



Denton City Council Candidate Questionnaire

BUILDING COMMUNITY
Joining Together for Mutual Growth

This Questionnaire is a Word document which allows you to respond without regard to space limitations.

Candidate information

Name of candidate:

Office sought / party: City Council City of Denton

Date of interview: Tuesday, March 23, 2021

Candidate Mailing address: 124 Mill Pond Road, Denton, TX, 76209

Candidate Phone number: 940-557-5580

Candidate E-mail address: beckfordenton@gmail.com

Why are you running? For the exercise <<Goodness knows after the pandemic, I need the exercise!!!>> My key campaign goals of a Healthy Community (including science-based pandemic response), Quality-of-Life support (including Environmental protection, support for wildlife/green-corridors, and support for leveraging Denton's unique artist, academic, and technology community), Sustainable Growth & Development (including sprawl control, live-work-play & ADU zoning/use support, and walkable/cyclable/accessible paths & trails), and Responsive Government (including two-way timely communication and data sharing) align with the GDWCAR goals of helping market properties in a way that enrich the community.

What are your three top priority issues? 1) Healthy Community 2) Quality-of-Life 3) Sustainable Growth & Development. I would like to see 1) Public Health: A Public Health Officer (PHO) staff position that knows Denton's unique health challenges and that could coordinate with the county, state, and federal stakeholders. 2) Quality-of-Life: Widespread monitoring of air and water quality across Denton, particular near fossil-fuel-production sites. As part of this, also support crowd-sourced residential monitoring. 3) GRoWS: Currently numerous easements, rights-of-way, and setbacks exist in our DDC. During the annual DDC review and amendment cycles, I will request the establishment of GRoWS [Green-Rights-of-Ways] that combine and expand on these existing control mechanisms in order to help manage development adjacent to waterways and wildlife/green-corridors such that development works to better promote a healthy and safe community with improved air/water quality, flood-damage mitigation, and wildlife habitat options that allow humans and wildlife to work better in concert. Relatedly, I will also promote more use of trails/side-paths and mixed-density/mixed-used zoning.

What is your prior or professional or community engagement with local REALTORS?

I have used local realtors professionally to purchase my home and have local realtors in my community of friends. I have interacted with property developers through my roles as Planning & Zoning Commissioner and Zoning Board of Adjustment member.

Campaign Information

How much do you expect to spend in this race? *Less than \$10,000*

How much have you raised so far? *\$1320*

Campaign treasurer: *Sandy Swan*

Campaign consultant(s) if any: *No professional consultants.*

Anything else you'd like us to know?

If the GDWCAR decides to support your campaign, would you accept funds from our Texas Association of REALTORS® Political Action Committee (TREPAC)? These funds have been contributed by local REALTORS as well as persons in the community.

Should GWDCAR/TREPAC donate funds to my campaign, I will donate those funds to local charities.

REALTORS® are committed to our communities, our clients, and the public. We work to ensure private property rights are protected, and that Texans can buy, sell, lease, and enjoy real property. To accomplish those goals, we monitor and advocate on a wide variety of local, state, and federal policy issues. The following questions seek to understand your position as a candidate and potential lawmaker on issues that will impact housing and real estate within your jurisdiction.

Issue: Rental Registration

Background: Several cities across Texas have undertaken excessively restrictive measures on rental property in their communities in an effort to monitor landlords and generate local fee-driven revenues through rental property. Some of these actions are registration of rental property and the inspection of rental property, with permitting and other subsequent fees associated with these measures.

Candidate Question 1: *Would you support or oppose proposals to enact a rental registration and/or rental property inspection fee?*

Please Explain your Position in Some Detail:

My answer is nuanced, but in general, Yes, I think that commerce, particular residential commerce requires safeguards for both the owner and the renter. Such safeguards create the kind of residential environment that is not only safe for the renter, but also increases the value of the property and protects the owner from false-claims.

That being said, I do think that some rental restrictions that limit mixed-use/mixed-density or live-work-play options, such as those on ADUs, seem targeted to create islands of single-family dwellings that do not serve the broad, long-term benefits of either property owners or renters.

Issue: Short-term Rentals

Background: Short-term rentals, or vacation rentals, are typically defined as those rented for less than 30 consecutive days. These are typically single-family homes in neighborhoods of cities that are desirable to visitors.

Some cities have banned short-term rental use in their local development or zoning codes and others have limited the use under specific parameters or guidelines. Registration programs may be required for all short-term-rental owners or may be limited to those owners who exclusively rent their properties as an investment.

Candidate Question 2: *Would you support or oppose banning short-term rental use in your city?*

Please Explain Your Position:

I oppose short-term rental bans, with the caveat that a reasonable use of property does not promote “wild-west” unregulated rentals. With reasonable frameworks and safeguards, short-term rentals do not harm our community and can act as an additional source of revenue. A registration program might be reasonable depending on how it was implemented: Is registration simple, fast, and presumably online/electronic? Will primary home-owners be able to engage in limited small rentals with limited fees? Will rental management companies be required to have more robust registrations and with more commensurate fees?

Issue: Eminent Domain

Background

Texas has ambiguous eminent domain laws that many believe are at odds with the state’s philosophical support of private-property rights. The Texas Constitution limits the scope of eminent domain power and requires “adequate” compensation for the land on which eminent domain is used. However, there is a lack of consensus about the term “adequate” and the law does not address several matters related to eminent domain.

A few examples that may not be considered in determining “adequate” compensation could be:

- 1) Requiring fractional division of property that may impact the value of the remaining portion adversely.
- 2) Destroying (acres) significant stands of trees.
- 3) Creating a traffic pattern that impacts the value of a remaining portion of property.

Candidate Question 3 *Please share your thoughts on eminent domain, including property-owner rights and what constitutes an “adequate” offer.*

Please Explain Your Position:

Eminent domain is a bit of a sledge-hammer tool, needed and appropriate in some circumstances, abusive in others. Will it benefit Texas as a whole to implement a TXDOT/mobility plan that “punches” a road through a family ranch? Maybe. What if that controlled accessway crosses a wetlands or old-growth forest? Maybe. The way to maintain the necessary availability of the eminent-domain tool for community development is to make sure as many of the costs and benefits are amortized. Loss of \$3M in revenue to a rancher or in Environmental Services losses may be justifiable if we include revenue, infrastructure costs, air/water/habitat quality, etc. The whole 9 yards. The devil-in-the-details is what is “adequate” compensation and who determines that. The state must steward tax-payer funds but shouldn’t undervalue property. Neither should property owners engage in speculative land-profitteering at the expense of the tax-payers either. The standard use of third-party evaluation and comparables seems reasonable to bridge the two parties.

Issue: Tax of Professional Services

Background

As long as policymakers look for ways to restructure the tax system, Texas REALTORS® will actively participate to ensure the buyers, sellers, and owners of real estate, and real estate professionals, have representation. Texas REALTORS® is committed to working with the Texas Legislature to create a tax policy that is just and fair to all Texans.

During previous legislative sessions, there have been various proposals advocating new taxes. These taxes range from a state income tax, expansion of the sales-tax base, additional taxes on business, and “sin” taxes, among others. In recent years, the Texas Legislature has debated proposals to expand the sales-tax base to include professional services, which currently have certain exclusions.

Candidate Question 4:

Would you support a tax on professional services, such as commissions paid to a real estate broker or fees paid to an accountant or architect?

Yes No

Please Explain Your Position:

The beneficial and needed functions and roles of government to promote the common good (like the infrastructure building we discussed in previous questions) requires revenue to hire staff or contractors; none of us dispute this. I generally favor a tax-approach that puts the burden on the largest users of government resources/services while also normalizing that against the largest sources of revenue and wealth. Texas tends to rely on taxing property which can seriously negatively impact home-owners during periods of value inflation. I’d like to see a broader portfolio of tax options (including broker or architect fees) that allow necessary revenue to be maintained while not simply burdening home-owners.

Issue: Property Taxes and the Appraisal Process

Background:

Creating a budget and adopting a property tax rate to support that budget are major functions of locally elected officials in Texas.

In simple terms, the Texas property tax system is based on an equation that multiplies a property's appraised value by locally adopted tax rates. In recent years, Texans have seen skyrocketing property tax bills due to rapid increases in appraised value and little or no change in their tax rates. In addition, over the last decade, many local taxing jurisdictions have seen their budgets increase over 60%, far outpacing the rate of inflation and population growth.

When appraisal values increase, taxing jurisdictions can hold the line by adopting a tax rate that guarantees no new revenue will be realized from existing properties, instead relying on new or improved properties to generate new revenue. (Formerly known as the "effective tax rate," new property tax laws resulting from Senate Bill 2 from the 86th Texas Legislature will rename this the "no-new-revenue maintenance and operations rate.")

Some taxing entities assert that if they do not change or even lower tax rates, but taxpayers' overall bills go up due to an increase in the appraised value of the property, this does not constitute a property tax increase.

Candidate Question 5: *If a property owner's tax bill goes up, does that constitute a tax increase?*

Yes No Maybe (but probably No)

Please Explain Your Position:

One issue with our current tax methods is that we do not account for the general rates of inflation or the local market fluctuations well. Simply, salaries and services provided by the city cost more every year due to inflation. Any tax rate formula that does not at least match inflation is therefore a defacto tax-cut. The larger issue of whether our public revenue formulae should rely so much on home-owner property taxes is a separate issue. As I said in the previous answer, I would like to see a broader portfolio of tax-options that allow home-owner property taxes to be more in-line with day-to-day costs and inflation and less tied to market fluctuations.

Candidate Question 6: *Do you support increased transparency measures, including (but not limited to) better notifications and explanations of terms, to ensure property owners fully understand why their property tax bill increases or decreases, and would you work to implement such changes in your city?*

Yes No

Please Explain Your Position:

I am a strong proponent of data-driven, responsive, and transparent government. Clear definitions of terms, robust notification with 2-way feedback, and easily obtainable (generally electronic) sources of data and examples are the hallmarks of a fairer society. A fair explanation would include that infrastructure costs rise, but also market conditions and land-speculation can inflate some values and depress others. Fair, community-minded reporting should describe both needs, sources, and the formulae used and should not be used to blungeon either the government or property-owners in the court of public sentiment.

Candidate Question 6: *While considering the relationship between local taxing jurisdictions (city, county, or school district) and the Central Appraisal District, what role do you feel the Chief Appraiser/ Central Appraisal District should play in the budgeting process for your city?*

Please Explain Your Position:

The leadership of the CAD has many challenges from a variety of stakeholders, since so much in the way of revenue depends on the final valuation assessed. I think it best if the CAD be used more as a data collection entity and allow county and city managers or elected officials to update their rates accordingly. While the functions of appraisal and revenue generation overlap, I think it better serves the community to keep them independent.

Candidate Question 7:

The State of Texas does not require the disclosure of sales prices for real property transactions. However, for many years, many local governments and central appraisal districts (CADs) have argued in favor of mandating such disclosure.

Would you be in favor of any proposed legislation to mandate the disclosure of the sales price of commercial and residential real estate transactions?

✓Yes No

Please Explain Your Position:

Rarely does hiding data and information result in better public policy. Questions of fair market appraisal, community budgeting, and commerce are generally improved on a level playing field.

Background

State law allows for an Agriculture Special Valuation (often mistakenly referred to an ag exemption) on certain lands, which can lower the property's tax liability. The tax savings a property owner receives depends on the current market value of the property and the type of Ag Valuation the landowner holds.

However, the law also enables local governments to collect substantial "rollback" taxes on agricultural land when the owner stops using it for agriculture. This penalty is commonly called a rollback (or lookback) tax because it recaptures the taxes the owner would have paid had the property been taxed at full market value in previous years.

A law passed by the 86th Texas Legislature reduces the lookback period from five to three years and reduces the interest from 7% to 5%.

Candidate Question 8:

Although modified in recently, state law allows local governments to collect a "rollback" tax on agriculture land when the owner stops using it for agriculture as a disincentive for taking the land out of agricultural production.

Do you favor repealing the rollback tax applied to agriculture land when the owner stops using it for

agriculture?

Yes No✓

Please Explain Your Position:

The “Ag exemption” has a clear purpose of incentivizing the maintenance and integrity of land that generally supports food and agri-products production. If land-use fails to meet that goal but continues to receive the exemption, then other tax-payers may be forced to compensate for lost tax revenue. This is not a fair and equitable stewardship of the taxing powers. Land that fails to follow the guidelines should not receive the benefit during those periods. It is therefore appropriate to recover missing revenue.

Issue: Infrastructure Overview

Recent State and Local Background

Water – Since the passage of Proposition 6 in 2013, a ballot measure that created a long-term fund for water and water infrastructure projects, Texas REALTORS®’ water policy has focused on removing statutory and regulatory barriers to implementation of the nationally renowned Texas Water Plan.

Transportation – As a general philosophy, Texas REALTORS® believe in a return to the pay-as-you-go system for public access (non-tolled) roads, which served this state so well for so long. Recently, lawmakers have been reluctant to increase registration fees or the gasoline tax, so the state moved toward a system of bonding and toll roads. That unsustainable system is ending, as the state’s bonding capacity is essentially exhausted and there is a general distaste for creating more toll roads.

The resulting problem is significant: In 2013, the Texas Department of Transportation suggested it would need an additional \$5 billion annually to maintain current roadway conditions. In 2014, Texas voters approved Proposition 1, a measure designed to take advantage of the state’s oil and natural gas boom by providing a portion of the oil and gas severance tax to the State Highway Fund (Fund 6). In 2019, lawmakers extended those provisions to ensure no interruption of funding for 10 years.

In 2015, voters approved Proposition 7, a referendum that, among other things, dedicated \$2.5 billion of existing sales tax revenue to the credit of the State Highway Fund for the maintenance, construction, and expansion of non-tolled roadways.

Energy – Texas companies, competing in the global marketplace, also need adequate, reliable, and reasonably priced energy to keep Texas a business-friendly environment. Without access to such energy, the economic prosperity of Texas and its citizens is threatened.

Candidate Question 9:

The Metroplex, including Denton and Collin County is expected to approach 20 million people by the year 2050. Additionally, the A&M Real Estate Center predicts Denton County’s population in 2050 will be over 3,000,000 people. This growth will balloon infrastructure needs for the entire area, including the city of Denton, exponentially.

Local Infrastructure will also be a critical issue as time progresses, maybe even more than it has been in the past. Do you feel that we are keeping up with infrastructure development for the city of Denton now? What, if anything, do you think is needed to prepare the city and this general area for the growth that has begun?

Please Explain Your Position:

I agree that both maintenance and development costs of mobility plans are not being adequately funded, and I also agree that there is both a distaste for and data-backing up the failure of the toll-road approach. Infrastructure renewal in general has been “starved” and this prevents both current and future residents from achieving the quality of life they deserve. The lifetime of roads, stormwater drains, and other infrastructure varies but is often on a 20-40 year replacement cycle. While we have recently seen a much needed spate of road repairs and improvements (thanks to city staff and the urgings of certain city-councilors), I would like to see these cycles shortened as much as possible rather than lengthened to their max-lifetimes. These needed improvements will require a rebalance of revenue streams including both taxes and yes, developer fees. Rampant unregulated growth in all parts of Denton is not the way to achieve the tax base though. Thoughtful, forward-thinking growth that both maintains our quality-of-life but also creates incentives for creative, business, or recreational opportunities might require more thought, but will ultimately result in a growth pattern that can sustain the population increases expected.

We appreciate your time and look forward to seeing you on March 23rd, and a continuing relationship! Please share any additional comments or questions you may have.