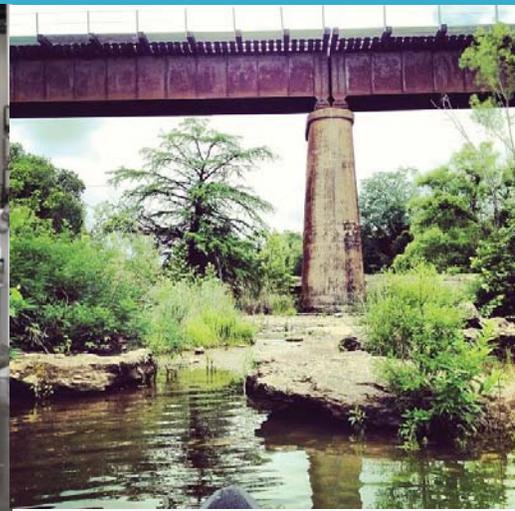


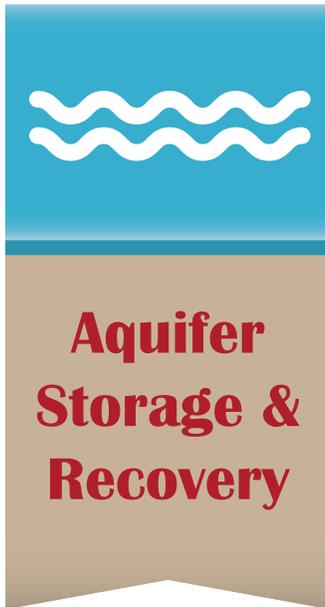


BUDA
CITY HALL

2017

Legislative Agenda





Introduction and Passage of Legislation to Support Expansion of Aquifer Storage & Recovery

The Water Code has some obstructions that negatively impact a city's ability to effectively implement aquifer storage & recovery. Laws regarding injection wells prohibit water from any source other than untreated Edwards Aquifer water from passing through the Edwards Aquifer. Buda is seeking to amend these obstructions to allow treated drinking water to pass through the Edwards Aquifer for storage in the Trinity Aquifer. Buda is NOT seeking to store water in the Edwards Aquifer.

Support: Bill Number Pending & HB 2005

Introduction and Passage of Legislation to Support City use of Hotel Occupancy Tax for Improvements to Sporting & Events Facilities

Buda hoteliers receive significant bookings as a result of sport tournaments and events. The Buda Sportsplex needs capital improvements to bring it up to the level to host tournaments and sporting events. Such efforts are eligible for other cities, such as Bryan/College Station, through bracketed legislation. The City of Buda is seeking the passage of similar legislation so that Buda is eligible to utilize Hotel Occupancy Tax for improvements to sporting and event facilities.

Support: HB 2354



Support Legislation of Safe Neighborhoods

Lowering Statewide Prima Facie Speed Limit to 25 mph

Buda is one of a small number of cities that, through local initiative, have lowered their speed limits to 25 mph in residential areas. While signs are posted, new residents and visitors are not accustomed to the lower base speed limits. Statewide implementation assists by creating statewide consistency & familiarity with the 25 mph speed limit, increasing safety locally and elsewhere. Legislation that lowers the statewide prima facie speed limit will help to reduce pedestrian injuries and fatalities.



Statewide Prima Facie Speed Limit

Support: HB 1368



Penal Code 38.02

Support Legislation that Addresses Failure to Identify

Texas is one of a few states that does not criminalize refusal to identify by persons lawfully detained. In Texas Penal Code 38.02, Failure to Identify is a crime if the person is under arrest, but does not include lawfully detained. It is a crime (TPC 38.02(b)) if a person gives a false or fictitious name as a person lawfully detained or someone a peace officer has good cause to believe is a witness to a criminal offense.

If an officer has reasonable suspicion to lawfully detain a person, then the person detained should be compelled to identify themselves. This could, and does, hinder investigations when dealing with uncooperative persons. Officer safety is just as strongly implicated where the individual being detained for a short period of time is on foot rather than in an automobile. An officer detaining a pedestrian has an equally strong interest in knowing whether that individual has a violent past or is currently wanted on outstanding warrants. The citizen's interest, on the other hand, is no more robust merely because a short detention occurs while traversing on foot.

It is up to each state or municipality to criminalize a suspects failure to reveal his or her identity. Such laws may not make it a crime to fail to reveal one's name during a consensual encounter; to avoid violating the Fourth Amendment there must, at a minimum, be reasonable suspicion of crime afoot by the subject.



Municipal Revenues & Local Control Over Debt Issuance

Support Legislation that Preserves Municipal Local Control Over the Issuance of Debt

The City of Buda monitors, as it can serve as a vehicle for various grants as well as unfunded mandates to cities. While the budget will be monitored in a broad sense on a variety of subjects, of particular interest are the Library databases and workforce economic development in libraries programs. In recent years, bills have been filed seeking to place unusual requirements on debt issuance by local government, usually in the guise of transparency. The reality is that such bills in the past would result in a bond item taking up an entire page on a ballot, filling it with a variety of esoteric information. The position of TML and many cities is that the ballot box is not the place for the voter to educate themselves, and that it would actually discourage voter turnout on such bond measures (many would simply skip the item). Likewise, there have been bills that sought to curtail use of bond instruments not approved by voters, such as Certificates of Obligation. This is problematic as there are items of critical need that are not necessarily popularly supported or understood. Also, Certificates of Obligation are used by some cities in lieu of revenue bonds when rates are advantageous. Cities need flexibility, particularly given the lack of state support for local government and limited ability to sufficiently fund infrastructure. As a note, from 2010 to 2014, state debt grew by 17.2 percent while city debt grew by only 12 percent. From 2005 to 2014, state debt grew by 107 percent, while Texas cities increased by 52 percent. Certificates of Obligation comprise only 17 percent of city debt issued in 2014. Certificates of Obligation are critical tools in that they allow cities to take advantage of favorable interest rates. In 2013, the legislature increased transparency by requiring that more information be available about local bond elections at polling places and on the Internet. Texas voters today have access to more information about city finances and city debt than any time in Texas history.

Oppose Legislation that Further Caps Appraisal Values or Revenues

Cities collect only 16% of the property taxes levied in the state; while the majority (55%) goes to school districts. From 2012 to 2013, the total amount of property taxes collected by cities rose by just 3.61%, compared to school districts at 7.72%. As the legislature continues to reduce their share of funding, districts seek additional revenue through property taxes. Revenue caps provide only minimal, symbolic relief, saving taxpayers \$2-3 per month. Such minor relief to taxpayers, taken in aggregate, has severe implications for cities. Revenue generation is essential for growing cities, as growth related revenue gains often lag service demand by 1-2 years. Revenue caps also encourage cities to increase taxes to build up reserves. Implementation of revenue caps negatively affects municipal general fund revenue, with public safety-related departments being the largest portion of such general fund revenue. As a result, public safety services such as police and fire will be restricted. The existing 10 percent maximum annual assessed value increase and 8 percent rollback tax rate are effective tools in managing municipal property tax impacts to citizens.



Support: HB 182, HB 379



Oppose Legislation that Erodes Municipal Annexation Authority, Local Control, or Preemption of Home Rule Cities' Authority

Municipalities often step up to the plate to protect property values, quality of life, and the health, safety, & welfare of their citizens. Historically, the state legislature has believed that “local control” was best, as local government is the level of government closest & most accountable to the people. The City of Buda is opposed to any legislation that attempts to erode municipal annexation authority or control.

Many decisions need to occur at the neighborhood level, and not every neighborhood in a state of 26 million people is the same. Every city is different, and accordingly, each city has different needs. City councils are in the best position to consider the unique set of circumstances in each city to determine whether a regulation is appropriate.

Cities have a long record demonstrating that if they take actions that the public deems are inappropriate, citizens address it effectively through the ballot box.



Qualification- Based Selection

Oppose Legislation Resulting in Erosion of Qualification-Based Selection of Designers

The City of Buda opposes legislation that shifts toward true low-bid, cost-based procurement for design services. It is critical that municipalities maintain the ability to utilize qualification-based selection, as the judgment of licensed professionals impacts health, life, & safety. Based on Buda's experience, there is no need for procurement reform of this nature.

Oppose Legislation to Restrict Municipal Lobbying

Bills to curb the ability of municipalities and other governments from lobbying are extremely dangerous, as it subverts relationships with state legislators and results in the interests of cities and their elected officials from being fairly represented.

Examples include speaking out against unfunded mandates to cities, opposing legislation that increases city liability or liability of city officials & endangering their personal resources, and promoting the authority of local officials to respond to the needs & desires of local citizens.

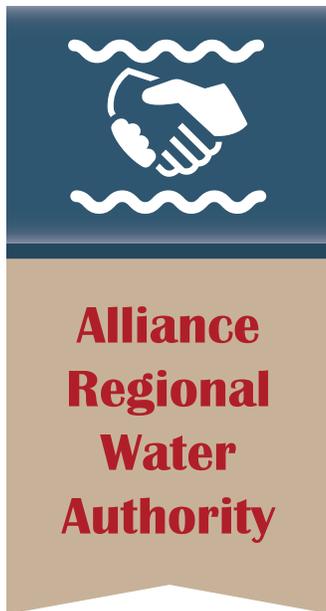
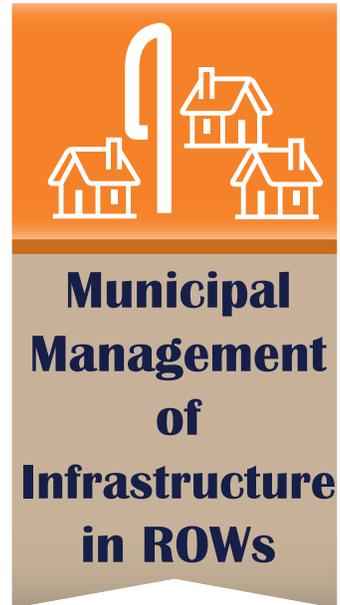


Municipal Lobbying

Support Legislation that Supports Municipal Authority to Manage Infrastructure and Issues Affecting Rights of Way

There have been attempts within the City of Buda and statewide to place wireless transmission facilities in municipal right of way. Some of these carriers have attempted to argue that they are common carriers (public utilities) and therefore preempted & allowed to use City right of way to place antennas. In Buda, one stated that they are a public utility company regulated by the Public Utility Commission of Texas. They sought to place a 78'10" antenna tower in the right-of-way of a residential street in the middle of a neighborhood.

Buda would like your support in maintaining a City's ability to control infrastructure in their Rights of Way and limit those defined as common carriers to companies that are truly public utilities.



Support Legislation that Allows the Hays Caldwell Public Utility Agency's Conversion to the Alliance Regional Water Authority

The Hays Caldwell Public Utility Agency (HCPUA) was formed in 2007 by the cities of Buda, Kyle and San Marcos, and the Canyon Regional Water Authority, to jointly develop a water supply project for the growing population in the I-35 corridor between Austin and San Antonio. The two-phase project will secure water supply for these areas until 2060 and will involve an investment estimated at more than \$200 million.

The Agency is a growing regional success story, with water permits in hand, and support from landowners where the water will come from. It has fostered regional sharing and joint long-term water planning. Now, to advance to the next level and better serve its member customers, the HCPUA is seeking to convert from a public utility agency to the Alliance "RWA" – a regional water authority.

This will allow the HCPUA to clean up a few confusing points in the original legislation and adopt a more efficient set of governing rules – rules better suited to the evolving role of the Agency as a major regional conduit for water supply among its sponsors along the I-35/SH 130 corridors.

Support: HB 2540



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