

To: Honorable Mayor and Members of the City Council
From: Rebecca Gleason, Assistant City Manager
Date: April 1, 2022
Subject: Weekly Memo, March 28 – April 1, 2022



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Personnel Updates

Dylan Judd, Jose Mosqueda, and Jaylen Vendrell-West began their employment on March 21 as Police Officers. Andrew Spilman and Sasha Wehr began their employment on March 21 as Civilian Police Cadets. Kathryn Durham began her employment on March 28 as a Library Associate of Public Services.

Upcoming Training

Below are future training opportunities. If you are interested in attending any of the trainings, please notify the City Secretary and she will take care of the registration for you.

TML Newly Elected Officials' Webinars – Interacting Constructively with the Media

Date: April 14
Time: 11:00 a.m. – Noon
Location: webinar

TML Newly Elected Officials' Webinars – Governing Ethically: Understanding Your Influence

Date: April 26
Time: 2:00 p.m. – 3:00 p.m.
Location: webinar

TML Small Town Conference

Date: May 19– May 20
Time: All Day
Location: Fredericksburg

City Hall Essentials

Municipal Fundamentals Seminar

Date: May 20
Time: 8:30 a.m. – 4:00 p.m.
Location: Webinar

TML Budget and Tax Rate Workshops

Date: June 30
Time: 8:30 a.m. – 2:30 p.m.
Location: Bastrop

TML-TAMCC Newly Elected City Officials' Orientation

Date: August 11- August 12, 2022
Time: All Day
Location: San Antonio

Congratulations to Susan Smith

Ms. Smith earned her Certified Destination Management Executive (CDME) credential through Destinations International. The credential denotes that she has met the criteria established by the CDME Board to demonstrate experience, leadership, and professional development in the travel and tourism industry. It is the mark of excellence for the travel and tourism industry.

Youth Advisory Council

The Youth Advisory Council met on Wednesday, March 30, 2022, at 5:30 p.m. in the Council Chambers. Tracy Waldron presented on the City's Finance Department's responsibilities and budget process. The youth finalized a schedule for the social media takeover campaign. The first takeover will feature the new wastewater treatment plant and will be published in April along with a Fire Department feature. The Youth also crafted a timeline for their mural Art Call. A survey will be sent out to BISD students next week for their input on what makes Bastrop unique. The survey results will be used to craft the Art Call guidelines. Council will be kept in the loop as the project continues to progress.

Easter in the Park

Join the City of Bastrop and the Bastrop Police Department in Bob Bryant Park on April 2, 2022, from 6:00 p.m. – 8:00 p.m. for a visit with the Easter Bunny and some pre-Easter fun, followed by a special screening of 'Peter Rabbit 2' when the sun goes down! Community Support groups and businesses along with City Departments will be on hand with activities and Easter treats for attendees. There will be inflatables, oversized games, and photos with the Easter Bunny.



Overheard at City Hall – Season 2

The Official Podcast of the City of Bastrop returns for its 2nd season today with season premiere guests James Wilson, Fernando Guerrero, and Adam Jody who talk with Paul through an in-depth and informative discussion about wastewater treatment, the oncoming wastewater treatment plant, and more. Find the podcast episode on Spotify, Apple Podcasts, or on the City of Bastrop website here: <https://www.cityofbastrop.org/page/city.podcast>

Spring Fest

Join the Children’s Advocacy Center and CASA, in Fisherman’s Park on Saturday, April 23 for a day of fun! You’ll enjoy a kid’s play zone, food trucks, live music, games and much more! In celebration of National Child Abuse Prevention Month. The City of Bastrop Fire Department, Police Department, Library, Recreation, and Community Engagement will be on hand to connect with the community. This is a free event, and open to the public.

Bastrop Public Library

It’s been a busy week at the library. Wednesday, the Coffee with Catherine program welcomed the Recreation Program for an interactive look at the Matter of Balance class. Thursday morning, Founders Classical Academy 3rd and 4th graders visited the library for an introduction to the library and how to locate materials. Also, this week, the Storywalk was installed along the sidewalk behind the library leading to Fisherman’s Park. This month’s story is Little Red and the Very Hungry Lion by Alex Smith. Little Red schools that lion about good manners in this clever twist on the Little Red Riding Hood tale.



Planning & Zoning Commission Meeting – March 31, 2022

The Planning & Zoning Commission held their regular meeting on March 31, 2022. The Burleson Crossing East Zoning Concept was reviewed and considered for a recommendation. Burleson Crossing East is the property to the east of the existing Burleson Crossing, northeast of Edward Burleson Lane and SH 71. The applicant had submitted a request to zone 12.95 acres to P-5 Core (6.86 is already zoned P-5) with a Zoning Concept Scheme for a retail shopping center. With the request, the applicant submitted 28 Warrant requests for consideration by the P&Z. Due to the number of requests, the P&Z voted 5-2 to recommend denial of the Zoning Concept Scheme and rezoning request. The request is scheduled for public hearing and first reading at the April 26, 2022 City Council meeting.

The Commission also held a public hearing and reviewed the amendments to the B³ Code Chapter 8 – Signs, regarding changes directed by City Council on temporary banner signs. The Commission unanimously recommended approval of the changes. Commissioner Carrie Caylor requested a specific review how Sidewalk Signs are permitted and enforced. Commissioner Cynthia Meyer requested a full review of Chapter 8 – Signs at a future meeting.

Disc Golf Course Ribbon Cutting

The Disc Golf Course Ribbon Cutting will be held on April 22 at 2:00 p.m. at Bob Bryant Park.



BUILDING BASTROP
HONORING OUR AUTHENTIC PAST.
PLANNING FOR OUR SUSTAINABLE FUTURE.

**BOB BRYANT
DISC GOLF COURSE
RIBBON CUTTING**

APRIL 22, 2022 | 2 PM
BOB BRYANT PARK | 600 CHARLES BLVD

(512) 332-8800 | BUILDINGBASTROP@CITYOFBASTROP.ORG
WWW.CITYOFBASTROP.ORG/BUILDINGBASTROP

National Walking Day

A day dedicated to walking! The Recreation Program has put together lots of fun engaging opportunities, it's hard not to participate. We attached the flyer for you.

Volunteer Opportunities

Youth Summit

When: April 19, 2022

Where: Convention Center

Contact: Krystal Grimes at 1-512-581-4035 or krystal@bastropcares.org

Table on Main

When: May 1, 2022

Where: Main Street

Sign up to Volunteer: <https://www.signupgenius.com/go/10c0c44aba82aaaf8ce9-table>

Contact: Candice Butts at 512-332-8862 or cbutts@cityofbastrop.org

Spring Fest – Children’s Advocacy Center

When: April 23, 2022

Where: Fisherman’s Park

<https://signup.com/client/invitation2/secure/3580681760105/false#/invitation>

Contact: Jacelyn Perez at (512)-321-6161 EXT 205 or jacelyn.perez@cacbastrop.org

Bastrop County Cares Volunteer Portal

A database of volunteer opportunities from various organizations in Bastrop.

<https://bastropcountyconnects.galaxydigital.com/need/>

Rolling Pines Bastrop County Resolution

County Judge Paul Pape, along with the Bastrop County Commissioner’s Court, issued a Resolution regarding the Rolling Pines Fire and honoring the bravery of area fire fighters and first responders. The Resolution is attached.

Texas Town & City Magazine

Bastrop has a feature article in the April edition of TML’s Texas Town & City Magazine. April is their annual “Reader’s Favorites” issue and is focused on highlighting tourism destinations around the state. Bastrop’s article is on page 40, available here:

<https://online.publicationprinters.com/html5/reader/production/default.aspx?pubname=&edid=ac4d5bdc-8e2f-4e39-bc7f-53762a6c448e>

Future Agenda Items

April 12, 2022

- Centerpoint Energy Rate Increase
- Sign Code Amendments
- PHI Air Medical Membership
- Old Austin HWY Rehabilitation
- GoodBuy Purchasing Cooperative

Attachments

- Library April Newsletter
- National Walking Day Flyer
- Rolling Pines Fire Resolution
- Spring Fest Flyer
- TML Legislative Update Number #13



Library Currents

THE NEWSLETTER OF THE BASTROP PUBLIC LIBRARY



WITH



BASTROP PUBLIC LIBRARY

IN THIS ISSUE

Connect with Libby!

Book and Plant Sale

Easter Closures

Get Your Tax Forms at the Library

Summer Volunteers Needed

City Friends Storytime

Look for Us at These Events!

We Suggest

Stay up-to-date with everything happening at the library by following us on Facebook and Instagram!

CONNECT WITH LIBBY!

Libraries are places to get connected to broadband, computers, technology resources, people, programs, ideas—and, of course, books! During National Library Week, April 3-9 and the whole month of April, we challenge you to connect with Bastrop Public Library in a way you haven't before!

Have you tried connecting with... ebooks? Your library card gives you access to over 21,000 ebook and eaudiobook titles through the Libby app. To access them, download the Libby app on your phone, tablet, or other smart device. Plug in your library card number and phone number, and you're ready to go! If you need help, feel free to ask a librarian at the Information Desk. Bring your device, too, so we can troubleshoot together.

Have you tried connecting with... hotspots? Hotspots are portable devices that take the internet to you! Thanks to a grant from the Ladd and Katherine Hancher Library Foundation, we have ten hotspots available for checkout. Reserve a hotspot in the catalog or ask about them at the Circulation Desk.

Have you tried connecting with... the wifi in the parking lot? Thanks to the same Hancher Foundation grant, we were also able to extend the wifi out into the parking lot! It's available with no password needed to access it. So browse away!

Have you tried connecting with... SimplyE? SimplyE is a second ebook collection the library has access to thanks to the Texas State Library and Archives Commission (TSLAC).

CONTINUED ON PG. 2

Easter Closures

The library will be closed on Friday, April 15th and Saturday, April 16th for the Easter holidays. We will re-open on Monday, April 18th at 10:00 a.m.

Get Your Tax Forms at the Library

Tax season is here! The library can print any tax forms you may need. Bring a list of the forms you need to the Information Desk, and we'll print them for you lickety-split. All prints are \$0.10/page.

Have you heard about Learning Express - Computer Skills Center? Use the materials in this center to learn the basics of a computer, from searching the Internet to using popular programs for words processing, creating spreadsheets and databases, implementing design, and more. Visit the information desk to learn more!

Friend's Book Nook offers monthly dot deals! Each monthly dot item is half off!

To view these books, download the SimplyE app from the App Store or Google Play Store and type in your library card number and phone number. All Libby ebooks and eaudiobooks are available in this app in addition to the SimplyE collection provided by TSLAC for all Texas libraries.

Have you tried connecting with... programs? If technology isn't your thing—or you're all set in that arena already, join us for a program or two! For the littles, we've got Storytime on Wednesdays and Fridays at 10:30am. Teen Thursdays for 13-17 year-olds happens every Thursday from 4:45-6:15pm. Coffee with Catherine is for adults and perfect for those who want to share and connect with others; they meet every Wednesday from 3:00-4:00pm. Lastly, LEGO Club is once a month on the third Tuesday from 3:00-4:30pm.

Try connecting with one of these library services during National Library Week— and maybe tell a librarian thank you for all their work they do for you and the community.

Book and Plant Sale

The Book and Plant Sale is almost here!

The Friend of the Library Book and Plant Sale is Friday, April 29 from 10:00-6:00pm and Saturday, April 30th from 10:00-3:00pm.

Members of the Friends of the Library have first choice of the book selection during a Friends Only preview on Friday from 9:00-10:00am. To join the Friends, ask for an application at the Circulation Desk.

On Saturday, April 30th the Lost Pines Garden Club will have a variety of plants ranging from shrubs and annuals to budding plants and vegetables. The sale starts at 10:00 and goes until they run out of plants!

Don't miss these cheap books and great plants! All proceeds directly support the Bastrop Public Library.

Friends of the Library & Lost Pines Garden Club



USED BOOK SALE

Friday, April 29 / 10:00 - 6:00 PM
Friends Only Preview: 9-10 AM

Saturday, April 30 / 10:00 - 4:00 PM

Plant Sale

Saturday only



1100 CHURCH ST.
BASTROP, TX 78602

City Friends Storytime



It's time for another City Friends Storytime, and we are very excited to have Kimberly Hanly from Water/Wastewater visit us and share about her job! Join us on Wednesday, April 20th at 10:00 a.m. for this WATERful storytime!

Summer Volunteers Needed

The library is looking for teen and adult volunteers to help with various projects and programs this summer!

Teens must be 14-17 years old. There are a limited number of spots available, so get your application in sooner rather than later. Applications and details for teen volunteers are available online. Please direct questions to Bethany at bdietrich@bastroplibrary.org.



Adult volunteers help with shelving and other projects. Those who are interested need to stop by the Circulation Desk for an application. Questions can be directed to Catherine at clombardo@bastroplibrary.org.

If your teen is looking to make a little money this summer, we will be hiring two students for the eight weeks of the summer reading program. Students must be a minimum of 16 years old and be classified as a junior or senior for the 2022-2023 school year. These student clerks work 20 hours a week and help patrons sign-up for summer reading and log minutes, give out prizes, assist at programs and events, and more. They must have good attention to detail and be self-directed in accomplishing tasks. Anyone interested in the student clerk position, please email Bethany at bdietrich@bastroplibrary.org. They need to specify that they want to apply for the student clerk position as opposed to volunteering.

Look for Us at These Events!

Come say hi to us at these events in April and May.

Movies at the Park is on Saturday, April 2nd in Bob Bryant Park. The library will be there for pre-movie activities! And then stay and watch Peter Rabbit 2. Don't forget your blanket!



Internation Walking Day is Wednesday, April 6th, and we are partnering with the Recreation Center and the Parks Board to get us all moving and walking that day! Meet at the library, and then head down as a group into Fisherman's Park to get a little exercise! Times will be available closer to April 6th, and you can find them on the library's website.

SpringFest is a family-friendly festival celebrating National Child Abuse Prevention Month that is sponsored by the Children's Advocacy Center Serving Bastrop, Lee, and Fayette Counties and CASA of Bastrop, Lee, and Fayette Counties. Stop by Fisherman's Park on Saturday, April 23rd between 11:00 a.m. and 4:00 p.m. There will be a kid's play zone with inflatable, games for all ages, food trucks, live music and performances, meet and greet opportunities with first responders, and more! For questions, please contact info@CACBastrop.org.



Movies in the Park is on Saturday, May 7th in Bob Bryant Park. If you can't make the April date, come to the May event! We'll be there with a different pre-movie activity. Then, stay and watch—and sing along—with Moana! The movie starts when the sun goes down.



We Suggest!

Staff

Bonnie Pierson, Director

Carmen Serna, Children's Assistant

Bethany Dietrich, Public Services Librarian

Sheila Bowman, Administrative Services

Catherine Lombardo, Library Associate, Circulation, & Volunteer Services

Terry Carwell, Library Associate, Circulation Services

Hours

Mon. Wed. Fri.
10:00 am - 6:00 pm

Tues. & Thurs.
1:00 pm - 9:00 pm

Sat.
10:00 am - 4:00 pm

Closed Sunday

Contact Us

(512) 332-8880
1100 Church St.
Bastrop, TX 78602

bastroplibrary.org
info@bastroplibrary.org



A service of the
City of Bastrop

Becky Bennett, library board member

***The Sentence* by Louise Erdrich**

Tookie, after release from prison, takes a job at a bookstore, but when her most annoying customer dies, the woman's ghost begins haunting her. This, plus the start of the pandemic, the murder of George Floyd (in Tookie's hometown of Minneapolis), and on-going childhood trauma, and Tookie's world and coping skills begin to crash. I immediately fell in love with every character in this book, especially Tookie's husband. Moreover, nearly all of them are booklovers, and at the end of the novel, Erdrich includes "A Totally Biased List of Tookie's Favorite Books." I pored over the list, looking for titles I'd read and titles that I want to read. I even made a copy of the list to keep.

Find it: NOV Erd (New) + Libby ebooks

Dianne Tripp, Friend of the Library

***Sex Cult Nun* by Faith Jones**

Faith Jones's story is a page-turner. She shares a vivid portrayal of how dangerous patriarchal religious cults are and the damage they do with their total control over women and children. Jones was lucky: she figured out how to escape. But it makes me wonder how many have not been able to escape and how many have been permanently scarred and will forever grapple with the emotional fall-out.

Find it: 92 Jon (New)

Brenda Smith, library volunteer

***An Ambush of Widows* by Jeff Abbott**

Two men are found dead in an Austin warehouse. There seems to be no connection between the murdered husbands; yet, their two widows are bound by their need to seek the truth about the unrelated men and the circumstances of the crime. This is a fast and wild ride: you probably should clear your calendar for the day after just the first chapter of this compelling thriller.

Bonus fact: did you know that a group of widows is an "ambush". I wonder if they ambush the killer?!

Find it: MYS Abb + CD Book F Abb + Libby ebooks

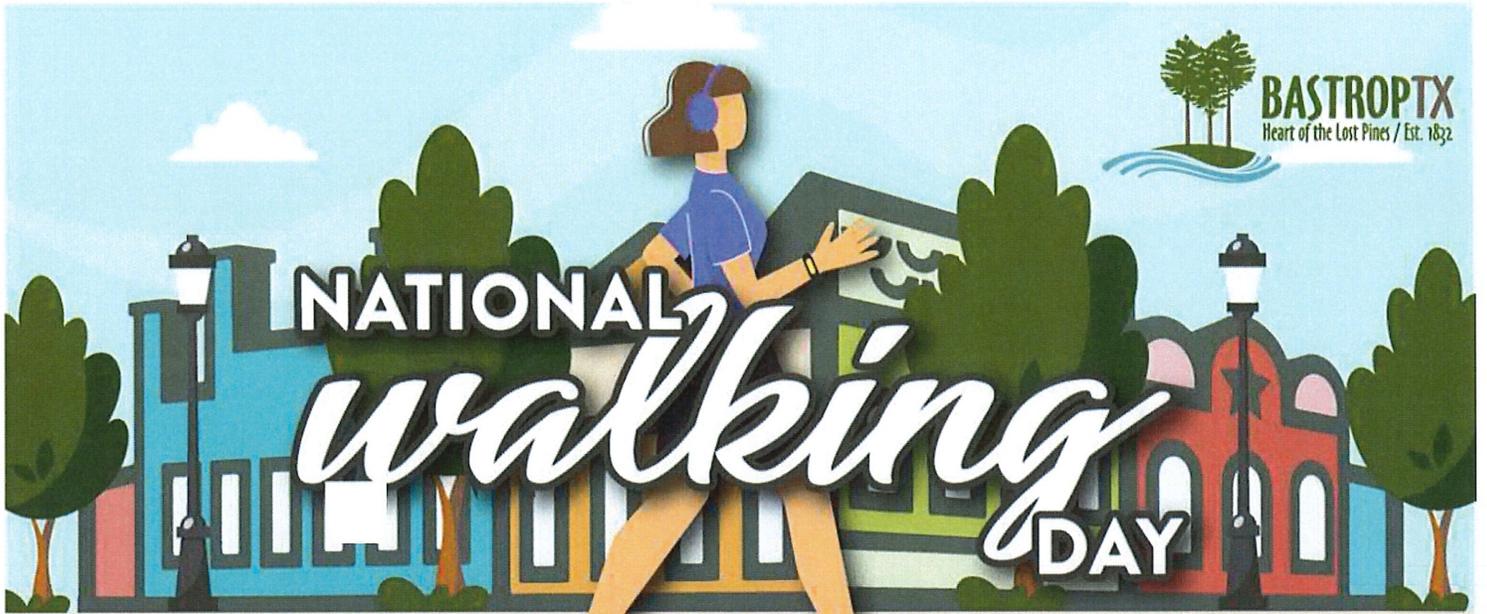
Bethany Dietrich, library staff

***The Anthropocene Reviewed* by John Green**

This historical fiction is one part Downton Abbey (the downstairs part) and one part Great British Bake-off. It has the friendly air and social justice attitude of GBBO, too: let's help one another be successful. It's delightful and charming. It's like a Hallmark Channel movie minus the sappy romance: it goes down easily and even better with a nice dish of pie a la mode.

Find it: NOV Abb (New)W

** This is a physical copy of our electronic newsletter. If you'd like to receive the electronic version, please email us at infor@bastroplibrary.org.**



RECREATION

APRIL 6, 2022

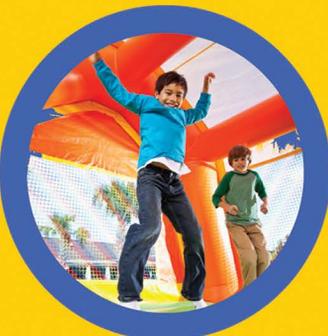
Time:	Tour Name	Leader(s)	Details
7:00am	Sunrise Positive Vibes	Kerry & Sumai	Piney Creek Bend Trail – 1502 Dragonfly Loop , starting the day out right
8:00am	Bird Walk w/Bird City	Kerry & Luke	Riverbend Trail – 295 Rimrock Ct. , see how many birds you can spot
9:00am	What's New at Bob Bryant Park	Barbara & Curtis	Bob Bryant Park – 600 Bob Bryant Park , meet at the basketball court and see all the new fun things happening at the park
10:00am	City Hall Stroll	Victoria, Rick & Councilman Jackson	City Hall sidewalk – 1311 Chestnut St. , walk to and around Kerr Park while picking up a little history on the way
11:00am	Jonathon and His Mommy	Cami	Bastrop Public Library – 1100 Church St. , for our younger walkers, we will read the story and walk down to Fisherman's Park
11:00am	Historic Downtown Tour	Former Mayor Ken Kesselus	Bastrop Visitor Center – 904 Main St. , historical downtown walking tour
12:00pm	Betty's Noon Walk	Betty	Meet at corner of Chestnut and Main St. for a stroll to Fisherman's Park, Ferry Park and back
12:30pm	Recreation Center Community Walk	Debbie	Recreation Center – 1008 Water St. , walk up Water to Cedar to Main to Spring with some fun community footnotes along the way
1:00pm	Walk w/the Arborist	Thomas	Fisherman's Park – 1200 Willow St. , meet at the pavilion to walk and learn about the beautiful trees in the park
1:00pm	City Hall Stroll	Victoria, Rick Councilmember Jackson & Sandra	City Hall sidewalk – 1311 Chestnut St. , walk to and around Kerr Park while picking up a little history on the way
3:00pm	Coffee With Catherine	Jo & Vickie	Bastrop Library – 1100 Church St. , take a tour of the Bastrop Christian Church Garden
4:30pm	Fitness Walk	Jo	Bob Bryant Park – 600 Charles Blvd , meet at the pavilion and walk with a few fitness stops along the way
5:30pm	Farm Walk	Kerry	Eden East – 1910 Main St. , walk the farm and spot all the veggies
5:30pm	Pickleball Tour	Sarah	Library Parking Lot – 1100 Church , walk down into Fisherman's Park to the pickleball courts, with the June Hill Pape Riverwalk as an option if there is interest.
6:00pm	North End Park Stroll	Betty	606 Laurel - to Delgado Park and Jewel Hodges Park and back.
6:30pm	State Park Sunset Hike	Jamie	Bastrop State Park Refectory - 229 Park Rd 1-A , park entry fees are waived, bring water, wear appropriate shoes for hiking

THE CHILDREN'S ADVOCACY CENTER AND CASA, SERVING BASTROP LEE AND FAYETTE COUNTIES INVITE YOU TO

SPRINGFEST

A FAMILY-FRIENDLY FESTIVAL IN THE PARK, CELEBRATING NATIONAL CHILD ABUSE PREVENTION MONTH!

SPONSORED BY **ally**
MEDICAL
EMERGENCY ROOM



SATURDAY
APRIL 23
11 AM - 4 PM




FISHERMAN'S PARK
BASTROP, TEXAS



KIDS PLAY ZONE ■ FOOD TRUCKS ■ GAMES ■ LIVE MUSIC

In celebration of **National Child Abuse Prevention Month**, our organizations are reaching out to the community to help children get to know their trusted adults, and for everyone to learn how to recognize and fight child abuse.

This is a free event, and open to the public!



WWW.SPRINGFEST.ORG

[FACEBOOK.COM/CACBASTROPLEEAYETTE](https://facebook.com/CACBASTROPLEEAYETTE)

[FACEBOOK.COM/CASABFL](https://facebook.com/CASABFL)

YOU CAN PARTNER WITH SPRINGFEST! CONNECT AT INFO@CACBASTROP.ORG



Resolution
Rolling Pines Fire
Fire Fighter and First Responder Appreciation

Whereas, the Rolling Pines Fire of February 2022 was a threat to the health and safety of many Bastrop County residents and their properties; and,

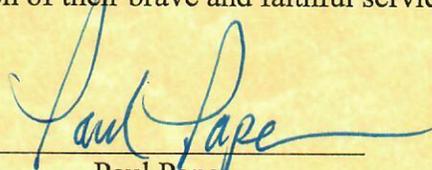
Whereas, Fire Fighters from across Bastrop County and many neighboring cities and counties responded rapidly to contain and control the Rolling Pines Fire without major damage to any structures and without the loss of lives; and,

Whereas, the Commissioners Court of Bastrop County, and its citizens, are extremely grateful for the Fire Fighters and First Responders putting their lives at risk in accomplishing this gigantic feat; and,

Whereas, to show appreciation to these brave individuals, Southside Market and BBQ and the law firm of McCreary Veselka Bragg and Allen are providing a free BBQ lunch for them at Southside BBQ in Bastrop on April 5 2022, between the hours of 11 A.M. and 1 P.M.;

Now, Therefore, be it resolved, that we, the Bastrop County Commissioners Court, recognize our brave and faithful Fire Fighters and First Responders for their heroic response to the Rolling Pines Fire,

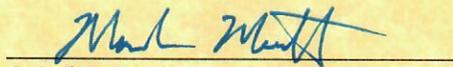
And Further, that we proclaim Tuesday, April 5, 2022 as **Fire Fighter and First Responder Day** in Bastrop County in recognition of their brave and faithful service.



Paul Pape
County Judge



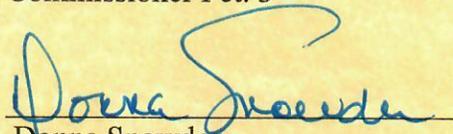
Mel Hamner
Commissioner Pct. 1



Mark Meuth
Commissioner Pct. 3



Clara Beckett
Commissioner Pct. 2



Donna Snowden
Commissioner Pct. 4



Legislative UPDATE

April 1, 2022
Number 13

House Committee Hearing on Sales Tax Sourcing Set for April 21st

The House Ways and Means Committee has announced it will hold a public hearing on an interim charge relating to local sales tax sourcing on April 21 at 10 a.m. The committee has been directed to take up the following charge:

Evaluate the impact of shifting to destination sourcing for local sales and use tax purposes, including the benefits of reduced taxpayer confusion. Monitor the implementation of the Comptroller's amendments to 34 Tx. Admin. Code §3.334, relating to local sales and use taxes, and the Comptroller's Sales Tax Rate Locator. Make recommendations for legislation to improve Texas' local sales and use tax sourcing.

Breaking down the interim charge, there are two separate components of interest to cities. The first is evaluating the implementation of recent rule changes (located in [34 Tex. Admin. Code Sec. 3.334](#)) that would impact the sourcing of local sales taxes on internet orders. The recent rule change impacting internet orders provides that orders not received by sales personnel, including orders

received via a shopping website or software application, are received at a location that is not a place of business in the state. The ultimate impact of this change is that, under the provisions governing where a sale is consummated, online purchases may change from being sourced to a seller's place of business in Texas to the delivery location. The new rule provides that orders received by a shopping website or shopping application are sourced to the location where the order is fulfilled or the delivery location, depending on the exact circumstances.

As we reported in the *Legislative Update* in late 2021, two separate lawsuits were filed by multiple Texas cities against the comptroller to prevent the specific rule changes dealing with local sales tax sourcing for internet orders from going into effect. The comptroller and plaintiff cities in those lawsuits have agreed to a temporary injunction delaying the effective date of the rule impacting the sourcing of local sales taxes on orders not received by sales personnel, including orders received by a shopping website or shopping software application. Instead of going into effect on October 1, 2021, as originally planned, the effective date of the rule is delayed until there is a final hearing on the merits of the cases or further order from the court. The trial dates have been set for May 22, 2022 and June 13, 2022, respectively.

The other component of the sales tax charge is for the committee to consider a complete shift to destination-based local sales tax sourcing. This would mean that local sales taxes would generally get sourced to the location where the purchaser takes possession of an item. This represents a more significant shift in sales tax sourcing laws than the change on internet order sourcing in Rule 3.334, which primarily changes sourcing for internet orders that aren't fulfilled at a place of business of the seller. A complete shift over to destination sourcing would mean that even when an order is fulfilled at the place of business of the seller, local sales taxes still may not be sourced to the location of the place of business, as they generally are under the current framework.

The House Ways and Means Committee [unanimously approved a bill](#) during the 2021 legislative session that would have provided for destination sourcing of local sales, but that bill never made it to the House floor for a vote. City officials across the state were divided on the proposal because, as is common with changes to sales tax sourcing regulations, some cities stood to gain sales tax revenue to the detriment of other cities, who have relied on the existing sales tax sourcing structure to attract and retain businesses to their communities.

Also of interest to city officials, the committee will take up this interim charge on property tax relief at the same committee hearing:

Study and consider methods of providing additional property tax relief, including the use of \$3 billion in available American Rescue Plan Act funds that were held for future tax relief by the 87th Legislature, and other sources of revenue. Explore options to reduce business property tax burdens and options for limiting the growth of property tax bills.

More information about the April 21 hearing, including information about how the public can watch the hearing, register to testify at the hearing, and submit comments to the committee electronically, can be found in the hearing notice, [here](#).

Federal Infrastructure Bill Update

In November 2021, the federal Infrastructure Investment and Jobs Act (IIJA) was signed into law. The IIJA is altogether a \$1.2 trillion bill that will invest in the nation's core infrastructure priorities including roads, bridges, rail, transit, airports, ports, energy transmission, water systems, and broadband.

The League will monitor state and federal agencies and work with the National League of Cities (NLC) to access the latest information relating to the IIJA. We will be providing periodic updates in the Legislative Update on resources for Texas cities on how to access IIJA funding for local infrastructure projects.

Department of the Interior (DOI)

The DOI recently announced that it is accepting applications to fund WaterSMART drought resiliency projects. DOI estimates that it will provide funding for approximately 15 to 21 projects during this round, and eligible applicants include Texas city governments. In order to be eligible for funding, projects must be at least two or three years from completion, and the recipient must fund 50 percent or more of the project costs. Applications are due to DOI by June 15, 2022. More on this program, including the Notice of Funding Availability, can be found [here](#).

Department of Transportation (DOT)

DOT [recently announced](#) \$2.9 billion in funding for major infrastructure projects of regional or national significance. This round of funding combines three discretionary grant programs into one multimodal discretionary grant opportunity for applicants, including Texas cities. The three component grant programs are:

- Up to \$1 billion for the National Infrastructure Project Assistance Program, which is designed to fund major projects that are too large or complex for traditional funding programs. According to DOT, eligible projects could include: “highway, bridge, freight, port, passenger rail, and public transportation projects of national and regional significance. These could be bridges or tunnels connecting two states; new rail and transit lines that improve equity and reduce emissions; and freight hubs integrating ship, train and truck traffic while improving environmental justice.”
- \$1.55 billion for the Infrastructure for Rebuilding America Program, which generally provides grants to rebuild infrastructure and create jobs by funding highway and multimodal freight and rail projects. Projects include those that “will improve safety, generate economic benefits, reduce congestion, enhance resiliency, and hold the greatest promise to eliminate supply chain bottlenecks and improve critical freight movements.”
- Roughly \$300 million for the Rural Surface Transportation Grant Program, which supports projects to improve and expand the surface transportation infrastructure in rural areas. According to DOT, eligible projects include “highway, bridge, and tunnel projects that help improve freight, safety, and provide or increase access to an agricultural, commercial, energy, or transportation facilities that support the economy of a rural area.”

The deadline for applications is May 23, 2022. Interested city officials can find more information, including the Notice of Funding Availability, [here](#).

U.S. Supreme Court Finds That Censuring an Elected Official Does Not Violate the First Amendment

In *Houston Community College System v. Wilson*, the United States Supreme Court unanimously held that an elected official did not have a First Amendment retaliation claim against the board on which he served when the board verbally censured him.

Wilson was an elected trustee on the board for the Houston Community College System (HCC). While a trustee, he filed numerous lawsuits against the board, arranged robocalls to constituents of other trustees, and hired a private investigator to surveil another trustee. The board censured Wilson and imposed penalties on Wilson, including declaring him ineligible for election for the 2018 calendar year. Wilson sued HCC, claiming that the censure violated his First Amendment rights. The Fifth Circuit Court of Appeals found that Wilson had standing to pursue his claim for the verbal censure. HCC appealed.

The Court reversed the Fifth Circuit, holding that Wilson did not have a First Amendment cause of action based on the HCC board's verbal censure. Writing for the majority, Justice Gorsuch detailed the history of verbal censures among governmental bodies, including in the U.S. House and U.S. Senate. The Court found no prior examples of a court finding that a censure violates the First Amendment. The Court said that elected officials are expected to bear a degree of criticism about their service from both their constituents and their peers and still be able to exercise their free speech rights even after that criticism.

Although the Court held that the censure in Wilson's case did not violate the First Amendment, it left the door open to a future censure or punishment violating the First Amendment, depending on the facts. Specifically, the Court said:

Our case is a narrow one. It involves a censure of one member of an elected body by other members of the same body. It does not involve expulsion, exclusion, or any other form of punishment. It entails only a First Amendment retaliation claim, not any other claim or any other source of law. The [b]oard's censure spoke to the conduct of official business, and it was issued by individuals seeking to discharge their public duties.

Going forward, Texas cities now know that a verbal censure of an elected official is not a violation of that official's First Amendment rights. However, the Court provided neither an answer nor guidance about whether other disciplinary measures may give rise to any liability. A city council looking to censure an elected official beyond a verbal reprimand should consult with its city attorney prior to doing so.

Texas Supreme Court Issues 49th Emergency Order of the COVID-19 Pandemic

With its 49th Emergency Order of the COVID-19 pandemic, the Texas Supreme Court has renewed and amended its 47th Emergency Order. The most significant change is that a provision which allowed municipal courts to suspend or modify trial-related and pretrial hearing deadlines has not been included in this newest order. Courts are still authorized to modify certain procedures and deadlines in child-protection cases and allowed to continue to use reasonable efforts to hold some proceedings remotely. This order is effective April 1 and expires June 1. The complete Order can be found [here](#).

Treasury Releases Webinar on Reporting Guidance for NEUs

Last week, the U.S. Treasury Department hosted a webinar on State and Local Fiscal Recovery Fund (SLFRF) reporting compliance specifically for non-entitlement units of local government (NEUs), which are those typically serving populations of less than 50,000. NEUs are subject to the first reporting deadline to submit the Project and Expenditure Report on April 30, 2022. Interested city officials can find the [presentation](#) and [webinar](#) online.

Treasury has created a dedicated [webpage](#) for NEUs which includes pertinent information including the [final rule](#) and the [Compliance and Reporting Guidance](#) on SLFRF funds.

In addition, Treasury encourages all NEU recipients to access the Treasury Portal as soon as possible in order to confirm their accounts, designate SLFRF reporting roles, and submit the required agreements and supporting documentation to Treasury prior to the submission of the first Project and Expenditure Report. An [NEU User Guide](#) has been created to assist recipients with logging into Treasury's Portal.

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