

AN ORDINANCE 2013-01-10-0002

APPROVING AN ADDENDUM TO THE CITY OF SAN ANTONIO'S LEGISLATIVE PROGRAM FOR THE 83RD REGULAR SESSION OF THE TEXAS STATE LEGISLATURE.

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WHEREAS, prior to the convening of each regular state Legislative Session, the City of San Antonio identifies policy priorities that it would like the Texas Legislature to address; and

WHEREAS, City Council approved the Legislative Program for the 83rd Regular Session of the Texas State Legislature ("Program") on November 15, 2012; and

WHEREAS, this proposed addendum adds a joint community initiative to the Program related to transportation and endorsements supporting CPS and SAWS legislative agendas and graffiti legislation; **NOW THEREFORE**:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Council approves an addendum to the City of San Antonio's Legislative Program for the 83rd Regular Session of the Texas Legislature. A copy of the addendum to the Program is attached to this Ordinance as **Exhibit I**.

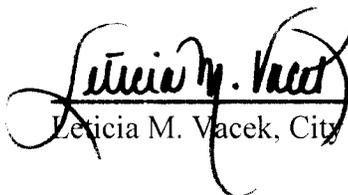
SECTION 2. Staff is directed to inform the Bexar County Legislative Delegation of this addendum to the Program and to undertake such steps as are reasonably necessary to obtain passage of the Program during the 82nd Legislative Session.

SECTION 3. This Ordinance shall take effect immediately upon the receipt of eight affirmative votes; otherwise it shall be effective ten days after its passage.

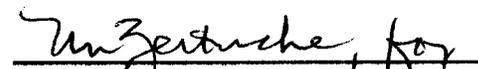
PASSED AND APPROVED this 10th day of January, 2013.

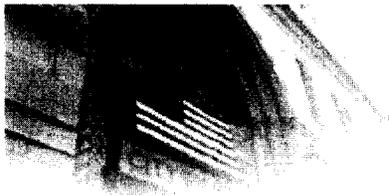

M A Y O R
Julián Castro

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


Michael D. Bernard, City Attorney



Request for
COUNCIL
ACTION

City of San Antonio



Agenda Voting Results - 5A

Name:	5A						
Date:	01/10/2013						
Time:	09:55:14 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance approving an amendment to the 2013 State Legislative Program for the 83rd Legislature.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				x
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x			x	
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

Exhibit
I



II. JOINT COMMUNITY INITIATIVES

Transportation

POLICY POSITION

Support of joint policy initiatives in coordination with transportation stakeholders and community partners on major transportation priorities for the San Antonio community.

BACKGROUND

- I. **Increase Funding for Transit** - In order to assist VIA Metropolitan Transit's efforts to implement its Comprehensive Transportation Plan, support increased funding opportunities for multimodal transit projects.
- II. **End/Phase Out Diversions** - End or phase out diversions or appropriations from the state highway fund to any agency other than the Texas Department of Transportation. The TxDOT appropriation bill should contain clear, precise and measurable outcomes for the funds appropriated to each agency line item.
- III. **Use Vehicle Sales Tax Revenue for Transportation** - The sales tax currently collected from the sale of new or used vehicles is a "user fee". The sales tax collected should not be deposited into general revenue as it is now, but deposited into the state highway fund. To lessen the general fund impact, the transfer could be scheduled over several years, beginning in calendar year 2015. Growth of the Texas economy would replace the amounts redirected from the general fund to the highway fund for this user fee.
- IV. **Authorize Local Option Registration Fee Increase** - The cost of major capacity improvement or highway reconstruction projects can easily exceed the \$1 billion mark, with some reaching several billion dollars. Those major projects now require a combination of federal, state, local and other funding sources. In order to provide local governments with the ability to raise funds to leverage federal and state funding sources for transportation projects, a local option registration fee similar to existing fees allowed for Cameron and Hidalgo Counties should be considered.
- V. **Capitalize the Texas Rail Relocation and Improvement Fund** - Freight mobility is becoming an increasingly visible goal to enhance our state's economic competitiveness. Enhancing the state's rail infrastructure is key to relieving growing pressure on our highways. Adequate funding to accomplish that goal in partnership with the freight rail entities should be addressed, including capitalizing the Texas Rail Relocation & Improvement Fund with a minimum of \$50 million.
- VI. **Increase the Vehicle Registration Fees** - Vehicle registration fees have a direct correlation to the users of the state's transportation infrastructure. That fee structure has not been reviewed or increased since 1985. The vehicle registration fee should be increased by at

least \$50 a year.

- VII. Increase the Gas Tax** - There are other responsible and reasonable options such as increasing the state's motor fuel tax, which has not been adjusted since 1991, that could be considered but have not received sufficient support from legislators in recent sessions. Although the fuel taxes per vehicle is slowly declining, the fuel tax remains one of fairest and most efficient transportation funding mechanisms available.
- VIII. Preserve Local Funding Options** - Preserve the ability for local governments and transportation agencies to maximize their funding opportunities.

DRAFT

III. ENDORSEMENTS

Public Utilities

POLICY POSITION

Endorse the legislative agendas and priorities of CPS Energy and San Antonio Water System (SAWS).

BACKGROUND

I. CPS Energy

CPS Energy actively participates in the legislative process at the State and Federal levels in the interest of our customers and the community. Priorities for the 83rd Legislative Session include:

- **Resource Adequacy:** Continue to be a part of the solution for the State as it relates to Resource Adequacy. Preserve the ability to engage in the wholesale market in the interest of serving CPS Energy customers. Assuring a reliable supply of electricity in a market-based system has been a central concern in restructured electricity markets throughout the world and the subject of ongoing debate among academics, industry leaders and policy makers.
- **Maintain Local Control of Municipally-Owned Utility:** Maintain local control as it relates to any decision in the future associated with opting into the competitive market. As enacted by SB 7 (76th Legislature), the Public Utility Regulatory Act provides that municipally owned utilities are not participants in the deregulated retail market until they opt-in by action of the governing board. CPS Energy's efforts this session will include focus on preserving local control over issues including rates, governance, revenues and policies.

II. San Antonio Water System (SAWS)

SAWS is committed to identifying and supporting long-term political solutions to ensure an adequate, affordable quality supply of water. Priorities for the 83rd Legislative Session include:

- **Groundwater Management Reform:** Promote additional checks and balances in local groundwater district regulations, including long-term consistency and stability in permitting and a meaningful development and appeals process for desired future conditions (DFCs).
- **Brackish Groundwater Laws:** Create favorable and distinct rules and regulations for the development of brackish groundwater that will incentivize its use.

- **State Water Plan Funding:** Identify equitable means to sufficiently fund the State Water Plan.

Graffiti

POLICY POSITION

Endorse amendments to the Local Government Code to increase penalties associated with graffiti offenses; or legislation to increase penalties for graffiti on public structures; and/or parental responsibility for cleanup.

BACKGROUND

Graffiti continues to be a problem facing cities statewide. The presence of graffiti on businesses, homes, privacy fences and public infrastructure has continued to increase over the years and current laws, regulation and penalties have not effectively served as a deterrent to this type of offense.

Additionally, legislation passed during the 81st Legislative Session related to the abatement of graffiti puts the burden on the City instead of the property owner by requiring the City to offer to abate graffiti prior to requiring the property owner to do so. This unfunded mandate has placed a significant fiscal burden on cities. As a result, the City of San Antonio has worked to improve the City's current anti-graffiti ordinance and implement public awareness, abatement and prevention programs.

Without enhanced penalties, current graffiti operations would be negatively impacted due to added workload necessary to conduct abatement activities. Enhancement of penalties associated with graffiti offenses are necessary to serve as a deterrent to this destructive activity and detrimental impact on the community.