

**CITY OF KERRVILLE, TEXAS**  
**RESOLUTION NO. 57-2022**

**A RESOLUTION ADOPTING THE CITY OF KERRVILLE'S 2023  
STATE LEGISLATIVE PRIORITIES FOR THE 88<sup>TH</sup> TEXAS  
LEGISLATURE**

**WHEREAS**, the 88<sup>th</sup> Texas Legislature is scheduled to commence in January 2023; and

**WHEREAS**, it is anticipated that many legislative issues affecting local government will be considered; and

**WHEREAS**, attached as **Exhibit A** is a proposed 2023 Legislative Program for the City of Kerrville, Texas; and

**WHEREAS**, City Council believes that its 2023 Legislative Program is in the best interest of the City and the Kerrville community, to include its citizens, businesses, and property owners, and should be adopted and forwarded for consideration to the Legislature; and

**WHEREAS**, City Council finds it to be in the public interest to adopt the City of Kerrville 2023 Legislative Program for the 88<sup>th</sup> Texas Legislature;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:**

**SECTION ONE.** The City of Kerrville's 2023 Legislative Program for the 88<sup>th</sup> Texas Legislature, which is attached as **Exhibit A** ("Legislative Program"), is adopted.

**SECTION TWO.** The City Manager, City Attorney, or designees, are directed to send the Legislative Program to members of Congress, the Texas Legislature in general, and/or to the appropriate legislative committees, committee members, and others designated by the City Manager, to include the City's State Senator and Representative Andrew Murr.

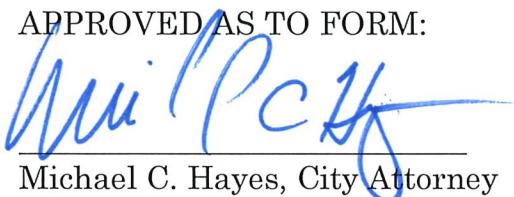
**SECTION THREE.** Pursuant to the Legislative Program, the City Manager, City Attorney, or designees, are authorized to actively pursue or oppose the passage of legislation. The efforts to obtain passage of legislation may include drafting appropriate legislation, seeking a sponsor, and actively pursuing passage of legislation by providing testimony and through other means. For items "opposed" by the Legislative Program, the City Manager, City Attorney, or designees, are authorized to attempt to impede the passage of any such legislation.

**SECTION FOUR.** It is recognized that in carrying out and supporting the Legislative Program, any such activities will often be implemented in the context of great numbers of legislative proposals being considered within short time periods. City representatives, including City Council, are authorized to act on behalf of the City consistent with the necessary broad policy concerns set forth in the program, to include acting in conjunction with other cities and entities in both the area and statewide in furtherance of the City's goals. Where a Councilmember chooses to act in this manner, the Councilmember shall ensure that he or she provides notice of such action to the entire Council.

**SECTION FIVE.** This Resolution is effective immediately upon approval.

**PASSED AND APPROVED ON this the 27 day of SEPTEMBER A.D., 2022.**

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

ATTEST:



Shelley McElhannon, City Secretary

## ***EXHIBIT A***

# **City of Kerrville 2023 Legislative Program 88<sup>th</sup> Legislative Session**

(to include Special Session(s), if any)

**I. General Purpose.** This 2023 Legislative Program (“Legislative Program”) is a guide for the City of Kerrville (“City”) with respect to its positions and priorities for the upcoming 88<sup>th</sup> Texas legislative session. The purpose of the City’s legislative efforts is to protect the City’s interests by advocating for what is in the best interest of the Kerrville community, to include its citizens, businesses, and property owners. The Texas Legislature considers making and then at times makes, significant decisions affecting Texas cities. Therefore, the City seeks to have a voice during the upcoming session.

**II. Specific Interests and Goals.** As the level of government closest to its citizens, the City bears the primary responsibility for ensuring the public’s health and safety, providing a variety of daily services, and for the provision of capital infrastructure. In line with these responsibilities, the following are the interests and goals of the City through this Legislative Program:

- A.** The City seeks to preserve home-rule authority for its citizens. The City may oppose bills that will provide for state preemption of municipal authority in general or specifically erode the City’s authority to govern locally.
- B.** Municipal revenue is made up of sources such as property tax, sales tax, right-of-way revenues, service fees, and court fines. The City seeks to maintain a predictable level of revenue and oppose state mandates that do not allow the City to provide a stable source of funding to meet the needs of its citizens.
- C.** The City supports legislation that would increase the uses for the revenue it receives from the application of hotel occupancy tax, to include making improvements to its parks and facilities.
- D.** The City opposes legislation that removes authority and choice from its citizens. The City opposes legislation that would erode authority for adequate compensation for use of the City’s public rights-of-way or erodes municipal authority over the management and control of its public rights-of-way, including by state or federal rules or federal legislation.

- E. The City supports an amendment to existing state law that would authorize the City, under specific conditions, to sell unused and unusable property that was dedicated to the City for park purposes. This authority would be similar to authority currently granted to other cities. Such specific conditions may include a park size of less than 1 acre.
- F. The City supports a review of rock (aggregate) mining operations (quarries) both within the City and within its extraterritorial jurisdiction (“ETJ”) as a way to mitigate the negative impacts of this industry to air and water quality and to balance the rights of this use with the rights of other property owners to use and enjoy their properties. In addition, supporting, among other likeminded alternatives, the requirement of cities’ consent before the Texas Commission on Environmental Quality (“TCEQ”) is authorized to issue a standard permit for a rock crushing operation, cement crushing operation, or any similar activity that may be authorized under a standard air permit from TCEQ within the corporate limits or ETJ of a city.
- G. The City supports legislation that seeks to protect groundwater supplies both in and around Kerr County and for the residents of Kerr County and prioritizes such use for public utilities.
- H. The City supports funding and programs that are intended to increase services for those suffering from or otherwise affected by mental health issues, to include access to medical care, housing, education, and training.