to support local efforts to address the homelessness issue which exists within our Texas cities. Specifically creating strategic partnerships with the Texas Department of Criminal Justice to better link the re-entry population from our prisons, and the operational and service subsidies that come with them, to supportive housing projects; and seek from the Texas Department of Criminal Justice or Department of Public Safety the pre-release issuance of a Texas ID Certificate for everyone discharged from a Texas jail or prison.

## **22.HEALTHCARE**

- A. Support increased state funding for medical services, including Medicaid, CHIP, mental health, women's health, Title 5, disability and intellectually disabled services, and Texas Area Information and Referral Networks.
- B. Support efforts for health care financing that will improve coverage, eliminate disparities in reimbursement rates, and provide incentives for employers to insure employees.

- C. Support legislation that identifies appropriate and responsive best practices within the healthcare delivery system to integrate physical, mental health, and services for the intellectually disabled.

## **23. PUBLIC EDUCATION**

- A. Support funding for recruiting additional teachers.
- B. Support the enhancement of the educational pipeline from Head Start through the college level.
- C. Support public finance solutions that give equitable funding to all public schools and improve quality and results for each of those schools.

## **24. HIGHER EDUCATION**

- A. UTEP:
  - 1. Support restoration of higher education formula funding to previous levels.
  - 2. Support the issuance of new tuition revenue bonds to support capital construction needs. UTEP is seeking \$100 million for a new research/academic facility.
  - 3. Support funding for a pharmacy program.
- B. Texas Tech:
  - 1. Support the preservation of the special line item appropriation and formula funding for the Paul L. Foster School of Medicine.
  - 2. Support the authorization of tuition revenue bonds to finance the construction of research and clinical buildings in El Paso.

## **25. GENERAL MUNICIPAL INTERESTS**

The City will support legislation and administrative actions that:

- A. Will protect and enhance City revenues.
- B. Reduce costs to the City.
- C. Provide for more local control.
- D. Protect those policies previously established through the Charter, ordinances, resolutions, and master plans.

The City will oppose legislation or administrative actions that:

- A. Undermines the principle of home rule and local self-government.

- B. Results in loss of revenue or revenue growth to cities.
- C. Diminishes the current authority of cities to regulate and manage their growth and development.
- D. Nullifies or undermines the City's policies contained in existing provision of the Charter, ordinances, resolutions, and master plans, unless such changes expand the City's ability to manage its own affairs.
- E. Diminishes any existing authority of cities.
- F. Imposes mandates that require any expenditure by the City unless all costs of same, including administrative as well as direct out-of-pocket costs, are fully reimbursed by the mandating government.

The City of El Paso endorses the resolutions adopted by the Board of Directors of the Texas Municipal League on \_\_\_\_\_, 2014.

### **III. ISSUES TO MONITOR**

1. Legislation that affects international trade.
2. Legislation that affects public pension funds.
3. Legislation affecting red light cameras.
4. Legislation affecting eminent domain.
5. Legislation that could affect the potential importation of water from city owned properties outside El Paso County and under the jurisdiction of Groundwater Conservation Districts.

Additional legislative developments will be brought to the attention of Mayor, Council, and the City Manager throughout the session.