

TO: Honorable Mayor and Members of the City Council
From: Paul A. Hofmann, City Manager
Date: October 1, 2021
Subject: Weekly Memo, September 27-October 1, 2021



TML Annual Conference

Enjoy TML! While at the conference, you are encouraged to visit booth 445, hosted by the Texas City Management Association. The booth will promote the Campaign for Professional and Ethical City Management.

Cemetery Tour

A cemetery tour conducted by the Bastrop Museum and Visitor Center will take place on Saturday, October 23, 2021, at Fairview Cemetery. Council Members wishing to participate can choose between Tour 1, beginning at 3:00 p.m., or Tour 2, beginning at 4:30 p.m. on October 23. Nicole DeGuzman, Executive Director, is requesting RSVP's. Nicole can be contacted at 512-303-0057 or nicole@bchs1832.org.

October 28 – 3rd Annual Women’s Leadership Luncheon

The Family Crisis Center is hosting a Women’s Leadership Luncheon on October 28 at the Convention Center. One of the featured speakers is Assistant Chief Vicky Steffanic. Several staff members plan to attend.

Please let Ann or Victoria know if you would like to attend, and we'll make sure to make the arrangements.

Upcoming Training

Below are future training opportunities through the calendar year. 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 Economic Development Conference**

Date: November 11, 2021 – November 12, 2021

Time: All Day

Location: Hyatt Lost Pines

- TML-TAMCC Elected Officials’ Conference**

Date: February 2, 2022 - February 4, 2022

Time: All Day

Location: Sugar Land

Boards and Commissions

Newly appointed members of Bastrop boards and commissions received their required annual orientation on Monday, September 27. City Attorney Alan Bojorquez provided well-delivered information on Bastrop's code of ethics, open meeting and open records requirements, and suggestions on being a good board member. There was good attendance, and we'll be following up with those members who still require the training. Those members will be able to view the orientation at the following link:

Boards and Commissions Orientation - September 27, 2021 video link: <https://youtu.be/E1yV0QdssNE>

The Boards and Commissions Appreciation Banquet will be held on Thursday October 14, 2021, at 6:00 p.m. at the Bastrop Convention Center.

LCRA Community Development Partnership Program (CDPP) Grant

The City of Bastrop Fire Department has been approved to receive a LCRA Community Development Partnership Program grant in the amount of \$12,960 to fund a mechanical CPR device. The device functions as “another set of hands” to be able to perform chest compressions during CPR. The device, not currently available, proves beneficial in the continuation of care as it frees the responder to perform other aspects of care, such as airway management and the preparation of medications. I sit on the CDPP committee but abstained from voting on the motion as it included grant funding for the City of Bastrop.

City Manager’s Diversity and Inclusion Task Force

Attached is a handout provided to the Diversity and Inclusion Task Force at our September 27 meeting. The list of “action steps” is the result of prior Task Force discussions and suggestions, and ideas from city staff. We’ll be making the listed improvements to how we recruit and fill City of Bastrop positions and we’ll continue to discuss with the Task Force how we can improve our communication, engagement, and programming work to ensure inclusion.

Overheard at City Hall – The Season Finale!

The official Podcast of the City of Bastrop wraps up its first season with a conversation that takes a look behind the camera. Public Information Manager Colin Guerra, who produces our podcast, sits down to discuss the City’s communications strategy, what citizens need to know, and some of his thought process around communicating the complexities of city government in a clear and accessible way. It is another great conversation in what has been a well-received first season. Watch the video here: <https://youtu.be/rOdOvgHBWdo> or check out on Spotify/Apple Podcasts.

McFarland Property

Dr. David McFarland, a landowner of a 289.5-acre tract along SH 304 across the street from Cassena Ranch Drive contacted Trey Job. The owner is interested in becoming part of the City of Bastrop’s extra-territorial jurisdiction and enter into a development agreement that defines the terms of annexation and future utilities. The developer is interested in the City of Bastrop providing all utilities to the development. The property currently is located approximately ½ in and ½ out of the City of Bastrop Wastewater Certificate of Convenience and Necessity.

The next step is the development of a professional services agreement to provide for the cost of covering the city’s expenses to review development proposals.

Letter to Council Members and County Commissioners regarding Bastrop MUD’s 3 and 4

Earlier this week, the attached letter was delivered to City Hall regarding the proposed Bastrop County Municipal Utility Districts 3 and 4. The letter was addressed to the Bastrop County Commissioners Court and the Bastrop City Council.

The City Council received a presentation from the developers of the MUD’s (they referred to it as Creekside Municipal Utility Districts) in anticipation of a future request for a consent agreement with the City of Bastrop. As of this time, no request has been submitted.

The letter urges the City of Bastrop to regulate the subdivision process for this development. This development is in Area B of the City of Bastrop Extra-territorial Jurisdiction, and the City of Bastrop does not currently regulate subdivision activity in Area B. The letter also encourages Council Members to attend a community meeting and to hold two public hearings.

Trey Job and I plan to meet with Bastrop County officials next week to discuss the MUD and a collaborative approach to responding to any development requests we may receive. In the meantime, I encourage Council Members to not comment on the subjects raised in the letter or attend meetings where the development is discussed. After that meeting, a response to the authors of the letter would be appropriate, and I'm happy to have that letter come from me.

Upcoming Events

Movies in the Park

October 9 will feature the movie Hocus Pocus, and November 6 will be A Dog's Purpose. There will be oversized games, face painting, community art, light concessions, and plenty of family fun.

National Night Out

On Tuesday, October 5, the City of Bastrop along with the Bastrop Police Department and Fire Department will be celebrating the annual National Night Out event. The event enhances the relationship between neighbors and law enforcement while bringing back a true sense of community. Furthermore, it provides a great opportunity to bring police and neighbors together under positive circumstances.

This year's event will be celebrated with a coordinated "parade" through each Bastrop neighborhood, visiting and waving with the Bastrop Police Department and Bastrop Fire Department. The community is also invited to the Bastrop Convention Center at 5:30 on October 5th for the kick-off of the National Night Out parade. There will be an invocation and a few words to commemorate the event.

Updated parade maps and block party locations attached.

No Red, White, and Brewfest

The Main Street Advisory Board committee assigned to plan Red, White, and Brewfest has decided to not pursue the event this year, and rather focus on more of a yearlong retail support initiative. The Main Street Advisory Board will be working on a plan over the next several weeks.

Final Judgement in Smith, et al v. City of Bastrop, et al,

The U.S. District Court has ruled in favor of the City of Bastrop, and the Directors of the Hunters Crossing Local Government Corporation in the case where the plaintiffs contended the City levied illegal assessments against property owners within a public improvement district. You may recall that Tracy Waldron and Trey Job provided testimony in the bench trial. The defendants have 30 days to appeal from the date the judgement was ordered, September 29.

October 6 Chamber Luncheon

The October 6 Chamber Luncheon will honor first responders.

Scheduled Time Out of Office

I have planned vacation time Thursday, October 21 thru Monday, October 25.

Future Agenda Items

October 12, 2021

- Second reading of revised water/wastewater rate ordinance
- Service agreements with Community Assets
- Development of City Council Economic Development Objectives
- Software upgrade agreement with Tyler Technologies
- Confirmation of appointments to Housing Authority Board and Fairview Cemetery Board

October 26, 2021

- Visit Bastrop End of Year Report
- Art Immersion Agreement
- Authorization to proceed with bond sale
- MUD Policy
- Zoning Concept Scheme 1st reading Farm Street Village
- Drainage Master Plan proposal

November 9, 2021

- FY 2021 4th Quarterly Report for July-September 2021
- Consider action on DMO agreement with Visit Bastrop
- Zoning Concept scheme 2nd reading Farm Street Village

Attachments

- Outline of action steps presented to Diversity and Inclusion Task Force
- Letter to Council Members and County Commissioners regarding Bastrop County MUDs 3 and 4
- Library Newsletter
- Annual Women's Leadership Luncheon Flyer
- Cemetery Tour Flyer
- McFarland Correspondence
- McFarland Tract Schematic
- Updated NNO Parade Route
- TML Legislative Update Number 38

Diversity and Inclusion Task Force

Outline of Action Steps

September 27, 2021

Improved Recruiting

- Multi-ethnic marketing, materials printed in Spanish
- Social media job postings, use of municipal channel
- More broadly advertise open positions, including:
 - African American Career World Magazine
 - Hispanic Career World Magazine
- Inform stakeholders and networks of openings, including City Boards/Commissions
- Create and utilize new networks, keep them informed of vacant city positions:
 - Alumni Associations of historically black colleges
 - Local churches
 - City of Bastrop police chaplains
- Continue to utilize cadet hiring program, focus on diverse candidates
- Create City of Bastrop “employer of choice” cross-functional team:
 - Diverse membership, members below department head level
 - Charged with evaluating City as “employer of choice”, making recommendations

Improved evaluation of applicant qualifications and interview process

- Continue to review qualifications before posting any positions, check for applicability and relevancy
- Directors to review every complete application
- Department Directors to meet every candidate prior to conditional offer
- City Manager to approve all conditional offers
- City Manager and Department Directors to review applications for supervisory positions
- No candidate rejected for being “overqualified”
- Candidates to be notified of how interviews will be conducted
- Priority on diverse interview panels: ethnicity, gender, multiple departments

Priority on inclusivity in all messaging, engagement, and programming

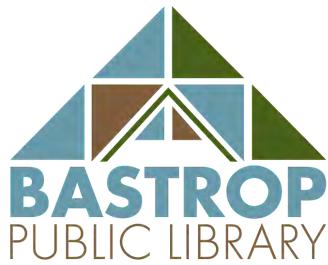
- Future Task Force Meetings to include discussion on:
 - City Communications Framework
 - City Engagement Framework
 - Making Programming more Inclusive

Parks and Recreation Master Plan

- Proactively seek diverse input into Parks and Recreation Master Plan needs assessment process
- Utilize Youth Advisory Council to oversee youth input into the Master Plan needs assessment process

City of Bastrop Leadership Development

- Facilitated discussions on being bold and confident humble servant leaders



Library Currents

THE NEWSLETTER OF THE BASTROP PUBLIC LIBRARY



IN THIS ISSUE

Checkout Magazines

Meet Ronnie!

"I" Is for Interlibrary Loan

Do you have a Bastrop Public Library story to share? Email it to us at [info@bastroplibrary.org!](mailto:info@bastroplibrary.org)

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

Have you checked the bottom of your receipt to see how much money you've saved by using the library? January through August 2021, patrons saved over \$710,000!



A service of the City of Bastrop

"I Don't Have Time to Read"

"I don't have time to read" is a lament we often hear when people explain why they may not check-out books. Parents who visit the library with their kids for storytime, empty nesters who are inundated with volunteer responsibilities, teens who have mountains of homework every day, parents of middle schoolers who spend a lot of time as a taxi service, and so on are often hard-pressed to find chunks of time to read.

The library has a solution for this: magazines!

The short, picture-heavy articles make it perfect for reading in small chunks, while waiting for soccer practice to finish, before falling asleep, while watching the kids on the playground, before the Zoom host admits you to the meeting, or all of those other mini moments of freetime during the day.

Like books, we have magazines for adults, teens and kids; you can check-out back issues for two weeks (or three weeks if you are a Friend of the Library!). You can view the full list of titles online at Bastrop Public Library (click on eResources, then Magazines) or browse the options in the round LCRA Reading Room, located in the back of the library, beyond the adult books. Kids' magazines are located in the Children's Area, opposite the Children's Desk.

Check-out a magazine today and enjoy a mini break from your busy schedule!

Meet Ronni!



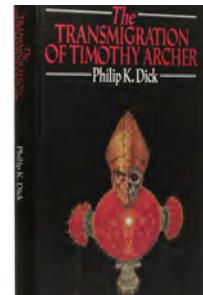
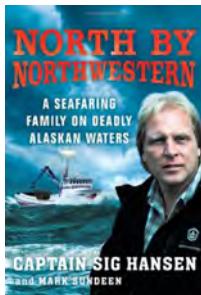
Veronica Nuñez is the new part-time executive administrator at Bastrop Public Library! She works largely behind the scenes helping with clerical tasks, ordering and receiving supplies, tracking finances, creating reports, and so much more.

Ronni grew up in Cedar Creek and is a graduate of Colorado River Collegiate Academy. She is excited to be a member of the library family because she loves libraries and wants to help make the Bastrop Public Library the best it can be.

The staff is excited to have Ronni here to help the library run more efficiently and smoothly!

Welcome, Ronni!

Recent titles that have been requested through ILL.



"I" Is for Interlibrary Loan

A woman came up to the Information Desk the other week and said, "I'm re-reading Sue Grafton's Kinsey Millhone series. You know, A Is for Alibi, B Is for Burglar, and so on. And y'all don't have K Is for Killer. I want to read them in order. What should I do? I don't want to spend \$10 to buy a copy."



We're always happy to help at the Information Desk!

"Yes, ma'am! I have a solution for you!" I shared with a big smile on my face. "Interlibrary loan is where we ask another library to send us their copy of the book for you to read! Let's see if K Is for Killer is available; I bet it is."

I turn to my computer and let my fingers fly across the keyboard. "Ah! Here it is! Nearly 400 libraries in Texas have a copy! We'll definitely be able to get this for you!"

"Now," I wanted to be upfront with her, "it does cost \$3 to help cover shipping."

"Oh!" she exclaimed, "\$3 is hardly anything! I can L Is for Lawless AND the next in my sci-fi series, too, for what I could spend on just K Is for Killer at Barnes and Noble! That's no problem! Do I pay now?"

"You pay when you pick up the book-- just in case we can't get a title, we don't want to have to worry about refunds."

We filled out the form and started the process so she could read it. In just a few weeks, she'll be back on track for murder... errr Kinsey Millhone will be back on track for SOLVING murders!

If you are looking for a title that we don't have, interlibrary loans (ILL's) might be the solution! We do have a few parameters: it must have been published for at least 12 months, it must cost less than \$100 on Amazon, and it must be a book (no DVD's or audiobooks). Stop by the Information Desk to get the form and process started today!



Staff

Bonnie Pierson, Director

Ashley Guerrero,
Technical Services
Supervisor

Carmen Serna, Children's
Assistant

Bethany Dietrich, Public
Services Librarian

Sheila Bowman, Library
Associate, Administrative
Services

Catherine Lombardo,
Library Associate,
Circulation & Volunteer
Services

Terry Carwell, Library
Associate, Circulation
Services

Ronni Nuñez, Executive
Administrative Assistant

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](mailto:info@bastroplibrary.org)

We Suggest!

We're expanding who is writing newsletter reviews so that we can get a variety of genre suggestions for all types of readers! If you've read a book and want to write a positive review for the newsletter, please email Bethany at bdietrich@bastrolibrary.org.

Brenda Smith, library volunteer

Falling by T.J. Newman

Newman, a former flight attendant for Virgin Airlines, has written a fast-paced thriller about a flight from LA to New York. A retired pilot's family has been kidnapped and now he has one impossible choice to make: Crash the plane and kill all onboard to save his family OR land the plane safely and doom his family to death. Buckle up your seat belts for an "edge of your seat" thrill ride! This will soon be a movie, so check this terrific book out beforehand.

Find it: MYS New (New) + CD Book F New (New) + Libby ebooks

K.F., library patron

The Storied Life of A.J. Fikry by Gabrielle Zevin

When his most prized possession, a rare collection of Poe poems, is stolen, bookstore owner A.J. Fikry begins isolating himself from his friends, family, and associates before receiving a mysterious package that compels him to remake his life. I got so caught up in the quirky character's lives in this bittersweet and engaging story. If you're a book-lover, you need to add this to your To Be Read list!

Find it: NOV Zev

Dianne Tripp, Friend of the Library

The Four Winds by Kristin Hannah

Kristin Hannah proved that she is one of the best writers of our time with The Nightingale published several years ago, and The Four Winds further cements that title! This novel's setting is during the Dust Bowl/Great Depression, and Hannah's writing makes you live it. Gritty, empowering, and terrifying, one can see how these folks became known as the "Greatest Generation." I'm not sue my generation of Boomers and those following me have the backbone to have survived those appalling conditions.

Find it: NOV Han (New) + CD Book F Han (New) + Libby ebooks

Becky Bennet, library board member

Never Let Me Go by Kazuo Ishiguro

The story opens when Kathy is ending her unusually long career as a "carer" after attending her childhood friends, Tommy and Ruth, through "completion." She recalls their childhoods in Hailsham and later at the Cottages. Their "guardians" at Hailsham teach them that they are special, but outsiders shun them, even seem afraid of them. This gripping masterpiece of social commentary is an examination of human nature and how people can transcend their fate. I chose it because I loved Klara and the Sun so much, and I was not disappointed.

Find it: Libby ebooks



Inspire, Empower and Thrive:

Our Stories

Join us for lunch to hear these dynamic speakers as they share their experiences and stories of inspiration and empowerment!



Assistant Chief Vicky Steffanic Bastrop Police Department

Assistant Chief Steffanic will share stories and insights from her lifetime of service in non-traditional roles in the military, law enforcement, and her personal life.



Susie Trigg Tucker Motivational Speaker

Susie will share her powerful Love Yourself Here to Get Yourself There philosophy as a means of overcoming adversity and inspire attendees to boldly step into their life's purpose.



Gary Barker, PhD CEO of ProMundo-US

Drawing from his vast experience as a global activist and researcher, he will share insights from his work engaging men in violence prevention and information on how we can all be agents of change to end violence in our communities.

October 28, 2021

11:15 am - 2:00 pm

Bastrop Convention & Exhibit Center

Biographies and more information about each speaker to come in the following weeks!

We hope that you will join us for lunch, enjoy hearing the stories of our speakers and wear your finest purple attire!

Details: 1 hour

Date: Saturday, October 23, 2021. Rain date is October 24, 2021.

Time: Choose either Tour 1 -3:00 pm or Tour 2 -4:30 pm.

Location: Fairview Cemetery, 1100 State Highway 95, Bastrop, Texas. Park & assemble at the gazebo.

Attire: Dress comfortably for walking on uneven surfaces.

Mobility Accommodations: Limited golf cart seating will be made available for those needing assistance. Please let us know your needs when making your reservation.

Thank you,

Nicole DeGuzman
Executive Director

904 Main Street
Bastrop, TX 78602

512-303-0057 Office
[BCHS Website](#)



September 28, 2021
4801 Copeland Hill Rd PO Box 313
Smithville, Texas 78957

Mr. Trey Job, CPM
Assistant City Manager of Community Development
City of Bastrop, TX
1131 Chestnut St.
Bastrop, TX 78602 *(via email)*

RE: 289.5 acre tract (McFarland, Bastrop CAD Property ID# 26974)

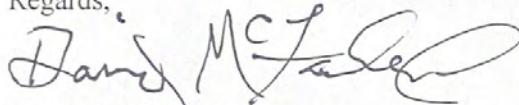
Dear Trey,

As the landowner of the above referenced tract, which is under contract with W Land Development, I would like to request that this property be taken into the ETJ of the City of Bastrop. Specifically, into Area A, as defined in the SB 1445 agreement. In the future they will be submitting a Development Agreement which will address annexation and utility agreements.

As you are aware, this parcel is partially in the sewer CCN for the City of Bastrop. This will require them to connect to the new treatment plant just north of the tract on FM 304. Their desire is to deal exclusively with the City for all utilities. For this reason, it just makes sense that they be in Area A with an eye to eventual annexation.

Per a conversation I had with Jeff Etheredge, his understanding from Allison Land is that the property must be "released" by the County. Please let us know if there is anything we can do to expedite this process in anyway, including meeting with county staff or elected officials.

Regards,

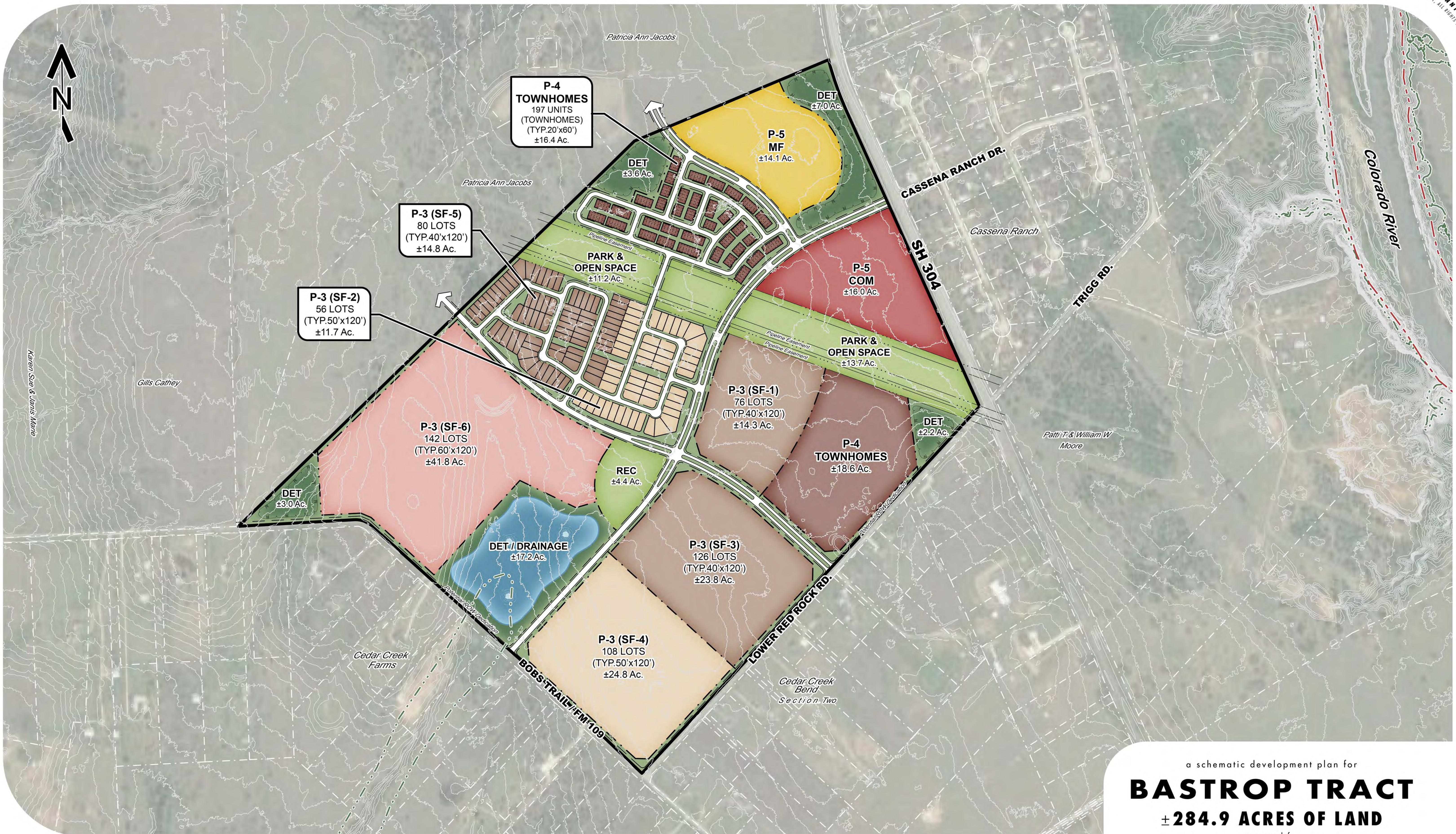


Dr. David McFarland

cc: Jennifer Bills, jbills@cityofbastrop.org

Allison Land, aaland@cityofbastrop.org

Vivianna Nicole Andres, vandres@cityofbastrop.org



a schematic development plan for

BASTROP TRACT

±284.9 ACRES OF LAND

prepared for

LONE STAR TEXAS HOLDING

META
PLANNING + DESIGN

24275 Katy Freeway, Ste. 200
Katy, Texas 77494
Tel: 281-810-1422

SCALE
0 150 300 600

MTA-53012
AUGUST 3, 2021

LOT SUMMARY

40'X120'	282 LOTS	48%
50'X120'	164 LOTS	28%
60'X120'	142 LOTS	24%

TOTAL 588 LOTS

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BASTROPTX
Heart of the Lost Pines / Est. 1832



POLICE-COMMUNITY PARTNERSHIPS
Downtown Bastrop
5:30 PM



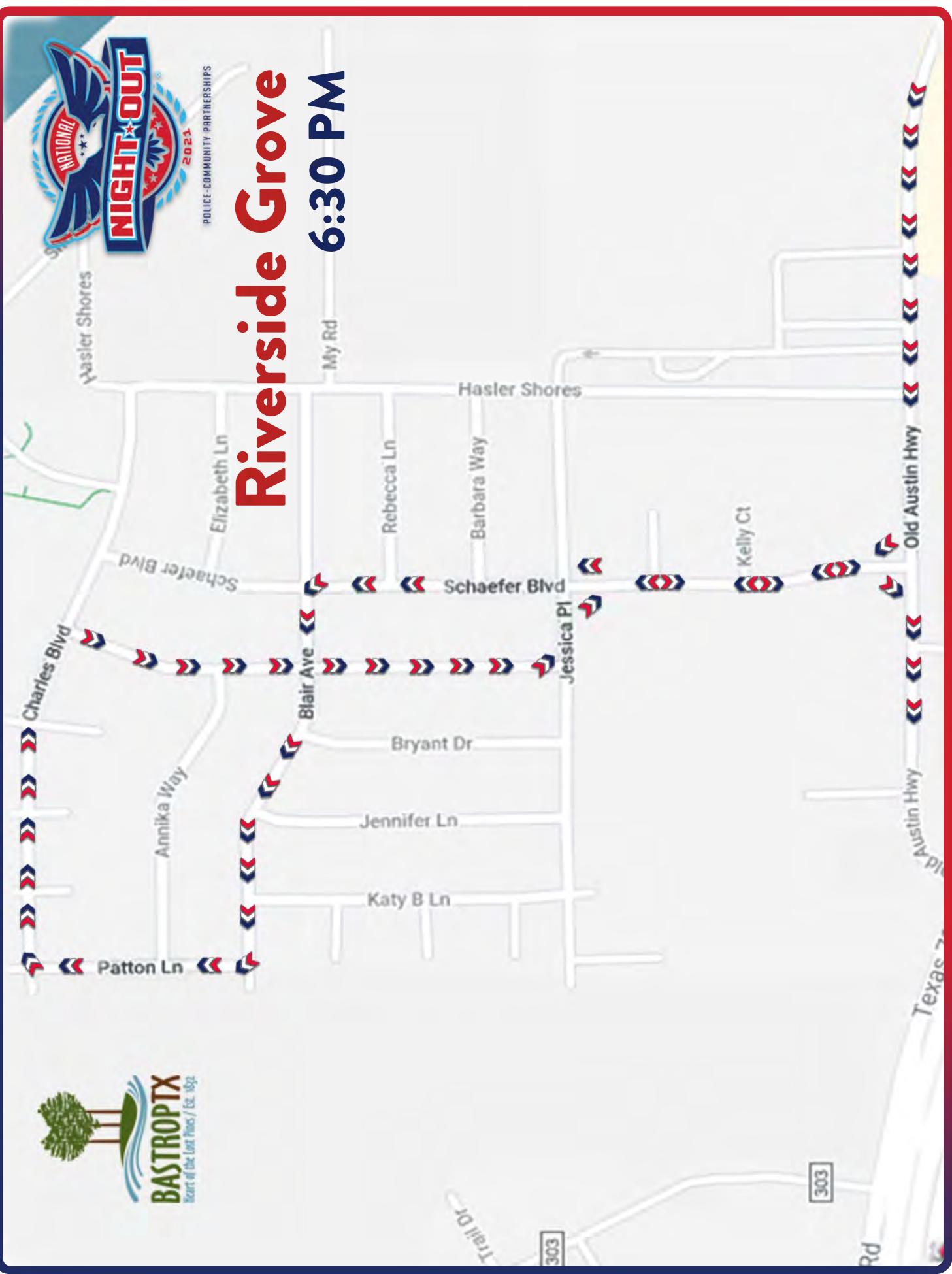
WWW.CITYOFBASTROP.ORG/NATIONALNIGHTOUT



POLICE-COMMUNITY PARTNERSHIPS

Riverside Grove

6:30 PM



Heart of the Last Frontier / Est. 1856



POLICE-COMMUNITY PARTNERSHIPS

Hunter's Crossing

7:00 PM

POLICE-COMMUNITY PARTNERSHIPS

7:00 PM

State Hwy 21 W



Bear Hunter Dr

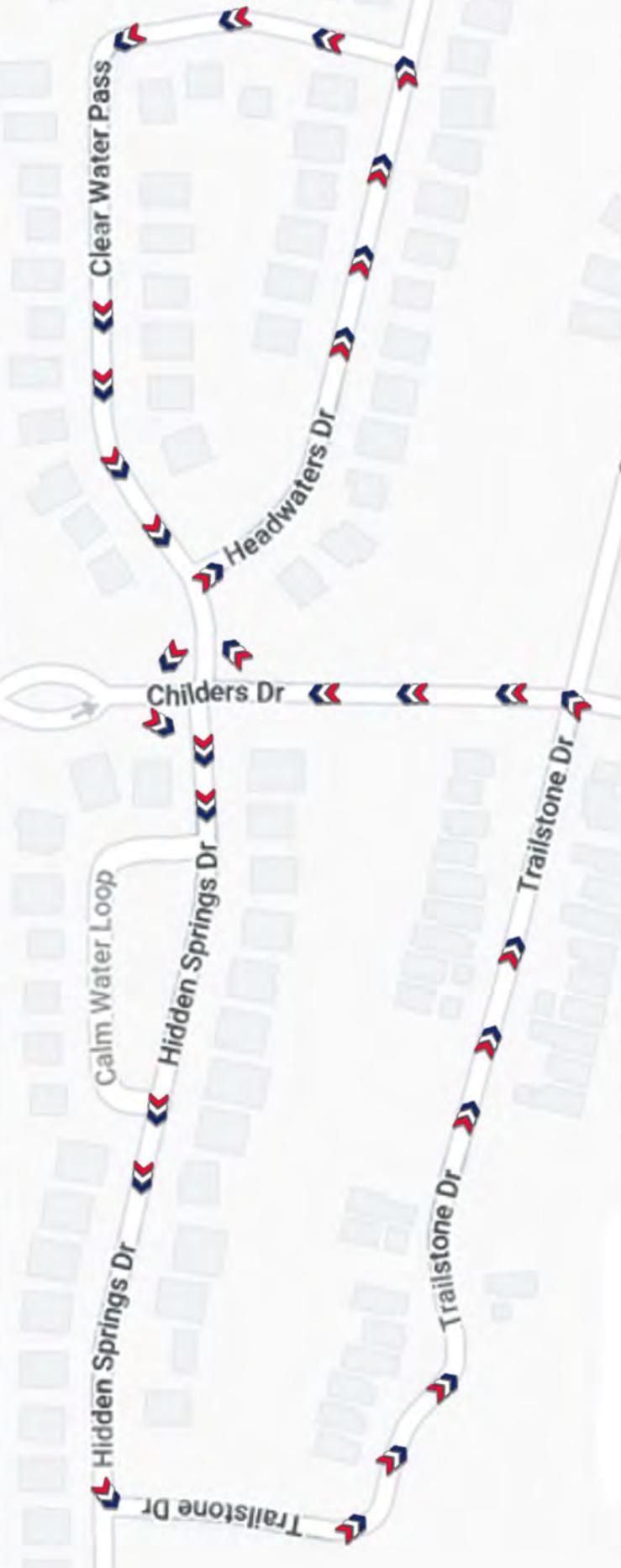
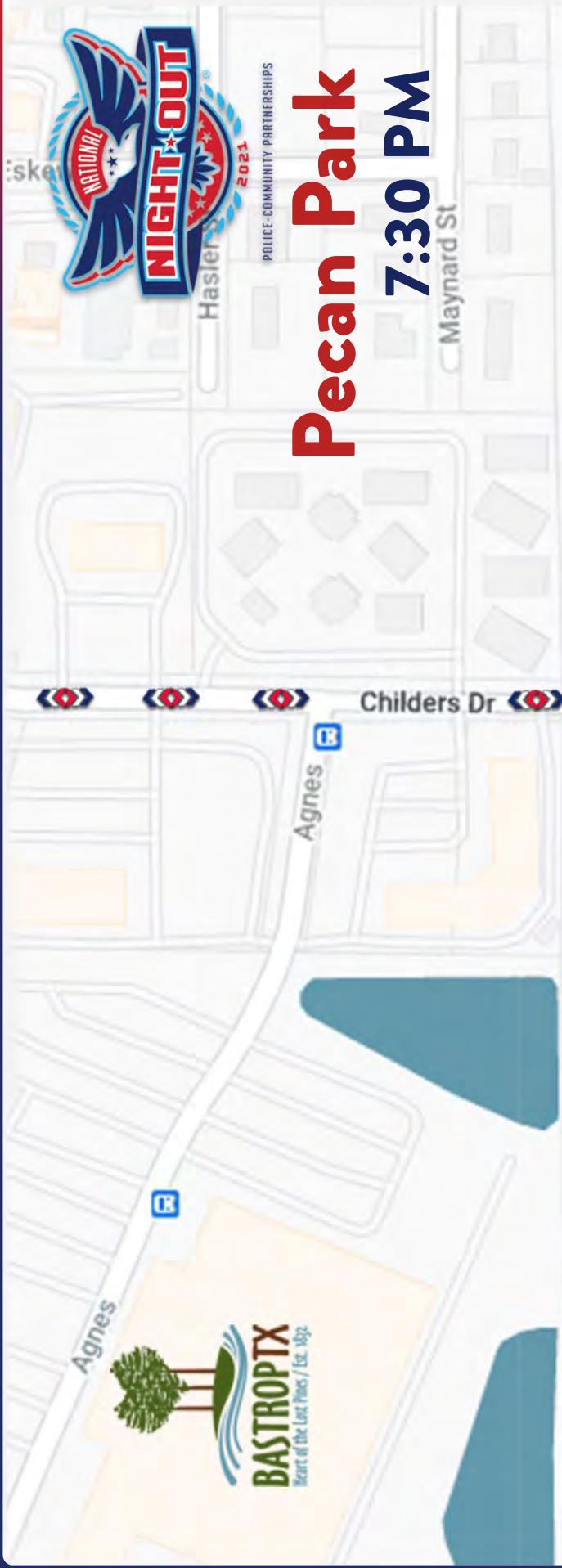




POLICE-COMMUNITY PARTNERSHIPS

Pecan Park

7:30 PM





Industry Dr
CONFERENCE DR
POLICE-COMMUNITY PARTNERSHIPS

Tahitian Village

8:00 PM





Legislative UPDATE

October 1, 2021
Number 38

New Item Added to Special Session Call

On Thursday, Governor Abbott [added](#) the following item to the special session call:

- Legislation increasing the penalties for illegal voting that were reduced in Senate Bill No. 1 that passed in the 87th Legislature, Second Called Session.

Other items on the call include:

- Legislation relating to the apportionment of the State of Texas into districts used to elect members of the Texas House of Representatives, the Texas Senate, the State Board of Education, and the United States House of Representatives.
- Legislation providing appropriations from the American Rescue Plan Act of 2021 (ARPA), Pub. L. No. 117-2.
- Legislation identical to Senate Bill 29 as passed by the Texas Senate in the 87th Legislature, Regular Session, disallowing a student from competing in University Interscholastic League athletic competitions designated for the sex opposite to the student's sex at birth.

- Legislation regarding whether any state or local governmental entities in Texas can mandate that an individual receive a COVID-19 vaccine and, if so, what exemptions should apply to such mandate.
- Legislation similar to Senate Bill 474 as passed by 87th Legislature, Regular Session, but that addresses the concerns expressed in the governor's veto statement.
- Legislation providing additional property-tax relief for Texans.
- Legislation proposing a constitutional amendment to further protect the safety of the community, law enforcement, and victims, from accused criminals who may be released on bail, including by giving magistrates the discretion to deny bail under some circumstances to people accused of certain violent, sexual, or trafficking offenses.
- Such other subject as may be submitted by the governor from time to time after the session convenes.

Resolutions for the 2021 Annual Conference and Your City Delegate

At the 2021 TML Annual Conference in Houston next week, resolutions submitted to the membership will be considered at the TML Business meeting on October 7 at 3:30 p.m.

The full resolutions packet is available [here](#).

Each city is entitled to one voting delegate at the business meeting. The delegate isn't required to have any special expertise, and an elected official is encouraged but not required. Cities are encouraged to sign up their delegate [electronically](#) prior to the meeting. Cities are also able to sign up in person at a table outside of the meeting room. All city officials are welcome to attend the meeting, whether or not they are a voting delegate.

TDLR Proposes Amended Rules for Code Enforcement Officers in Training

On September 24, 2021, the Texas Department of Licensing and Regulation published [proposed rules](#) related to Code Enforcement Officers. The proposed rules would amend the registration term for a Code Enforcement Officer in Training who upgrades to a Code Enforcement Officer from the remainder of the training registration to a full two-year registration from the date of issuance of the upgrade. The proposed amendment eliminates the need for the newly upgraded Code Enforcement Officer to then have to renew his or her new registration, sometimes within days of the upgrade, when the initial one-year registration expires.

The proposed amendment also combines the upgrade and renewal of the Code Enforcement Officer registration, resulting in the elimination of a second application having to be filed and processed so soon after the upgrade. Additionally, the proposed rules increase the registration fee associated with this upgrade from \$25 to \$100.

Comments on the proposed rules may be [submitted electronically](#) on the Department's website at; by facsimile to (512) 475-3032; or by mail to Monica Nuñez, Legal Assistant, Texas Department of Licensing and Regulation, P.O. Box 12157, Austin, Texas 78711. The deadline for comments is October 24, 2021.

Texas Joins \$21 Billion Opioid Settlement

Attorney General Ken Paxton recently [announced](#) that Texas joined the \$21 billion distributor opioid settlement. Texas, along with a broad coalition of states and subdivisions, reached final agreements with four companies to resolve legal claims for their role in the opioid crisis. One agreement is with opioid manufacturer Johnson & Johnson. The other is with three major pharmaceutical distributors: AmerisourceBergen, Cardinal Health, and McKesson. The settlement includes up to \$1.1 billion awarded to Texas and its political subdivisions, including cities.

Local governments need to join the settlement by **January 2, 2022**, in order to maximize the benefits of the settlement. Funding received under the settlement will be used to support opioid abatement strategies. More information, including the steps necessary to formally join the settlement, can be found [here](#). Also, staff from the Attorney General's office will discuss the settlement at the [TML Annual Conference and Exhibition](#) on Wednesday, October 6, from 2:00-3:15 p.m. at the session "Global Opioid Settlement: What It Means for Texas".

City Officials Testify

When the legislature is in session, nothing compares to the effectiveness of city officials testifying at the Capitol. City officials who take the time to attend legislative committee meetings – whether virtually or by traveling to Austin – to speak out on important city issues should be applauded by us all. The League extends its thanks to all those who are vigilantly representing cities during this session. If we missed your testimony let us know by an email to alyssa@tml.org, and we will recognize you in next week's edition.

The following officials testified in committee hearings held September 7 through September 25:

- Tim Davis, Mayor, City of Temple
- Michael Evans, Mayor, City of Mansfield
- Jerry Hendrix, Chief of Staff, City of Kyle
- Jane Hughson, Mayor, City of San Marcos
- Regan Johnson, Mayor, City of Mineral Wells
- Diana Lopez, City Manager, City of Coleman

- Larry McConn, Assistant City Admin/Director of Economic Development, City of Early
- Rudy Metayer, Councilmember, City of Pflugerville
- Spencer Smith, Mayor, City of Harker Heights
- Ruby Faye Wooldridge, Councilmember, City of Arlington

City-Related Bills Filed

Property Tax

3H.B. 102 (Cook) – Property Tax Appraisal: would provide that: (1) if the appraised value of a residence homestead in a tax year is lowered as a result of an agreement between the property owner and the appraisal district or as a result of a protest or appeal, the appraised value of the property as specified in the agreement or as finally determined in the protest or appeal is considered to be the appraised value of the property for that tax year; and (2) if the appraised value of property in a tax year is lowered under the circumstances described in (1), above, the chief appraiser generally may not increase the appraised value of the property in the next tax year in which the property is appraised by an amount that exceeds the lesser of: (a) the market value of the property for the tax year; or (b) the sum of the appraised value of the property in the tax year in which the appraised value of the property is lowered and the market value of all new improvements to the property.

3H.B. 121 (Craddick) – Prohibition on City Property Taxes in Certain Areas: would: (1) prohibit a city from imposing a property tax in an area that does not receive full city services; and (2) provide that the prohibition in (1), above, may be waived by written agreement between the city and a landowner in the area, and that the written agreement applies only to property owned by the landowner who enters into the agreement. (Companion bill is **3S.B. 42** by **Campbell**.)

3S.B. 42 (Campbell) – Prohibition on City Property Taxes in Certain Areas: would: (1) prohibit a city from imposing a property tax in an area that does not receive full city services; and (2) provide that the prohibition in (1), above, may be waived by written agreement between the city and a landowner in the area, and that the written agreement applies only to property owned by the landowner who enters into the agreement. (Companion bill is **3H.B. 121** by **Craddick**.)

Sales Tax

3H.B. 117 (White) – Value Added Tax: would, among other things, repeal local sales and use taxes and authorize a political subdivision that was authorized to impose a sales and use tax to impose a value added tax not to exceed two percent.

Community and Economic Development

3H.B. 116 (Huberty) – School Property Tax Limitations: would extend the expiration date of the Texas Economic Development Act from December 31, 2022, to December 31, 2023.

Other Finance and Administration

3H.B. 104 (Patterson) – Unlawful Restraint of Dog: would, among other things: (1) prohibit and create an offense for the unlawful restraint of a dog; and (2) provide that the prohibition in (1) does not preempt a local regulation relating to the restraint of a dog or affect the authority of a political subdivision to adopt or enforce an ordinance or requirement relating to the restraint of a dog if the regulation, ordinance, or requirement: (a) is compatible with and equal to, or more stringent than, the prohibition; or (b) relates to an issue not specifically addressed by the prohibition.

3H.B. 110 (Slaton) – COVID-19 Vaccination: would, among other things: (1) prohibit a governmental entity, including a city, from adopting or enforcing a policy that requires an individual to be vaccinated against COVID-19, including a policy requiring a COVID-19 vaccination for the individual to: (a) obtain a service or benefit provided by the governmental entity; (b) gain access to an establishment owned or operated by the governmental entity; or (c) contract with the governmental entity; and (2) provide that an officer or employee of a governmental entity commits an offense if the officer or employee violates (1), above.

3H.B. 120 (Jetton) – Release of Vaccination Information: would, among other things: (1) prohibit an employee or agent of a health authority from releasing or otherwise disclosing to any person an individual's vaccination or immunization information received by the health authority unless: (a) the health authority obtains the written or electronic consent of the individual or the individual's legally authorized representative; (b) the employee or agent releases or discloses the information to a health care provider in accordance with applicable state and federal laws relating to the privacy, protection, confidentiality, and transmission of health information; or (c) the release or disclosure is otherwise authorized by state law governing certain public health provisions; (2) prohibit a person who obtains an individual's vaccination or immunization information from releasing or otherwise disclosing the information to a third party, including under a contract or subcontract, for the purpose of encouraging individuals to obtain a vaccine or to provide educational materials on a vaccine; and (3) provide that a person who releases or discloses vaccination or immunization information in violation of (1) or (2), above, is liable to the state for a civil penalty in an amount of not less than \$2,000 and not more than \$50,000 for each violation.

3S.B. 37 (Hughes) – Land Development Applications: would provide that, unless specifically authorized by state law, a municipal planning commission or the governing body of the municipality may not: (1) require a person to fulfill any prerequisites or conditions or obtain any approvals before the person files a copy of a plan or plat with the municipal planning commission or governing body; (2) delay the starting date for calculating any applicable timeframe to approve or disapprove a plan or plat by not considering the date the plan or plat was filed as the starting date; or (3) refuse to accept, acknowledge, process, or act on a filed copy of the plan or plat. (Companion bill is **3H.B. 95** by Oliverson.)

3S.B. 40 (Eckhardt) – COVID-19 Public Health Orders: would require a school district to implement or otherwise comply with health directives outlined in a public health order issued by a health authority with jurisdiction over territory in which the district is wholly or partly located regarding evidence-based practices to reduce or eliminate the transmission of or infection with COVID-19 among district students and staff, including directives requiring the students and staff to wear face masks or face coverings.

Personnel

3H.B. 109 (Cain) – **COVID-19 Vaccination:** would, among other things: (1) require an employer, labor organization, or employment agency to allow an individual to claim an exemption from a required COVID-19 vaccination based on a medical condition or reasons of conscience, including a religious belief; and (2) provide that an employer commits an unlawful employment practice if the employer fails or refuses to hire, discharges, or otherwise discriminates against an individual with respect to the compensation or the terms, conditions, or privileges of employment because the individual claims an exemption under (1), above.

Utilities and Environment

3H.B. 97 (Huberty) – **Utility Reliability Funding:** would, among other things: (1) require the comptroller and State Energy Conservation Office to establish and administer a program that issues or guarantees loans to be used for improvements that increase the energy efficiency or promote conservation of natural gas and water by residences and businesses that are not newly constructed; (2) establish the state utilities reliability fund in the state treasury to be used by the Texas Water Development Board (TWDB) to: (a) enhance the reliability and resiliency of water, electric, and natural gas utilities, broadband providers, and power generation companies by supporting projects, including projects to weatherize facilities and reduce demand, in order to provide resilience and continuous service during periods of high demand; (b) pay the necessary and reasonable expenses of TWDB in administering the fund; and (c) transfer funds to other TWDB programs or funds; and (3) establish the state utilities reliability revenue fund in the state treasury to be used by TWDB to provide financial assistance for projects that enhance the reliability and resiliency of water, electric, natural gas, broadband, and power generation facilities, including: (a) projects that enhance the ability of facilities to withstand periods of high demand; (b) projects that reduce demand during periods of high demand; and (c) projects to weatherize facilities. (See **3H.J.R. 11**, below.)

3H.J.R. 11 (Huberty) – **Utility Reliability Funding:** would amend the Texas Constitution to, among other things: (1) establish the State Utilities Reliability Fund to be administered by the Texas Water Development Board and used only to support projects to enhance the reliability and resiliency of water, electric, and natural gas utilities, broadband providers, and power generation companies in this state, including projects to weatherize facilities and reduce demand; (2) establish the State Utilities Reliability Revenue Fund to be administered by the Texas Water Development Board and used only for the purpose of providing financing for projects that enhance the reliability and resiliency of water, electric, and natural gas utilities, broadband providers, and power generation companies, including by supporting projects to weatherize facilities and reduce demand. (See **3H.B. 97**, above).

COVID-19 Update (No. 204)

All pandemic-related updates continue to be found in the [Legislative Update Newsletter](#).

Governor Renews COVID-19 Disaster Declaration

On September 28th, Governor Abbott again renewed the statewide disaster declaration that he first issued March 13, 2020, in response to the COVID-19 pandemic. The proclamation can be found [here](#).

Texas Supreme Court Issues Two Emergency Orders

On September 21st, the Supreme Court of Texas issued Emergency Orders Nos. 42 and 43:

Emergency Order No. 42: This Order renews the [Texas Eviction Diversion Program](#) for tenants and landlords under a statewide rental assistance program intended to avoid evictions for tenants behind on rent and outlines the related court procedures. A copy of the Order can be found [here](#).

Eligibility for rental assistance under the program will be administered by the Texas Department of Housing and Community Affairs. More information and online application for rental assistance is available at the [Texas Coronavirus Relief Bill Rental Assistance Program website](#).

Emergency Order No. 43: This Order renews and amends prior Emergency Order No. 40. This Order allows all courts in Texas to continue to take reasonable precautions in response to COVID-19, including holding hearings by videoconference. It discontinues the blanket authority provided by prior emergency orders for all courts to modify or suspend any and all deadlines and procedures but continues justice and municipal courts' authority to modify or suspend trial-related or pretrial hearing-related deadlines and procedures through April 1, 2022. The Order also suspends or modifies other procedures related to CPS and other specific types of hearings. The Order can be viewed [here](#).

Reminder: TML Coronavirus materials are archived by date [here](#) and by subject [here](#).

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