

Resources for Cities

3/16/2020

Does TML have a web page with COVID-19 resources for cities?

Yes, TML has a Coronavirus Resource page with helpful state and federal links, TML and other resources, and current news items. The page is updated every day, and it can be accessed from the TML home page at www.tml.org.

What's happening with TML conferences and events?

Your safety and security are our top priorities. In light of increased city travel restrictions and the CDC's recommendation to cancel all events of 50 or more, we are cancelling most TML training events taking place between now and May 15. City officials registered for these events will be notified and registration fees will be fully refunded. If feasible, we'll reschedule these events later in the year. Check here for training updates.

What is TML doing to urge the governor to suspend or modify state laws to make it easier for communities to react to coronavirus?

The League has compiled a [list of state statutes](#) that, if suspended or modified by the governor, would assist cities with responding to the COVID-19 threat. Allowing for easier city council meetings by phone or otherwise was the key request, and that has been granted (see below). This list has been communicated to the governor's office, but we encourage city officials to [contact his office](#) on issues that are important to you.

3/17/2020

Is TML open for business?

Yes. The building is closed to all but essential personnel and most staff is working remotely, but the League remains open for business and is fully ready to serve. Cities are encouraged to call or email for legal assistance, help with ordinances, or for general advice or assistance. Let us know how we can assist you and your city.

Call TML staff at 512-231-7400, or email Scott Houston for legal assistance at SHouston@tml.org; Rachael Pitts for membership support at RPitts@tml.org; and the training team for questions about conferences and workshops at training@tml.org.

How is the National League of Cities (NLC) supporting cities as they care for their communities?

NLC is a resource and advocate for city leaders from communities large and small. The association is working hard to support cities as they address the coronavirus in their communities:

- Providing the latest information and resources on the association's [coronavirus page](#)
- Surveying member cities to assess the current needs of local officials
- Coordinating with the White House, including regular conference call updates and action alerts to member city officials
- Working with Congress to prepare for the next stimulus package and to ensure cities' needs are met
- Sharing NLC's perspective on current response efforts with the [media](#)

3/18/2020

What is Congress doing to provide assistance to local governments?

The National League of Cities sent a letter of request to Leader McConnell, Speaker Pelosi, Leader Schumer, and Leader McCarthy yesterday asking them to consider proposals to quickly and efficiently allocate funding to local governments, which are well-situated to deliver support to areas and communities in greatest need.

The full letter can be viewed [here](#). Please urge your members of Congress to join in support of the proposals by [taking action](#).

Earlier this month, Congress passed and the President signed the "Coronavirus Preparedness & Response Supplemental Appropriations Act," which allows for additional federal funding for local governments. Specifics of the funding is available at: <https://www.nlc.org/program-initiative/coronavirus-response-resources-for-local-leaders>.

Additionally, the United States Senate is considering a House passed proposal (H.R. 6201), the "Families First Coronavirus Response Act," which would bring relief to workers and families. This measure, combined with a potential third bill, would likely result in hundreds of billions of dollars in additional funding for Coronavirus related effects. City officials who are supportive of these measures are encouraged to contact their U.S. Senator and Congressperson to voice that support.

3/20/2020

What is TML doing to urge the governor to suspend or modify state laws to make it easier for communities to react to coronavirus?

The League has compiled a [list of state statutes](#) that, if suspended or modified by the governor, would assist cities with responding to the COVID-19 threat. This is the second, updated list that has been communicated to the governor's office. He should be applauded for his suspensions related to the Open Meetings Act and the May election. We encourage city officials to contact his office on issues that are important to you.

3/24/2020

What happens if a city official is unable to complete a state-mandated training by the deadline due to the coronavirus?

Social distancing requirements have led to the cancellation of many in-person training sessions across the state, many of which fulfill a state-mandated training requirement. Beyond that, many city officials are simply overwhelmed with performing essential functions in their communities to attend a training session at this time.

Two types of required training – training under the Public Funds Investment Act (PFIA) and the newly-imposed cybersecurity training – are available to be completed online using TML resources. In addition to in-person trainings, TML offers online PFIA training that can be taken anytime. More on PFIA training options through TML can be found [here](#). Mandatory cybersecurity training is being offered by the TML Intergovernmental Risk Pool, and can be taken through a free online video. More on this training option can be found [here](#).

The attorney general offers online [training videos](#) for city officials needing to complete training for the Open Meetings Act or Public Information Act.

Some city officials will understandably not have the time to complete even the online trainings in the coming weeks. Though the trainings mentioned above are mandatory, there are no specific penalty provisions for failing to take the training by the respective deadline. Still, city officials are encouraged to take any mandatory training as soon as possible under the circumstances.

3/25/2020

Is TML still open for business given the City of Austin’s shelter-in-place order?

While the building is closed to all but essential personnel, most TML staff members are working remotely. The League remains open for business and is fully ready to serve. Cities are encouraged to call or email for legal assistance, help with ordinances, or for general advice or assistance. Let us know how we can assist you and your city.

3/26/2020

What is the status of the federal COVID-19 stimulus legislation?

Late in the evening on Wednesday, March 25, the United States Senate unanimously approved the Coronavirus Aid, Relief, and Economic Security Act (the “CARES Act”). The bill now goes to the U.S. House of Representatives for approval before heading to the President’s desk to be signed into law. The House is tentatively expected to vote on the CARES Act on Friday, March 27.

As approved by the Senate, the CARES Act provides over \$2 trillion in emergency relief funds to help mitigate the financial harm caused by the coronavirus pandemic in the United States. The legislation includes, among many other things, direct payments to adults below a certain income

threshold, funding for loan programs for businesses, expanded unemployment insurance, and increased funding for hospitals and medical equipment capacity.

Of specific importance to cities, the CARES Act currently provides for the following:

- Roughly \$139 billion for states and local governments under the Coronavirus Relief Fund. This funding is allocated to states based on population, with [estimates](#) showing Texas receiving \$11.24 billion. Local governments in Texas with populations exceeding 500,000 may apply directly to the federal government for their share of funding. (Note: total funding to these local governments may not exceed 45 percent of state allotment.) Other cities will need to apply for grants from the state for this funding. Revenue received under this fund may only be used to cover expenditures that: (1) were necessary expenditures incurred due to COVID-19; (2) were not accounted for in the budget most recently approved by the governmental entity; and (3) were incurred between March 1, 2020 and December 30, 2020.
- Establishment of a \$500 billion dollar lending fund for eligible businesses, states, and municipalities to mitigate losses incurred as the result of coronavirus.
- \$45 billion for the FEMA Disaster Relief Fund.
- \$4.3 billion for CDC-Wide Activities and Program Support, a portion of which must be used for grants and cooperative agreements with state and local governments for certain preparedness and response activities.
- \$25 billion for Transit Infrastructure Grants distributed using fiscal year 2020 apportionment formulas.
- \$400 million for Election Security Grants to prevent, prepare for, and respond to coronavirus for the 2020 federal election cycle.
- \$850 million for state and local law enforcement assistance awarded pursuant to the formula allocation used in fiscal year 2019 for the Edward Byrne Memorial Justice Assistance Grant program.
- \$10 billion for Grants-In-Aid for Airports
- \$4 billion for Homeless Assistance Grants available through HUD Emergency Solutions Grant program.
- \$5 billion for Community Development Block Grants.
- \$1 billion for certain programs under the Community Services Block Grant Act.

TML will continue to work with the National League of Cities to monitor and improve the CARES Act and will report on new developments as information becomes available.

Has the White House issued information on the coronavirus?

Yes. The White House sent the following information this afternoon, which is shown here without edits.

Coronavirus Guidelines for America: The White House Coronavirus Task Force issued guidelines – [15 Days to Slow the Spread \(Español\)](#)– to help protect all Americans during the global Coronavirus outbreak. Even if you are young and otherwise healthy, you are at risk—and your activities can increase the risk of contracting the Coronavirus for others. Everyone can do

their part. The recommendations are simple to follow but will have a resounding impact on public health. Find the guidelines here:

-Up-To-Date Information: The most up-to-date, verified information and guidance can be found via the Centers for Disease Control and Prevention Coronavirus Disease 2019 website – www.coronavirus.gov.

-Disaster Response and Recovery Primer: Response and recovery efforts are locally executed, state managed, and federally supported. It is important that requests for assistance, including for critical supplies, get routed through the proper channels as soon as possible. Learn more about the response and recovery process via this important resource – [Coronavirus \(COVID-19\) Pandemic: Response and Recovery Through Federal-State-Local-Tribal Partnership](#). FEMA’s public assistance guidance for COVID-19 response efforts can be found [here](#).

-Coronavirus Fact vs. Myth: Rumors can easily circulate within communities during a crisis. FEMA setup a [website](#) to help the public distinguish between rumors and facts regarding the response to the coronavirus pandemic.

-Social Media Resources: Follow the White House on [Twitter](#) and [Facebook](#). Also follow HHS ([Twitter/Facebook](#)) and CDC ([Twitter/Facebook](#)) You can also find informational videos from Coronavirus Task Force members on mitigation, social distancing, etc. on the White House’s [YouTube](#) page.

-Fraud & Scam Protection: The Department of Justice is remaining vigilant in detecting, investigating, and prosecuting wrongdoing related to the crisis. Find out how you can protect yourself and helpful resources on DOJ’s Coronavirus Fraud Prevention [website](#). The Federal Trade Commission has also established a [website](#) with helpful information to help consumers avoid coronavirus-related scams.

-Administration Actions and Federal Agency Resources: USA.gov is cataloging all U.S. government activities related to coronavirus. From actions on health and safety to travel, immigration, and transportation to education, find pertinent actions [here](#). Each federal agency has also established a dedicated coronavirus website, where you can find important information and guidance. They include: Health and Human Services ([HHS](#)), Centers of Medicare and Medicaid ([CMS](#)), Food and Drug Administration ([FDA](#)), Department of Education ([DoED](#)), Department of Agriculture ([USDA](#)), Small Business Administration ([SBA](#)), Department of Labor ([DOL](#)), Department of Homeland Security ([DHS](#)), Department of State ([DOS](#)), Department of Veterans Affairs ([VA](#)), Environmental Protection Agency ([EPA](#)), Department of the Interior ([DOI](#)), Department of Energy ([DOE](#)), Department of Commerce ([DOC](#)), Department of Justice ([DOJ](#)), Department of Housing and Urban Development ([HUD](#)), Department of the Treasury ([USDT](#)), Office of the Director of National Intelligence ([ODNI](#)), and U.S. Election Assistance Commission ([EAC](#)).

Has anyone prepared a national clearinghouse of city actions in relation to the coronavirus?

Yes. The National League of Cities and Bloomberg Philanthropies have teamed up to [collect and share](#) actions taken by local leaders in response to the COVID-19 Pandemic. The Texas Business Roundtable has [also created a Texas-specific list](#) of local leader’s actions.

3/27/2020

What is the status of the federal COVID-19 stimulus legislation?

On Friday, March 27th, the U.S. House of Representatives approved the CARES Act. The bill now goes to the President's desk to be signed into law.

The House passed the CARES Act in the exact same form as the bill passed the Senate on Wednesday night. More details on the portions of the bill that could impact Texas cities can be found in our previous report on the CARES Act [here](#). For more information about the CARES Act, the National Conference of State Legislatures has put together a helpful [webpage](#) summarizing the bill.

3/30/2020

How much can Texas cities expect to receive under the federal CARES Act?

Last week, the president signed into law the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act"), a bill providing over \$2 trillion in emergency relief funds to help mitigate the financial harm caused by the coronavirus pandemic across the country.

At this stage, it is not clear exactly how much federal funding will be made available to Texas cities across the board. As part of the legislation, Congress directly allocated roughly \$11.24 billion through the Coronavirus Relief Fund to Texas for use by the state and local governments. Texas cities with populations over 500,000 are eligible for direct financial assistance under this fund. Other Texas cities will presumably need to apply for pass-through grants from the remaining allocation amounts through a yet-to-be-determined process at the state agency level.

The CARES Act includes other opportunities for funding critical city services as well. The National League of Cities has prepared this [document](#), which details these funding opportunities for cities nationwide.

Has the federal government issued additional guidance with respect to which jobs are classified as "critical infrastructure?"

Yes. The White House issued the following information last Saturday (March 28):

"Functioning critical infrastructure is imperative during the response to the [COVID-19](#) emergency for both public health and safety, as well as community well-being. Certain critical infrastructure industries have a special responsibility in these times to continue operations. On Saturday, March 28, the Department of Homeland Security (DHS) – Cybersecurity & Infrastructure Security Agency (CISA) – released [updated guidance on the essential critical infrastructure workforce](#) (see [Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response](#)). [The guidance and accompanying list](#) are intended to support state, local, and industry partners in identifying the critical infrastructure sectors and the essential workers needed to maintain the services and functions Americans depend on daily and need to be able to operate resiliently during the COVID-19 pandemic response.

State, local, tribal, and territorial governments are responsible for implementing and executing response activities, including decisions about access and reentry, in their communities, while the Federal Government is in a supporting role. Officials should use their own judgment in issuing implementation directives and guidance.”

3/31/2020

Where do we stand right now with regard to federal and state guidance and orders, including the new order in the question above?

The federal government has not “ordered” anything. Instead, President Trump and the Center for Disease Control issued the following [guidance](#), which is in effect through April 30: (1) listen to and follow the direction of your state and local health authorities; (2) if you feel sick, stay home; (3) if someone in your household has tested positive for coronavirus, keep the entire household at home; (4) if you are an older person, stay home and away from other people; (5) if you are a person with a serious underlying health condition putting you at risk, stay home and away from other people; (6) work or engage in schooling from home whenever possible; (7) if you work in a [critical infrastructure](#) industry, you have a special responsibility to continue to go to work; (8) avoid social gatherings in groups of more than 10 people; (9) avoid eating and drinking at bars, restaurants, and food courts—use drive thrus, pick up, or delivery options; (10) avoid discretionary travel, shopping trips, and social visits; (11) do not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance; and (12) practice good hygiene.

With regard to state-level orders, Governor Abbott has today [ordered](#) compliance with the items in the bulleted list in the first question above.

Because the federal government has issued only guidance, the only non-local (e.g. city or county) mandatory restrictions are those imposed by Governor Abbott’s new order.

Has the Texas Municipal League Intergovernmental Risk Pool provided COVID-19-specific training for its members?

Yes. TMLIRP’s online learning partner, LocalGovU, is offering timely online learning classes that cover COVID-19, including COVID-19 for Law Enforcement and COVID-19 for Local Government Personnel. These courses are no cost to TMLIRP members.

If your entity has established a TMLIRP online learning center account, the entity’s administrator can assign these courses to employees. LocalGovU has how-to videos on system functions in the online learning center.

If you do not have an account already established for your entity, please go to TMLIRP’s online learning page to request access to the training platform. An entity should assign a training administrator to serve as the contact for the online learning center. Requests for training access will be granted once your account has been verified, usually within 24 to 48 hours. A

LocalGovU Customer Success representative will reach out to connect once your account has been verified.

Link to TMLIRP online learning page: <http://bit.ly/TMLIRPOnlineLearning>

Texas Municipal League Intergovernmental Risk Pool
Loss Prevention Department
1821 Rutherford Lane, First Floor
Austin, TX 78754
512-491-2300
800-537-6655 (in Texas only)
lossprevention@tmlirp.org

Do cities under 500,000 population have direct access to the \$139 billion Coronavirus Relief Fund created under the federal CARES Act?

Likely not, but we don't yet know for sure. Conventional wisdom has been that the CARES Act only allows state governments, along with local governments with populations exceeding 500,000 to receive direct funding from the Coronavirus Relief Fund. (Arguably, the state would provide additional funding to local governments under 500,000 population through its allocation.) That guidance is based on this definition of "local government" in the section of the Act pertaining to the Coronavirus Relief Fund:

"The term 'unit of local government' means a county, municipality, town, township, village parish, borough, or other unit of general government below the state level with a population that exceeds 500,000."

The National League of Cities has raised an alternative interpretation in a [letter](#) to the U.S. Department of Treasury premised on a doctrine of statutory interpretation called the "rule of the last antecedent." Essentially what NLC contends under this interpretation is that the 500,000 population requirement applies only to an "other unit of general government below the state level" and not to a "county, municipality, town, township, village, parish, [or] borough."

NLC has requested interpretive advice from the Department of Treasury on this question, and TML will provide updates on any such guidance as it become available.

Is a state government permitted to grant revenue received by the state from the Coronavirus Relief Fund to local governments under 500,000 population?

If local governments under 500,000 population cannot receive direct access to federal funds under the CARES Act, a reasonable interpretation of the new law would likely permit a state government to use revenues it receives under the Coronavirus Relief Fund to further fund these local governments. However, one possible interpretation of the Coronavirus Relief Fund language in the CARES Act indicates that funding received by the state may only be used to cover expenditures made by the state.

In the same letter linked in the question above, the National League of Cities has sought interpretive advice from the Department of Treasury on this language. NLC argues in its letter why the Congress likely did not intend to deny funding to local governments under a certain population threshold, as residents of those communities are equally as susceptible to the coronavirus as residents of large urban areas.

4/1/2020

How can we help the National League of Cities with its Coronavirus efforts on behalf of cities?

The National League of Cities (NLC) is working to obtain funding for all cities, regardless of size. To effectively do that, they need data on municipal budgets.

NLC, along with the U.S. Conference of Mayors, has prepared a very short, easy-to-complete [survey](#) to ascertain how much revenue cities expect to lose, both short- and long term. Please complete the survey by Friday, April 3. Results will be analyzed and shared.

What more can be done to ensure that cities under 500,000 population receive direct federal funding to respond to local challenges created by COVID-19?

While the Department of Treasury weighs [city arguments](#) in favor of allowing cities under 500,000 in population to directly access funding under the Coronavirus Relief Fund created by the CARES Act, NLC is encouraging cities nationwide to urge their congressional delegation to sign onto a letter to House Speaker Nancy Pelosi arguing that federal funding of these cities should be a priority in any future federal relief package. The form letter can be found [here](#).

4/3/2020

May a city use an electronic signature for the mayor to sign or the city secretary to attest an ordinance?

Yes. The Uniform Electronic Transaction Act (UETA), Business and Commerce Code, Chapter 322, is the Texas law that governs the use of electronic signatures. Business and Commerce Code § 322.007(d) provides, “If a law requires a signature, an electronic signature satisfies the law.”

Texas law requires the mayor to sign ordinances that he or she approves. Tex. Loc. Gov’t Code § 52.003(a). Texas law also requires the city secretary to attest ordinances in the code of ordinances. Id. § 52.006. Because Texas law requires it, a mayor or city secretary may use an electronic signature on ordinances.

What is an electronic signature?

Texas law defines an “electronic signature” as “an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to

sign the record.” Tex. Bus. & Com. Code § 322.002(8). More information on electronic signatures is available in [this legal Q&A](#).

What should city officials consider when deciding whether or not to use an electronic signature?

City officials should decide whether to use an electronic signature and the type of electronic signature based on: (1) the risk of the transaction; (2) the effectiveness of the electronic signature method to be used; and (3) the cost of available alternatives like a user ID and password versus a biometric or encryption-based signature method. When analyzing the risk of the transaction, cities should evaluate the need for information at a later point, the value of the transaction, the relationship between the parties, and the risk of intrusion.

Additionally, cities should maintain documents with electronic signatures in a secure manner that protects the documents from destruction or unauthorized alteration. Along those lines, cities should adopt a written policy for the creation, use, management, and preservation of records that contain electronic signatures. City staff should be trained in the implementation of the written policy.

Should a city adopt an ordinance or policy to use electronic signatures?

While it is not legally required to have a policy in place for a mayor to sign ordinances, it is a good idea. A city will want to consider which city officials are authorized to use electronic signatures, the means for electronically signing documents, and the types of documents on which a city can use electronic signatures.

In order to authenticate a written electronic communication with an electronic signature transmitted to or from a city, a city must adopt rules. Tex. Gov’t Code § 2054.060(b). In adopting those rules, the council should consider the Department of Information Resources’ rules and shall make the city’s rules consistent with DIR’s rules. Id. DIR’s rules are in [Title 1, Chapter 213 of the Texas Administrative Code](#).

City officials should consult with their city attorney in drafting any ordinance or policy regarding electronic signatures.

What types of programs work for electronic signatures?

Several different technologies, such as Personal Identification Number (PIN), digital signatures, smart cards, and biometrics can be used as electronic signatures. DIR keeps a [list](#) of Digital Signatures and Public Key Infrastructure (PKI) Approved Service Providers for use by state agencies.

Adobe Acrobat allows for the creation of a signature in the program and for an individual to electronically sign documents. Examples of electronic signature platforms that are password protected are DocuSign, SignRequest, PandaDoc, and SignNow. Platforms for biometric

identifiers include Veridium and Cursor Insight. The amount of security needed for the particular document is a consideration for which platform to use.

4/6/2020

Has anyone developed simplified guidance on the process for seeking FEMA reimbursement for Coronavirus expenses?

Yes, the law firm of Bickerstaff Heath Delgado Acosta prepared a [memo](#) outlining the process. The memo provides an excellent summary of the FEMA reimbursement process.

Has the federal government released funding information for any of the city-related programs funded by the CARES Act?

Yes. Several federal agencies have released CARES Act allocations for certain programs. These include the following city-related programs:

-The Federal Transit Administration apportionments for the \$25 billion of transit funding can be found [here](#). Included are the exact amounts allocated to Texas cities over 50,000 in population as part of the urbanized area apportionments. The information also shows Texas receiving over \$143 million in rural area apportionment.

-Local governments that were eligible for Edward Byrne Memorial Justice Assistance Grants in fiscal year 2019 are also eligible for funding under the Coronavirus Emergency Supplemental Funding program solicitation. The listing of Texas jurisdictions eligible for this funding can be found [here](#). More information about the program and application requirements can be found in this U.S. Department of Justice [guidance](#).

-Funding allocations for the additional amounts dedicated under the CARES Act to the Community Development Block Grant program and homelessness assistance grants available through the Emergency Solutions Grant program can be found [here](#).

Has the New York Conference of Mayors (NYCOM) reached out to state municipal leagues for assistance in fighting the Coronavirus?

Yes, NYCOM sent the following request this morning:

As you know, New York City is the epicenter of the COVID-19 crisis. They have an urgent need for personnel, ventilators, and PPE and are asking for our help to spread the word on how fellow local governments, states, and individuals from across the country can support New York City.

Please widely share this information on how to help New York City.

Visit [HelpNowNYC](#) to donate or volunteer and [COVID Suppliers](#) for companies looking to sell medical supplies (e.g., gowns, masks, ventilators, face shields).

Thank you for considering this request. I certainly understand that for some of you, medical supplies in your states/municipalities are in very limited supply right now, and you may not be able to even consider this request. Either way, thanks to all of you for your efforts to support

your local governments in the fight against this borderless killer. And rest assured, New York City and all of New York will be there for your municipalities and state in their time of need.

Peter A. Baynes
NYCOM Executive Director

4/7/2020

Has anyone developed simplified guidance for cities on the process for seeking FEMA reimbursement for Coronavirus expenses?

Yes, the law firm of Bickerstaff Heath Delgado Acosta prepared a [memo](#) outlining the process. The memo provides an excellent summary of the FEMA reimbursement process.

Have the credit hour requirements for the Texas Municipal League Institute (TMLI) certification been modified in light of the Coronavirus?

Yes, TML and the Texas Association of Mayors, Councilmembers and Commissioners have adjusted the elected officials' certification requirements for the 2020 TMLI award year in light of the current meeting restrictions aimed at slowing the spread of COVID-19. The maximum credit for recorded training has been increased from 14 CEUs to 28 CEUs for any online or recorded training that complies with TMLI standards. The Certified Municipal Official (CMO) designation will be awarded to any elected city official who reaches 54 CEUs (instead of 72 CEUs). Two hours of open government training is still required to receive the CMO designation.

4/8/2020

Does Congress plan additional stimulus measures for local governments, businesses, and taxpayers?

Yes. Congress is contemplating a fourth stimulus package, which would follow the passage of the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

You may recall that the Coronavirus Relief Fund, authorized under the CARES Act, does not address the increases in spending, or shortfall in revenues, faced by a majority of cities (including those with a population of 500,000 or less). The CARES Act provides funds directly to units of local government with a population that exceeds 500,000.

Yesterday, Congressman Joe Nuguse (D-Colorado) introduced the Coronavirus Community Relief Act to provide a separate \$250 billion stand-alone fund for COVID-19 related costs for communities with fewer than 500,000 residents.

We encourage you to contact [your member of Congress](#) to show your appreciation for their leadership on the CARES Act and encourage the passage of the Coronavirus Community Relief Act. We specifically ask that you encourage your Congressperson to support the following:

-A stabilization fund for ALL cities and towns. All cities across Texas, regardless of population, must have direct access to stabilization funds for local budget relief. If a population threshold is unavoidable, local governments must be permitted to apply jointly to meet that threshold.

-A fix for the unfunded mandate in the Families First Coronavirus Response Act (FFCRA), that prevents governmental employers from receiving federal tax credits to offset the cost of providing additional paid emergency leave. Most employers will be fully reimbursed for complying with FFCRA requirements. However, this is not the case for local governments. Sections 7001(e)(4) and 7003(e)(4) prohibit local governments from receiving the tax credits that most other employers, whether non-profit or for-profit, get. Therefore, the cost of this additional leave will be fully borne by local governments despite the additional budgetary challenges already present as a result of COVID-19.

What additional COVID-19 resources are available from the National League of Cities?

NLC has prepared the following:

-A COVID-19 Response Resources for Local Leaders [web page](#) and a state league COVID-19 resource [web page](#)

-A webinar on Thursday, April 9, at 1:00 p.m. (CDT) called [COVID-19: How to Support People Experiencing Unsheltered Homelessness](#)

-Prepared “CitiesSpeak” blogs on various issues, such as:
[Moving City Council Meetings Online in Response to COVID-19](#)
[How to Identify Your Community's Essential Workers in Local Quarantine Orders](#)
[Seeking FEMA Assistance to the COVID-19 Pandemic](#)
[What's the Difference Between Shelter in Place, Safer at Home, and Stay Home Orders?](#)
[The Deal is Done: How Much Can Cities Expect from the 3rd Coronavirus Package?](#)

4/9/2020

Are there reputable firms or organizations that are helping Texas cities procure reasonably-priced Personal Protective Equipment (PPE)?

Yes, the League is aware of these [organizations or companies](#) that are successfully (based on at least one positive member city reference) procuring PPE at this time.

How can we encourage Congress to allocate more stimulus funds to all local governments?

Congress is contemplating a fourth stimulus package, which would follow the passage of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The CARES Act provides funds directly to units of local government with a population that exceeds 500,000.

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4/10/2020

Has the Centers for Disease Control issued guidance on critical infrastructure employees who may have had exposure to COVID-19?

The CDC has issued interim [guidance](#) for implementing safety practices for critical infrastructure employees who may have had exposure to a person with suspected or confirmed COVID-19. To ensure continuity of operations of essential functions, the CDC advises that critical infrastructure workers may be permitted to continue work following potential exposure to COVID-19, provided they remain asymptomatic and additional precautions are implemented to protect them and the community. The guidance applies to, among others, federal, state, and local law enforcement, 911 call center employees, Fusion Center employees, hazardous material responders from government and the private sector, janitorial staff and other custodial staff, and workers – including contracted vendors – in food and agriculture, critical manufacturing, informational technology, transportation, energy, and government facilities.

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We encourage you to contact [your member of Congress](#) to show your appreciation for their leadership on the CARES Act and to encourage the passage of the Coronavirus Community Relief Act.

4/13/2020

What can *mayors* do right now to support congressional efforts for additional federal funding to all Texas cities during COVID-19?

Include your signature on the [letter](#) addressed to our Texas congressional delegation urging Congress to provide direct and flexible financial assistance to Texas cities. Please email your name, city, and electronic signature to jj@tml.org by 9:00 a.m. tomorrow morning (Tuesday, April 14) to be included.

4/15/2020

Has the governor's office made some stimulus money available to all cities?

Yes. The governor's office posted the following press release this afternoon (April 15). Please see the next question and answer for additional information about the funding.

“Governor Greg Abbott today announced that his [Public Safety Office](#) (PSO) will provide \$38 million in federal funds to local units of government in Texas. These funds come from the Coronavirus Emergency Supplemental Funding Program authorized by the federal Emergency Appropriations for Coronavirus Health Response and Agency Operations Act.

Cities may use this funding to prevent, prepare for, and respond to the coronavirus. Allowable projects and purchases include, but are not limited to, overtime, equipment, supplies, training, travel expenses, and addressing the medical needs of inmates in local and tribal jails and detention centers.

‘These funds will help our local governments respond to COVID-19 and provide the resources that our communities need,’ said Governor Abbott. ‘I am grateful to our federal partners for making this crucial financial support available to the state of Texas.’

Examples of allowable costs include:

- Personnel Overtime (Peace Officer, Jailer, Correctional Officer, Medical, and other Essential Staff)
- Personal Protective Equipment (PPE)
- Supplies (i.e. gloves, masks, sanitizer, disinfectant)
- Temporary Staff
- Medical care for inmates who have tested positive for COVID-19
- Any other costs associated with the implementation of the Centers for Disease Control and Prevention (CDC) [COVID-19 Guidance documents](#), specifically:

1. [Interim Guidance on Management of Coronavirus Disease 2019 \(COVID-19\) in Correctional and Detention Facilities](#)
2. [What Law Enforcement Personnel Need to Know about Coronavirus Disease 2019 \(COVID-19\)](#)

3. [Interim Guidance for Emergency Medical Services \(EMS\) Systems and 911 Public Safety Answering Points \(PSAPs\) for COVID-19 in the United States](#)
4. [Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 \(COVID-19\)](#)

Interested jurisdictions may access the Public Safety Office's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding.”

Where do the funds mentioned in the press release come from and will my city get a portion of them?

The \$38 million is a component of the CARES Act. It consists of funds [allocated by the U.S. Department of Justice's Office of Justice Programs](#). Another \$24 million is allocated directly by the federal government to certain cities. The direct allocation is for cities that are eligible for a direct award from the U.S. Department of Justice, Bureau of Justice Assistance (BJA), and those cities should first seek funds directly through BJA. The list of local allocations for direct BJA awards to Texas jurisdictions can be found [here](#), and the federal solicitation is available [here](#). Applications are due to BJA by May 29, 2020.

The [remaining \\$42 million](#) (of which the governor has made \$38 million available to local governments) appears to be available for all cities on a competitive basis. Cities should apply for those funds using the eGrants [grant management website](#). The governor's office has prepared detailed information on the program. To access that information, go to <https://egrants.gov.texas.gov/fundopp.aspx> and click on the announcement for the “Coronavirus Emergency Supplemental Funding (CESF) Program.”

What can I do as a mayor (or any other city official) if I missed the deadline to sign on to the letter to the Texas congressional delegation asking for additional direct funding for cities?

If you did not have a chance to submit your name to be included in the [letter](#) to the Texas congressional delegation, we urge you to visit with your congressional office to offer your support for “Phase 4 funding” to all Texas cities. If you are unsure of who represents you in Washington, D.C., or need additional guidance, please contact Monty Wynn with TML's legislative department at monty@tml.org.

Does the federal CARES Act stimulus bill provide funds for municipal airports?

Yes, the Federal Aviation Administration has a [web page](#) detailing airport grants pursuant to the CARES Act. The site [contains a list](#) of eligible Texas airports and their grant amounts.

Is direct FEMA grant funding available for paid and volunteer fire departments?

Yes. The [Staffing for Adequate Fire & Emergency Response \(SAFER\) Grants](#) were created to provide funding directly to fire departments and volunteer firefighter interest organizations to help them increase or maintain the number of trained, "front line" firefighters available in their

communities. The goal of SAFER grants is to enhance the local fire departments' ability to comply with staffing, response, and operational standards established by the National Fire Protection Association. The SAFER grants are awarded on a competitive basis, and the application period is open until May 15, 2020.

My city received a direct deposit or check marked “U.S. HHS Stimulus.” Where did it come from, how do we accept it, and what can it be spent on?

The federal CARES Act provides [\\$100 billion in relief funds](#) to hospitals and “other healthcare providers” (including some ambulance providers) on the front lines of the coronavirus response. The funding will be used to support healthcare-related expenses or lost revenue attributable to COVID-19. The Act provides an immediate infusion of \$30 billion into the healthcare system that is being distributed immediately – with payments arriving via direct deposit beginning April 10, 2020 – to eligible providers throughout the American healthcare system. These are payments, not loans, to healthcare providers. They will not need to be repaid. All facilities and providers that received Medicare fee-for-service (FFS) reimbursements in 2019 are eligible for this initial rapid distribution. Cities that receive the money must accept the [terms and conditions](#) within 30 days.

4/17/2020

Has the U.S. Department of Homeland Security updated its essential business guidance?

Yes. The Cybersecurity and Infrastructure Security Agency (CISA) has released [Version 3.0 of the Essential Critical Infrastructure Workers list](#). Version 3.0 provides clarity around a range of positions needed to support the critical infrastructure functions laid out in the original guidance.

According to CISA:

“This iteration includes a reorganization of the section around Healthcare and Public Health and more detail to clarify essential workers; emphasis for Emergency Medical Services workers; and adds lawyers and legal aid workers.

Also included is language focused on sustained access and freedom of movement; a reference to the CDC guidance on safety for critical infrastructure workers; and a statement saying sick employees should avoid the workplace and the workforce.

In worker categories, all references to “employees” or “contractors” have been changed to “workers.” Other additions include a reference to the USCG Marine Safety Information Bulletin on essential maritime workers; clarified language including vehicle manufacture; and many other small changes to clarify language.

CISA issued initial guidance on Essential Critical Infrastructure Workers on March 19, which was developed to help state, local, tribal, and territorial authorities as they decide who to allow freedom of movement in areas that are under restrictions such as shelter-in-place or quarantine. That initial guidance was developed with input from our government and industry partners, on

the assumption that we would need to update the guidance as we received additional feedback from stakeholders.

The Guide continues to be a resource for state and local decision makers and is in no way a binding document. Ultimately, all final decisions rest with state and local authorities, who must use their own judgment to balance public health and safety with the need to maintain critical infrastructure.

The degree to which state and local orders have leveraged our guidance when defining essential workers is encouraging. A common national picture will ultimately benefit us all. We hope this updated Guide helps as your communities grapple with the impacts of COVID-19. Please direct any questions to CISA.CAT@cisa.dhs.gov.”

In addition, the Texas Department of Emergency Management has a [web page](#) where businesses can inquire of the Texas attorney general as to whether they are essential.

We have a state correctional facility in or near our city. What precautions are being taken by TDCJ?

Over 100 cities have [state prisons](#) in or near them. City officials want to be sure that appropriate control measures are being enforced at the prison to ensure that guards and civilian workers don't spread COVID-19 beyond prison facilities. According to the Texas Department of Criminal Justice, the agency has taken numerous precautions to mitigate the spread of the virus within its system, including equipping staff with PPE, distributing 246,000 cloth masks to inmates and employees, and following CDC guidelines that are specific to correctional facilities. The TDCJ is communicating daily with state lawmakers and local officials, and more information is available at www.tdcj.texas.gov. City officials with questions can contact Jason Clark, TDCJ Chief of Staff, at Jason.Clark@tdcj.texas.gov.

4/21/2020

Are there any university programs open to small, rural cities to help rebuild local economies?

Yes. The IC2 Institute is a “think-and-do-tank” at The University of Texas at Austin. IC2 formed the Regional Economic Recovery Team to help small, rural cities develop economic recovery plans. This work will begin this summer and continue throughout the year. To learn more about the institute and the recovery team, visit the [IC2 Institute website](#). If you are interested in getting more information about how your city can participate in the program, email info@ic2.utexas.edu.

4/29/2020

Whose role is it to interpret the governor's order? Should TML or city attorneys be advising on whether particular businesses or activities are essential, prohibited, or allowed?

It depends. The League’s legal staff has received dozens and dozens of emails and phone calls related to the application of [Executive Order GA-18](#) to particular businesses and fact situations. As we prepared responses to those inquiries, it became very clear, very quickly that doing so – beyond consulting with a city’s attorney – may not make sense.

We have our reasoned legal opinions about how to interpret the order, but reasonable attorneys can easily differ on theirs. We’ve included as much analysis as we think prudent in these daily email updates, issued on the heels of each of the governor’s orders.

In addition, TML legal staff can’t know the “situation on the ground” in any particular city. Some mayors and councils may want to be more aggressive in enforcement, while others may wish to hold back. We have even seen internal disputes regarding these issues. We never want to be in a position to be issuing information that may conflict with a city’s attorney.

Moreover, the League’s legal staff doesn’t directly represent your city, and we also can’t provide legal advice to private business owners seeking opinions. That can be an issue for a city attorney as well. The city attorney’s client is the city. Thus, he or she can advise the city about enforcement of state and local orders, but can run into ethical issues by advising a private person or business owner about his or her legal rights.

What does all of the above mean in terms of how the League’s attorneys assist you? We are in no way abandoning you or the support we provide; we are still here to do that with general legal inquiries, whether related to the COVID-19 emergency or not. To that end, please continue to ask your questions by calling 512-231-7400 and choosing option 2 or emailing legalinfo@tml.org. We will always be here to answer questions that don’t involve making a specific determination about which businesses or activities are subject to the governor’s orders.

What about those determinations? We will defer to your city’s attorney, and he or she can continue to consult with us on how to make them.

Other avenues for assistance about the application of the governor’s orders to a particular situation are as follows:

-Pursuant to a new state law passed in 2019, mayors and designated emergency managers with questions about the COVID-19 emergency or how the governor’s order applies to any particular situation can [seek legal advice from the attorney general’s office](#). If you take this route, please share the answer with us at gencounsel@tml.org.

-A business that is seeking to determine whether it is classified as essential can do so [through the Texas Division of Emergency Management](#). If you receive one of these determinations from a local business, please share it as well.

-Another possibility is to contact the governor’s office directly. To that end, another route might be his office’s basic contact methods, which are [listed on his web site](#).

Thank you for allowing us to serve you during this crisis. Questions or comments can be directed to Scott Houston, TML general counsel, at 512-231-7464 or gencounsel@tml.org.

5/1/2020

Has anyone compiled programs related to assisting Texans as they comply with the stay at home order, especially as it relates to housing assistance?

Yes, the University of Texas has [prepared a web page](#) to track policies adopted by the federal government, State of Texas, and local jurisdictions to help Texas residents stay in their homes during the pandemic and accompanying financial crisis. This site will also include policy best practices and opportunities to increase Texans' housing stability.

Is there new guidance related to federal loan programs for small businesses?

Yes. Yesterday (April 30), the Federal Reserve Board announced the expansion of the Main Street Lending Program. The Main Street Lending Program is designed to support small and medium-sized businesses that were in sound financial condition before the COVID-19 pandemic. After receiving public feedback, the Federal Reserve expanded the loan options available to businesses and increased the maximum size of businesses that are eligible for support. Now, businesses with up to 15,000 employees or \$5 billion in annual revenue are eligible for loans under the program. Additionally, the minimum loan size for certain loans was lowered to \$500,000.

City officials are encouraged to pass along information related to the Main Street Lending Program to their local business leaders. The Federal Reserve's [press release](#) contains links to guidance and frequently asked questions.

Is the attorney general's office offering assistance with disseminative information about price-gouging during the pandemic?

Yes, the attorney general's office has created a [COVID-19 consumer issues page](#). The page contains helpful information about scams, price gouging, and how to report one of those.

5/4/2020

Has the National League of Cities provided new national updates?

Yes, last Friday (May 1), NLC provided the following updates reprinted here verbatim:

-Five Senators Send Letter to Trump Calling for Rejection of State Bailouts

Yesterday, five senators sent a letter to President Donald Trump asking the Administration to ensure any money to states and local governments is not used as a blank check.

Future coronavirus response measure should not be "used as a piggybank for unrelated expenses that have nothing to do with responding to the Coronavirus," wrote Senators Rick Scott of

Florida, **Ted Cruz of Texas**, Mike Lee of Utah, Mike Enzi of Wyoming, and Ron Johnson of Wisconsin. "Americans expect that their tax dollars will be used for Coronavirus response, not to backfill decades of bad fiscal policy. As we continue to work to help families across the nation, we respectfully ask that you to oppose bailouts for states."

NLC is working hard to counter this narrative that states and local governments would be receiving a "bailout" if they receive additional fiscal help.

-Republican House Members Send Letter to Trump

GOP House members from districts with smaller cities, towns, and villages are beginning to feel the pressure of being left out of the CARES Act's Coronavirus Relief Fund. A letter sent on Friday by [19 House](#) Republicans to President Donald Trump asked for fixing the definition on the CARES Act of units of local government.

In the letter, the 19 GOP members write that the statutory definition of a local government should be changed "to protect our counties, cities, and municipalities with fewer than 500,000 residents and incorporate retroactive relief to assist these struggling smaller communities offset unforeseen COVID-19 related expenses."

This represents a breakthrough as rank-and-file Republicans begin to understand and advocate for direct funding for their communities as well as for offsetting "unforeseen COVID-19 related expenses."

-Rep. Bacon of Nebraska Introduces Bill to Alter CARES Act's Use of Funds

Another crack appeared today in the Republican wall on state and local government funding. Rep. Don Bacon (R – Nebraska) introduced a bill to modify the CARES Act. The bill, the FLEX Act (HR 6652), would allow states, tribal governments, and local governments to access funds provided under the CARES Act to offset lost tax revenues caused by the loss of taxes and other sources of revenue. The FLEX Act would also allow for local governments with a population of less than 500,000 residents to have access to these funds to address revenue shortfalls. Finally, the FLEX Act covers the period of revenue shortfalls from March 1, 2020 to December 30, 2020. The League of Nebraska Municipalities worked to develop this bill with Rep. Bacon's office.

The bill had five Republicans and seven Democrats join as original cosponsors, making this a bipartisan piece of legislation. A bipartisan bill will help remove the rhetoric that this is a Democrat or Republican issue.

5/7/2020

Have universities developed COVID-19 resources?

Yes. The Kinder Institute for Urban Research at Rice University has several COVID-19 resources for cities, including the information contained in this [message](#):

“When the COVID-19 crisis hit everyone hard in March, the Kinder Institute and Houston Education Research Consortium began to pivot toward COVID-19 work and its impact on Houston. We’ve already had a significant impact. Our efforts include the following: a new [“COVID-19 and Cities”](#) blog series, an [infographic](#) highlighting the estimated number of lives saved by Harris County’s “Stay Home, Work Safe” order, and collaborations to help roll out the Gulf Coast [COVID-19 Registry](#) and the [Gulf Coast Community Impact Survey](#). We’re not quite sure where COVID-19 is taking Houston and other cities. But one thing is for sure — the Kinder Institute will be there with you wherever this ride goes.”

5/8/2020

What message did mayors across Texas send to Governor Abbott related to virus-related funding, and what can I do to continue to advocate on behalf of my city?

Over 130 mayors from across Texas sent a [letter](#) to Governor Abbott this week urging him to establish guidelines for their use of federal funds to combat the effects of COVID-19. We thank all of you who took the time to submit your signature, and we urge you to continue to talking to those who represent you both in Austin and in Washington, D.C.

We’ll continue to update you with other opportunities to have your voices heard.

What is NLC doing to help cities advocate in Congress?

NLC has launched the [Cities Are Essential](#) campaign, a grassroots advocacy campaign to ensure cities, towns, and villages are included in the next relief package. NLC intends to be bold and direct about the urgent need for direct federal support and the consequences the American economy will suffer without it. Our ask is simple: \$500 billion in federal aid over the next two years to help municipalities and counties, regardless of size, respond to and recover from COVID-19.

5/11/2020

What is NLC doing to help cities advocate in Congress and how can we help?

NLC has launched the [Cities Are Essential](#) campaign, a grassroots advocacy campaign to ensure cities, towns, and villages are included in the next relief package. NLC intends to be bold and direct about the urgent need for direct federal support and the consequences the American economy will suffer without it. Our ask is simple: \$500 billion in federal aid over the next two years to help municipalities and counties, regardless of size, respond to and recover from COVID-19.

NLC has asked state leagues to ask city officials to [share their COVID-19 stories](#) so they can use them in their communications and federal advocacy work.

In addition, NLC has prepared [tweets and letters](#) to members of Congress, along with [infographics and sample letters to the editor](#) for your use.

NLC is anticipating the House to unveil their new plan tomorrow with \$850 billion in funding for cities, towns, villages, and counties. To help convince senators, they are asking city officials who advocate to focus on the overall economic impact to the community, such as how lack of funding could affect the sanitation in your city, the tourist industry, etc.

5/12/2020

I'm worn out trying to read all the virus-related information coming at me every day. Is there another way to learn what I need to know?

Yes, you're in luck! On May 21, from 2:00 - 3:30 p.m., the League will host the [Coronavirus \(COVID-19\) Update Webinar: What You Need to Know](#). The webinar is free to TML member cities. Advance registration is required. We began email updates regarding COVID-19 over two months ago. From the beginning, League staff has pushed out important information and analysis through our written daily updates. In fact, those archived updates total over 150 pages of information. We know how hard it is to digest all the incoming information, from the League and others. Because of that, we are offering our city officials this complimentary webinar update, which will cover the key issues you need to know to serve your city. You'll also have the opportunity to ask questions after the update.

Do you have an update regarding the state's response to the spread of COVID-19 throughout the state's prison population?

Yes. The Texas Department of Criminal Justice issued the following press release today (May 12):

“Testing is one key to stopping the spread of COVID-19. Thanks to Texas Governor Greg Abbott and with the help of the Texas Department of Emergency Management, the Texas Department of Criminal Justice (TDCJ) this week is beginning a new expanded testing program.

The agency continues to be agile in its response to the pandemic.

The state has acquired and is deploying tens of thousands of COVID-19 oral fluid tests manufactured by Curative, Incorporated. The tests were given approval in April by the U.S. Food and Drug Administration emergency use authorization and will be administered at TDCJ prison units across Texas. These tests are designed to be self-administered by the person being tested.

‘These tests are readily available and deployable,’ said Bryan Collier TDCJ Executive Director. ‘Increasing the information available to our medical professionals will help us to further enhance the agency’s ability of stop the spread of COVID-19.’

The new tests are being utilized by the United States Air Force. Clinical studies suggest Curative’s oral fluid test has equivalent sensitivity to nasopharyngeal swab tests that require a nurse. Curative has also deployed its oral test kit at drive-thru and other centers in Los Angeles, testing more than 57,000 people at a rate now grown to approximately 5,000 per day.

The agency has 12 strike teams who are being trained to begin testing this week.

Jeremy Desel
Director, Communications
Texas Department of Criminal Justice
(O) 936-437-6052
Jeremy.desel@tdcj.texas.gov”

City officials with a prison unit in or near their city may wish to reach out to TDCJ for more information.

5/13/2020

How can we apply what we’ve learned from COVID-19 to make our cities and state more resilient?

As state leaders begin to restart the Texas economy, policy experts from the [Lyndon B. Johnson School of Public Affairs](#) at the University of Texas at Austin and the [Hobby School of Public Affairs](#) at the University of Houston have issued a nine-point playbook for rebuilding a more equitable and inclusive future Texas.

The report, “[A Playbook for Resiliency: Creating Opportunity for All Texans](#),” co-authored by [Kirk Watson](#), founding dean of the Hobby School of Public Affairs, and [Steven Pedigo](#), professor of practice and director of the LBJ School’s Urban Lab, calls for state and local leaders to evaluate past policies and unequal growth and subscribe to a new set of principles to reshape the state’s future resiliency.

5/15/2020

What has the Texas District and County Attorneys Association written about enforcement of the governor’s executive orders?

The [Texas District & County Attorneys Association](#) (TDCAA), a non-profit organization dedicated to serving Texas prosecutors and their staff as well as attorneys in government representation, provides regular COVID-19 updates to state prosecutors. City officials may be interested in this [update from May 7](#):

“We have gone on record several times over the past two months – such as [here](#) and [here](#) and [here](#) and...well, you get the idea – to recommend that criminal enforcement of these orders should be a last option, but this latest cause célèbre [the Dallas salon owner debacle] should effectively put an end to any further debate over the wisdom of that option. As it’s been pointed out before, if the governor is going to keep changing the tune he plays as he leads the state out of this pandemic, there is little incentive to put your own necks on the line to enforce an order that could be invalidated the next day. If you do that, you may simply be making someone else’s problem your problem, and that rarely ends well for the one at the bottom of the marionette’s

strings. But as always, the ultimate decision is up to you—after all, that’s why you ran for this job, right? LOL”

TDCAA also includes “quotes of the week” in its updates. These seemed particularly apropos:

“We’ve got an entire legal system that was developed to deal with a world that doesn’t exist anymore.”

-Lawyer quoted in Dallas Morning News regarding [re-opening during a pandemic](#).

“These are Colosseum rules, where the fate of the gladiators is determined not by law but by the roar of the crowd. Sometimes the partisans yell for the lions, sometimes for the hairstylists. You don’t know what’s going to happen until you’re in the ring.”

-Ross Ramsey, executive editor of *The Texas Tribune*, in a recent [commentary](#).

What has the lieutenant governor said about large-scale sporting events?

He penned an op-ed for the Dallas Morning News today (May 15) titled “[It’s time to play sports again with fans in the stands](#).”

5/20/2020

Will there be a TML Coronavirus Update tomorrow (May 21)?

No, the TML legal and legislative staff will be presenting tomorrow afternoon at the League’s “Coronavirus (COVID-19) Webinar: What You Need to Know.” The webinar is sold out due to technical limitations with 500 registrants. Absent any technical issues, the webinar will be recorded and made available at no charge. We’ll miss you, but don’t worry! We’ll be back on Friday, and then back on Tuesday after Memorial Day!

5/22/2020

Will there be a TML Coronavirus Update on Monday (May 25)?

No, we all need a break while we take time to commemorate all those who have sacrificed for our country. We’ll be back on the Tuesday after Memorial Day!

I missed the League’s “Coronavirus (COVID-19) Update Webinar: What You Need to Know.” Is the recording archived?

Yes, the webinar was recorded and is now available at no charge on the League’s [Coronavirus web page](#) under the “TML Resources” heading. The questions asked by attendees, along with the answers, are listed below under “Further Updates.”

I attended the League’s Coronavirus (COVID-19) Update Webinar. What questions were asked and answered?

Thanks for attending and for bearing with us through minor technical glitches. The questions and answers (reprinted verbatim below, so please excuse typos and grammatical errors) from the free webinar (which is available to [watch here](#)) are listed by category:

CRF Funding

Q: If you have a first responder who is an FTE (in the budget) and they spent all of their time on COVID-19 response, is their straight time eligible under the CARES Disaster Relief Fund?

A: As of right now, the federal CARES Act requires any expenditure of coronavirus relief fund revenue to be spent only to cover expenses that were not accounted for in a city’s most recently approved budget as of March 27, 2020. In other words, regardless of expenditure limitations in the state and federal guidelines referenced above, the revenue can go only towards unbudgeted expenses paid by the city due to the public health emergency in connection with COVID-19. TML and the National League of Cities, along with many individual cities, are lobbying for that and other restrictions to be removed in future federal legislation. Right now, Ds and Rs in Congress are at a stalemate. We will continue to work on the issue.

Q: Will there be any push by TML to ask the State to lift the 75% rule from the spending of CRF funds? Perhaps the mayors that collectively petitioned the governor for these funds could petition to remove the 75% rule?

A: Yes. The 75 percent rule is a state-imposed limitation on the use of CRF funds by cities in counties under 500,000 population: “The sub recipient agrees that a minimum of 75% of its allotment will be spent in the categories of medical expenses, public health expenses and payroll expenses for employees substantially dedicated to mitigating or responding to the public emergency. The remainder of the allotment may be spent in any of the categories provided within the Treasury guidance.” We actually shared that request with the governor’s office today. We will continue to work on it. Contacting your local legislators to make that request on your behalf as well, with concrete examples, will also help.

Q: In regards to the CRF funding, are only cities/counties under 500,000 required to spend 75% of the allotment on medical expenses, public health expenses and payroll expenses for employees substantially dedicated to mitigating or responding to the public emergency?

A: That's correct. But keep in mind that those cities are still bound by the Treasury Department guidance.

Q: Does the 75% refer to only that which is actually provided to the City (i.e., the 20% plus any additional funding requested) or does it apply to the entire \$55 per capita allocation.

A: You must confirm with your city attorney, but it appears that it's 75 percent of the amount you actually draw down: “The sub recipient agrees that a minimum of 75% of its allotment will be spent in the categories of medical expenses, public health expenses and payroll expenses for employees substantially dedicated to mitigating or responding to the public emergency. The remainder of the allotment may be spent in any of the categories provided within the Treasury guidance.”

Governor's Orders:

Q: We have a super event (East Texas Jamboree) on the calendar for mid-October. Currently, the city has no plans to cancel this event. Does the current governor's order prohibit such an event? More than likely we will defer to the governor's office.

A: As of right now, there's no exception for a gathering like that. Under GA-23, start with social distancing and then look for an exception. That being said, the governor may have removed restrictions by then. We'll just have to wait and see what he decides.

Q: Executive order GA-24 just issued. Does it remove travel restrictions?

A: Yes, it removes quarantine requirements for those traveling to Texas from certain places out of state. But that is completely separate from the social distancing requirement in GA-23, with its exceptions for covered services or safe daily activities.

State Guidance:

Q: Where can a mayor or business owner seek guidance from the state related to the virus?

A: A mayor can seek disaster-related advice from the attorney general's office by emailing disaster-counsel@oag.state.tx.us, a business owner can seek a determination as to whether the business is a covered business by emailing essentialservices@tdem.texas.gov, and any city official can seek guidance on the Open Meetings Act by emailing TOMA@oag.texas.gov or calling 888.672.6787.

Open Meeting Act:

Q: For videoconference city council meetings, is it ok for council member's initials or photos to be displayed rather than having their faces visible on the video?

A: While that may technically comply with the governor's suspension letter, the AG's office has said it would be a "best practice" to allow the public to both see and hear the city council during the videoconference. That said, they readily acknowledge that Gov't Code 551.127 (f) and (h), which refer to the ability to both hear and see the meeting have been suspended. You should consult your city attorney and/or the attorney general's office (TOMA@oag.texas.gov or 888.672.6787) in making a final decision about this matter.

Q: In-person council meeting requires compliance with citizen comment requirement also, correct? What if it's a combination of in-person, but also zoom for public who does not want to show up at city hall?

A: In-person meetings must comply with all the regular open meeting requirements, including citizen comment. If someone wants to participate by videoconference, the meeting should comply with the videoconferencing requirements

Economic Development:

Q: Will Rule 3.334 from Comptroller impact whether Chapter 380 loans and grants can be used?

A: We've heard that the provisions related to internet sales, as well as the use of Chapter 380, will likely be included in the final rules adopted by the comptroller. But, again, it sounds like those changes will not be effective until October 1, 2021, putting the ball in the legislature's court in 2021 to address the issue.

Virus-Infection Rates:

Q: In regards to a County Health Department's disclosure to the public of the "number of cases only" to cities within the county, is there a population minimum in which the county can withhold this information to the public? For example, if a city has a population of less than 20,000 people, can the county health department refuse to tell the public the number of cases in that city?

A: There is no threshold like that in the statute. However, the language of Texas Health and Safety Code Section 81.046 is permissive, meaning it says "may be released." Medical or epidemiological information may be released for statistical purposes. I'd suggest working closely with the county to try to come to an agreement so the city knows if it needs to take any action. Unfortunately, there is no way to force them to release the information.

Parks Funding/Dedicated Taxes:

Q: The current pandemic has emphasized the importance of City parks. City parks create an excellent opportunity for citizens to practice social distancing. Our community has experienced major increases in use of our City parks by both residents and visitors. This is particularly evident in the use of our trails. Our concern is that, while more citizens are enjoying City parks, funding for City parks will likely be cut as our City (and likely many other cities) deal with major revenue reductions. So my question for you is that you are hearing from other cities on the possibility of changing state law to allow use of HOT funds as a major revenue source for parks funding?

A: Agreed that parks are a great resource. Both TML and a number of individual cities have requested that the governor suspend a number of statutes to allow revenue flexibility. We've not had success thus far. As with previous answers, it makes sense for mayors (and their legislative delegations) to continue to make those requests from the governor's office.

Remember, you can always seek assistance from the TML Legal Department by emailing legalinfo@tml.org or calling 512-231-7400 and choosing option 2.

5/26/2020

I missed the League's "Coronavirus (COVID-19) Update Webinar: What You Need to Know." Is the recording archived?

Yes, the webinar was recorded and is now available at no charge on the League's [Coronavirus web page](#) under the "TML Resources" heading.

5/27/2020

Here's a question for Texas mayors that will help us communicate city needs to state leaders. We've passed Memorial Day and are heading into summer. As a mayor, do you believe that Fourth of July celebrations (e.g., parades, fireworks shows, etc.) should be allowed with appropriate virus-prevention protocols?

This one is for *mayors only*: Please [click on this link](#), select yes or no, and enter any comments you might have.

What happened at the governor's press conference from Amarillo today (May 27)?

The governor joined Mayor Ginger Nelson from Amarillo to report on the response to the city being a "hotspot," largely due to meat packing plants and nursing homes. Mayor Nelson praised the governor, TDEM, and the federal government for responding to her call for help.

Remember that any mayor can email the governor's office at Local.input@gov.texas.gov with questions or concerns about the virus.

5/29/2020

On Wednesday, we surveyed whether mayors believe that Fourth of July celebrations (e.g., parades, fireworks shows, etc.) should be allowed with appropriate virus-prevention protocols. How did the survey go?

Ninety-five mayors responded (the League has 1,161 member cities), from cities with a population ranging from 192 - 118,000. Seventy-seven percent voted in favor of allowing Fourth of July celebrations, with appropriate virus-prevention protocols.

6/1/2020

Can a mayor still email the attorney general for legal guidance related to the COVID-19 emergency?

Yes. The email listed in prior TML updates is no longer valid. Please use the electronic submission form on the attorney general's [website](#) or email directly to disaster-counsel@oag.texas.gov. The web page provides the following:

"Disaster Counsel Legal Advice

Pursuant to Senate Bill 416 passed by the 86th Legislature, the Attorney General's Office may provide legal counsel to political subdivisions (cities and counties) subject to a declared state of disaster on issues related to disaster mitigation, preparedness, response, and recovery applicable to the area subject to the disaster declaration.

This form is not intended for general legal matters unrelated to a declared disaster.

Under Government Code § 418.193, the Attorney General’s Office may only provide legal counsel to certain designated officials. If you are not an official designated in the statute, the Attorney General’s Office is unable to provide you with legal counsel.”

6/4/2020

Has TML communicated to the governor the concerns of cities in counties under 500,000 regarding TDEM’s restriction on the uses of Coronavirus Relief Fund (CRF) funds?

Yes. Today (June 4), TML sent a [letter](#) to the governor asking that the state eliminate the so-called “75 percent limitation” on the use of CRF funds for those cities.

With regard to an application-based allotment from TDEM for cities in counties with less than 500,000 population, those cities must use the funds in accordance with the [guidance](#) from the Treasury Department. In addition, the point of the letter is that the state has placed further limitations in the [Coronavirus Relief Fund Terms and Conditions document](#), which contains the following statement regarding the use of grant money allocated from TDEM to cities:

“The subrecipient agrees that a minimum of 75% of its allotment will be spent in the categories of medical expenses, public health expenses and payroll expenses for employees substantially dedicated to mitigating or responding to the public emergency. The remainder of the allotment may be spent in any of the categories provided within the Treasury guidance.”

Every city is different and providing flexibility for the use of CRF funds would allow cities to better tailor recovery efforts to the unique challenges in each city.

6/8/2020

Are there any updates relating to the spread of COVID-19 in the state’s prison units?

Yes, according to a [June 5th article](#) in the [The Texas Tribune](#), “the U.S. 5th Circuit Court of Appeals tossed a lower court’s temporary ruling Friday that ordered Texas officials to enact a slew of policy changes at a geriatric prison, including providing inmates hand sanitizer and cloth face masks to slow the spread of coronavirus. The appeals judges noted that many of the district judge’s orders had already been met by the Texas Department of Criminal Justice.”

“The lawsuit claimed inmates were not adequately protected from the coronavirus at the Pack Unit near Navasota, where 166 inmates actively had the coronavirus on Thursday, according to data from TDCJ. At least five have died from the virus, a state’s attorney said during a hearing in front of the appeals court judges last week.”

The Texas attorney general issued a press release following the [decision](#), in which he said that he is “pleased the Fifth Circuit vacated the district court’s patently unlawful injunction and we look forward to prevailing in further proceedings in district court. . . The TDCJ has already gone above and beyond in its efforts to protect inmates from COVID-19, and prison officials need flexibility, not immovable requirements based on yesterday’s knowledge.”

What is the National League of Cities doing to help facilitate conversations with Congress relating to virus response?

NLC is hosting the “[Cities are Essential: Protecting and Growing America’s Economic Recovery](#)” webinar on June 11. According to NLC, local governments are on the front lines of our nation’s health, safety, and economic response to the coronavirus emergency. Communities need a strong local-federal partnership to stabilize local government operations, keep workers on the job, and maintain essential services to grow the economy.

Join a virtual Capitol Hill briefing on Thursday, June 11, to hear from federal leaders and local elected officials on how cities are the essential building blocks of a national economic recovery, as well as the big steps being taken by cities, towns and villages to restart local economies.

6/9/2020

What is NLC doing to gather information for Congress to support further virus relief legislation?

The National League of Cities has prepared a brief survey on the local impact of the coronavirus on cities to ensure Congress and the administration have the relevant financial information:

“Thank you for your continued leadership during these challenging times. We know that you have made difficult decisions in the wake of the novel coronavirus pandemic. As you continue to protect your community and prepare for reopening, TML is working diligently with the National League of Cities to secure direct federal assistance for cities, towns, and villages in the next stimulus package.

To ensure Congress and the Administration have the information they need about the local impacts of the crisis, please take a moment to complete a [brief survey](#) by June 15 focused on changes to the municipal workforce and service levels, in particular any layoffs, employee furloughs, and unexpected expenses.”

Has the governor made any recent announcements regarding COVID-19 testing availability?

Yes. Yesterday (June 8), the governor and TDEM announced “expanded testing in underserved communities disproportionately impacted by COVID-19:”

“Governor Greg Abbott today announced that the Texas Division of Emergency Management (TDEM) is coordinating with local officials, public health officials, and emergency management offices in cities across the state to identify and rapidly expand COVID-19 testing in underserved and minority communities that have been disproportionately impacted by the virus. This mission is part of TDEM's ongoing partnership with the Texas Military Department (TMD), the Texas

Emergency Medical Task Force (EMTF), and the Texas Department of State Health Services (DSHS) to mitigate the spread of COVID-19 and increase testing where needed.

TDEM is already working with local officials in the cities of Dallas, San Antonio, Houston, El Paso, Abilene, the Rio Grande Valley, the Coastal Bend, Laredo, and Midland-Odessa to identify and establish walk-up and drive-thru testing sites that will meet the needs of each community, and is in the process of working with other cities to bring more sites online in the coming days. TDEM is also working with local leaders to expand walk-up and drive-thru testing in urban areas where large-scale protests have taken place.

‘As the State of Texas continues to mitigate the spread of COVID-19, we are committed to ensuring every Texan has access to COVID-19 testing no matter where they live,’ said Governor Abbott. ‘We must address the disproportionate impact of COVID-19 on underserved and minority communities and ensure that anyone who needs a test can have one. As many Texans continue to gather for protests, the state is also taking steps to address potential surges in COVID-19 cases. We are ensuring that Texans can continue to safely exercise their First Amendment Rights while putting protocols in place to identify and mitigate any spread of COVID-19.’

As these sites continue to come online across the state, Texans can visit www.covidtest.tdem.texas.gov to find the test collection location nearest them.”

6/10/2020

What information does TML have for cities as they start to prepare for the upcoming budget year?

TML has developed a special-edition, mid-year fiscal conditions survey to help cities navigate the upcoming budget planning process. With an unexpected public health crisis and an economic recession, most cities will have to make difficult decisions over the next coming months. Survey questions center on current budget shortfalls, as well as the anticipated impact on next year budgets.

The full text of the survey is available [here](#), but we prefer that you complete it [online](#).

We ask that **one official** from each city complete the survey no later than **June 19, 2020**. Please contact JJ Rocha with questions at jj@tml.org or 512-705-3912.

6/11/2020

Will there be a TML Coronavirus Update tomorrow?

Unless there is important breaking news, there will be no Update tomorrow. Let’s all take a break for TGIF and enjoy the beautiful Texas summer this weekend. We’ll be back on Monday.

Who did the governor’s office most recently recruit for a COVID-19 public service announcement?

None other than baseball Hall-of-Famer Nolan Ryan! Check out the PSA [here](#).

6/12/2020

I thought there wasn’t going to be an update today so we could take a break for TGIF and enjoy the beautiful Texas summer weekend?

We thought so too! But we received so many inquiries about the Open Meetings Act suspensions that we need to report on the next question early today for those cities that are posting agendas for next week’s meetings. Maybe we’ll skip next Friday to make up for it.

What information does TML have for cities as they start to prepare for the upcoming budget year?

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6/16/2020

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The full text of the survey is available [here](#), but we prefer that you complete it [online](#).

We ask that **one official** from each city complete the survey no later than **Friday, June 19**. Please contact JJ Rocha with questions at jj@tml.org or 512-705-3912.

6/23/2020

Where can I find detailed data regarding the spread of COVID-19 in Texas and in my community?

The Texas Department of State Health Services maintains an interactive [COVID-19 Case Dashboard](#) that shows all sorts of figures related to the virus, including data by county and case demographics.

6/29/2020

What are the results of TML's mid-year Fiscal Conditions Survey?

Each year, TML conducts a fiscal conditions survey of its member cities. With an unexpected public health crisis and an economic recession, most cities will have to make difficult decisions over the next coming months. This is why TML created a special-edition, mid-year fiscal conditions survey to help cities navigate the upcoming budget planning process. With 552 cities responding, the survey demonstrates that the Coronavirus pandemic has impacted cities significantly.

Cities are the government closest to the people and play a significant role in the quality of life and emergency response for communities. Citizens benefit from the core services that cities provide, such as public safety (EMS, fire, and police), streets, parks, public transportation, libraries, utilities, and other vital services. Those services are funded by property taxes and other sources of revenue.

With little financial assistance from the state, cities are tasked to manage growth or decline and rely on their own capacity to generate revenue. The state provides almost no funding for the provision of city services. In fact, Texas ranks 47 out of the 50 states in the amount of state-generated revenue as a percentage of their budgets. In planning its own revenue mix, each city is different and will need to make decisions based upon any number of factors, such as the impact of COVID-19 on other sources of local revenue like sales taxes, the amount of city expenditures made in response to the emergency, as well as the ability and willingness of local taxpayers to potentially pay a given property tax rate.

Survey results show that 67 percent of cities are choosing not to change their property tax rate. Only 14 percent of cities are estimating a raise in their tax rate. Further, over half are projecting to adopt the "no new revenue rate," which used to be called the "effective rate" prior to Senate Bill 2 from 2019. Of cities that plan to exceed the no new revenue rate, the median increase is projected to be 3.5 percent according to the survey.

In recent months, cities are not only responding to a public health crisis, but they have taken a financial hit. Sixty-six percent of cities have lost sales tax revenue due to the pandemic. In addition, more than 50 percent have lost hotel occupancy tax revenue, and 48 percent have lost mixed beverage taxes. Of the responding cities, 28 percent expect next year's revenue to be lower compared to the current year.

To deal with the current revenue loss, cities have examined what cost-saving measures could be implemented. Twenty-five percent of cities imposed a hiring freeze and 15 percent have frozen wages in the current fiscal year. The survey shows that cities will continue to extend their hiring and wage freeze into the next fiscal year. Twenty-three percent of cities either reduced or eliminated city services. However, only 10 percent of cities expect to reduce or eliminate services in the next fiscal year.

Under the CARES Act, the Coronavirus Relief Fund is to be used for state and local governments in response to the pandemic. Twenty-five percent of all cities have received such funds. Sixteen percent of cities that received funds received it directly through the U.S. Treasury Department. Cities in a county of 500,000 or more population were able to receive their money from that county – 29 percent received funds through this avenue. All other cities (except the few with 500,000 or more population that received direct allocation) can draw their funds from the state through the Texas Division of Emergency Management (TDEM), and over half of cities that received funds did so through TDEM.

It is no surprise that Texas and its cities have experienced incredible growth in recent years. Many cities have seen their populations grow by more than 10 percent since 2010, with some experiencing an upwards of 30 percent growth. According to the U.S. Census, Texas has led the nation in annual population growth for each year between 2010 through 2019. Texas cities have felt that impact. For much of the past decade, seven of the fifteen fastest growing cities are located here. Texas surpassed 28 million people in 2017 and is on the verge of surpassing 29 million.

Recent trends have shown populations shifting from rural to urban areas, indicating that cities will experience the majority of the future population growth. The state demographer projects the state's population will double by 2050. This would mean 25 million more people living in Texas in 30 years. Currently, 74 percent of the Texas population (21.2 million people) live in incorporated areas. Further, 89 percent of Texans (25.6 million people) live in metropolitan statistical areas (MSAs). In other words, the vast majority of Texans live, work, and play in or around cities. In the last five years, we have seen cities taking on more capital spending to address this growth. Now, we are seeing an incline of cities (30 percent) that are expecting to postpone capital spending as a cost saving measure.

The survey reinforces the notion that no two Texas cities are identical, especially in a crisis. Cities may respond differently to economic conditions and public health emergencies, and that is why the legislature should not impose one-size-fits-all mandates or revenue restrictions on cities. City officials are engaged with residents every day and are the most familiar with local issues. They must have the flexibility to respond to fluctuations in revenue sources and to the different levels of services city taxpayers demand.

The full results of the survey are on TML's website at: <https://www.tml.org/ArchiveCenter/ViewFile/Item/172>.

6/30/2020

In May, you surveyed whether mayors “believe that Fourth of July celebrations (e.g., parades, fireworks shows, etc.) should be allowed with appropriate virus-prevention protocols.” With COVID-19 cases on the rise, and a change in the governor’s executive order and guidance giving cities more authority over outdoor gatherings, will you do another survey to help us decide how to handle the 4th?”

Absolutely. Again, this survey is for **mayors only**: Please take this [revised survey](#) (consisting of four “yes or no” questions).

This survey will be open for a very limited time: Until 1:00 p.m. tomorrow (July 1). We will report the results in tomorrow’s update.

When we compiled survey results in May, 95 mayors responded (the League has 1,161 member cities), from cities with a population ranging from 192-118,000. Seventy-seven percent voted in favor of allowing Fourth of July celebrations, with appropriate virus-prevention protocols. Of course, conditions in some areas of the state are now much different.

In response to the surge in cases, the governor, in [Executive Order GA-28](#) and his [Open Texas guidance](#), prohibits outdoor gatherings in excess of 100 people. However, a mayor can approve a larger gathering in a city’s limits, and such approval can be made subject to certain conditions or restrictions. (The conditions can include a face mask requirement, but no penalty can be imposed on an individual for not wearing one.) That’s why we are doing another survey.

Did the governor hold a press conference in North Texas yesterday (June 29)?

League staff had heard a rumor that he might be doing so, but it was actually just a brief interview on the local Austin NBC affiliate.

What are the results of TML’s mid-year Fiscal Conditions Survey?

Each year, TML conducts a fiscal conditions survey of its member cities. With an unexpected public health crisis and an economic recession, most cities will have to make difficult decisions over the next coming months. This is why TML created a special-edition, mid-year fiscal conditions survey to help cities navigate the upcoming budget planning process. With 552 cities responding, the survey demonstrates that the Coronavirus pandemic has impacted cities significantly.

The survey reinforces the notion that no two Texas cities are identical, especially in a crisis. Cities may respond differently to economic conditions and public health emergencies, and that is why the legislature should not impose one-size-fits-all mandates or revenue restrictions on cities. City officials are engaged with residents every day and are the most familiar with local issues. They must have the flexibility to respond to fluctuations in revenue sources and to the different levels of services that city taxpayers demand.

The full results are on the TML website at <https://www.tml.org/ArchiveCenter/ViewFile/Item/172>.

Has another virus-related attorney general opinion been requested?

Yes, this one ([RQ-0360-KP](#)) asks about the authority of the Metropolitan Transit Authority of Harris County to prohibit service and access to its transit authority system to a person who refuses to comply with a rule requiring facial coverings. The League will report on the outcome when the opinion is issued.

7/1/2020

Yesterday, we surveyed whether mayors believe that Fourth of July celebrations in excess of 100 people should be allowed. How did the survey go?

The results showed that some mayors appear to be much more cautious right now. Asked whether they would allow private outdoor gatherings in excess of 100 people, 68 percent (76) of the 112 responding mayors said no. (The League has 1,160 member cities)

When we compiled a previous survey's results back in May, 95 mayors, from cities with a population ranging from 192-118,000, responded. Seventy-seven percent voted in favor of allowing Fourth of July celebrations, with appropriate virus-prevention protocols. Of course, conditions in some areas of the state are now much different.

In response to the surge in cases, the governor, in [Executive Order GA-28](#) and his [Open Texas guidance](#), prohibits outdoor gatherings in excess of 100 people. However, a mayor can approve a larger gathering in a city's limits, and such approval can be made subject to certain conditions or restrictions. (The conditions can include a face mask requirement, but as of now the governor's position is that no penalty can be imposed on an individual for not wearing one.)

This time around, respondent city populations ranged from to 482-2.3 million. The following questions were asked:

-Will you be approving PRIVATE outdoor gatherings in excess of 100 people (with or without conditions)? Out of 112 responding mayors, 76 said no and 36 said yes. Of the 36 responding yes, 21 reported that they will impose conditions or restrictions on the gathering.

-Will your city be conducting a CITY (e.g., city-sponsored, city-funded, on city property, etc.) Fourth of July celebration (including a parade and/or fireworks)? Out of 111 responding mayors, 84 said no and 27 said yes. Of the 27 responding yes, 19 reported that they will impose conditions or restrictions on the gathering.

7/7/2020

Can we view a list of the businesses in our city that received a Paycheck Protection Program (PPP) loan from the U.S. Small Business Administration (SBA)?

Yes, at least for those businesses that received more than \$150,000. Yesterday the SBA released data on all recipients of PPP loans over \$150,000 nationwide. That data can be accessed [here](#). (Note: some Excel fluency is required to navigate.)

According to [The Texas Tribune](#), 51,250 companies in Texas received more than \$150,000 in federal loans under the program. Of that amount, nearly 6,300 Texas companies received over \$1 million.

7/8/2020

Where can I find detailed data regarding the spread of COVID-19 and the impact on our community and local economy?

The Texas nonprofit organization [Texas 2036](#) has created a [Texas COVID-19 Tracking Resource](#) that incorporates, among other things, public health data, economic data, and even community mobility reports from Google. In addition, the application includes information related to federal COVID-19 funding received by cities and counties. Interested city officials can view much of this data both at the state and county level.

As a reminder, Texas Department of State Health Services maintains an interactive [COVID-19 Case Dashboard](#) that shows all sorts of figures related to the virus, including data by county and case demographics. The dashboard is updated daily.

7/10/2020

What can mayors do right now to support congressional efforts for a next round of federal stimulus to all Texas cities?

The Senate Finance Committee is currently preparing the next federal stimulus package for workers, businesses, states, and local governments, and the U.S. Senate is expected to consider the measure after Congress returns from break on July 20. Please join mayors from across Texas in [signing this letter](#) urging our congressional delegation to provide direct and flexible assistance to Texas cities. Mayors interested in signing onto the letter, please email your name, city, and electronic signature to jj@tml.org by **10:00 a.m. Tuesday, July 14** to be included.

Cities are facing major public health and public safety challenges at the same time we are facing an unprecedented fiscal crisis. Simply put, demand and need for core local government services has increased significantly at the same time we are all projecting unprecedented levels of revenue loss. As metropolitan area economies generate over 91 percent of the nation's GDP, direct flexible fiscal assistance to local governments is how to spur an economic comeback.

We encourage city officials to continue visiting with your members of Congress, as well as Senators Cornyn and Cruz, to communicate the needs of your city. Now, while the Senate is in recess, call your senators and representatives. We also urge city officials to engage with your business community leaders to call on members of Congress and senators in support of additional direct flexible funding.

We are thankful for your voice during these trying times and we appreciate all that you are doing on behalf your communities.

Are there ongoing efforts to ease state-issued restrictions on the use of federal Coronavirus Relief Fund (CRF) revenue by cities in counties under 500,000 population?

Yes. The City of Waco has drafted a letter asking the governor to consider eliminating the so-called “75 percent limitation” on the use of CRF funds for cities located in counties under 500,000 population.

As background, the Texas Division of Emergency Management’s (TDEM) CRF Terms and Conditions document contains the following statement regarding the use of grant money allocated from TDEM to cities:

“The subrecipient agrees that a minimum of 75% of its allotment will be spent in the categories of medical expenses, public health expenses and payroll expenses for employees substantially dedicated to mitigating or responding to the public emergency. The remainder of the allotment may be spent in any of the categories provided within the Treasury guidance.”

The other general categories of expenses for which only 25% percent of a city’s allotment can be spent are: (1) expenses of actions to facilitate compliance with COVID-19-related public health measures; (2) expenses associated with the provision of economic support in connection with the COVID-19 public health emergency; and (3) any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund’s eligibility criteria.

The League sent a letter to Governor Abbott last month asking him to eliminate the 75 percent limitation in order to free up federal dollars for use on economic support for local businesses, among other things. No action has yet been taken on the spending limitations, which has prompted Waco to take the lead on this new request.

Mayors interested in signing on to Waco’s letter are encouraged to email their name, city, and electronic signature to Ashley Nystrom with the City of Waco at AshleyN@wacotx.gov by 5:00 p.m. on Monday, July 13.

7/16/2020

Will there be an update email tomorrow?

Normally, we would say “no,” unless something of major importance happens. However, every time we say that, something important happens, which necessitates an update.

So let’s try it this way: Yes, unless nothing of major importance happens. In other words, hopefully not. Send good vibes our way, and we’ll do the same for you!

It's going to be a chilly July weekend for Texas, with a high only in the mid-90s in most of the state! Enjoy safely!

Has the governor taken action to assist the Rio Grande Valley with virus response?

Yes, he issued the following press release yesterday (July 15):

“Governor Greg Abbott today announced that the Department of Defense (DOD) will surge resources to the Rio Grande Valley to help combat COVID-19. The DOD will send a U.S. Army Urban Augmentation Medical Task Force (UAMTF) to provide medical and support professionals needed in Rio Grande Valley hospitals.

Additionally, the Texas Division of Emergency Management is coordinating with local officials to identify alternate sites, such as area hotels, and contract medical staff to care for and house patients that are recovering from COVID-19. This will ensure additional hospital capacity in both Cameron and Hidalgo counties.

‘As the State of Texas mitigates the spread of COVID-19, we are continuing to work closely with our local and federal partners to identify outbreaks and provide our communities with the resources they need to keep Texans safe,’ said Governor Abbott. ‘I am grateful to our federal partners at the Department of Defense for sending these teams to the Valley and working within the community to protect public health and combat this virus. These teams, coupled with our newly established partnership with local hotels, will aid in our efforts to slow the spread of COVID-19 and ensure adequate hospital capacity in the Valley.’

Additional DOD teams are prepared to support the state and will be announced as teams are assigned.”

7/24/2020

Is there an update today?

Not a substantive one because there's no new city-related information to report. That's not to say, however, that things are going well. In many parts of Texas, the virus is spreading at an alarming rate.

League staff heard from the leadership of the governor's "[strike force](#)" on a briefing call today. The strike force includes the state's top doctor (Dr. John Hellerstedt, Commissioner of the Department of State Health Services), who advised that all Texans must continue to practice recommended guidelines (hand-washing, social distancing, and wearing a face covering) if we are to slow the spread of the virus in our state.

More information is [available from DSHS](#), including a dashboard showing virus-related data across the state.

In addition, [according to a Tweet](#), the secretary of the U.S. Health and Human Services Department extended the nation's public health emergency for an additional 90 days today.

7/28/2020

Will you ever run out of information to put in these daily virus update emails?

It doesn't seem like it, does it? The challenges (and sometimes the absurdity) just seem to keep on comin'. As city officials continue to deal with virus-related logistical issues, *The Texas Tribune* reported a sobering revelation yesterday (July 27). According to the [Tribune](#), "After months of undercounting coronavirus deaths, Texas' formal tally of COVID-19 fatalities grew by more than 600 on Monday after state health officials changed their method of reporting."

According to the [updated Department of State Health Services dashboard](#), the virus has taken the lives of almost 6,000 Texans thus far. That's a staggering number by any measure.

We at the League keep those who have been affected in our thoughts.

7/30/2020

What's the plan for the Update over the next several days?

We plan to take a break tomorrow (TGIF) and Monday (August 3) and Tuesday (August 4) of next week because the League's legislative committee (the virtual "Municipal Policy Summit") takes place on those days. As usual, we will report if something major happens. The Update will be back on Wednesday (August 5) at the latest.

8/10/2020

What's the status of the 2020 TML Annual Conference and Exhibition?

The TML Board of Directors met virtually last Friday and concluded that it is impossible for the League to host the TML Annual Conference and Exhibition, scheduled for October 14-16 in Grapevine, as an in-person meeting. This difficult, but necessary decision was made for the health, safety, and comfort of our attendees, speakers, and exhibitors, and recognizes the effect that current state government restrictions would have on our ability to hold the conference.

The 2020 TML Annual Conference and Exhibition will now take place October 14-16 as a virtual event.

Registration will open on September 1. TML will share details about the format and program in the coming weeks.

8/13/2020

This answer leaves zero room for humor. According to [The Texas Tribune](#) (which analyzed Texas Department of State Health Services data):

“On March 4, DSHS reported Texas’ first positive case of the coronavirus, in Fort Bend County. The patient had recently traveled abroad. A month later on April 4, there were 6,110 cases in 151 counties. As of Aug. 12, there are 506,820 cases in 250 counties.”

The [article includes an interactive Texas map](#) showing cases and deaths by county. From our perspective, that map might best explain the differing thoughts about the virus among city officials and Texans in general. Where you live, to a great extent, seems to showcase one’s experience with it. (That’s certainly not true in all cases.)

For example, Travis County (Austin) has more than 23,000 confirmed cases and almost 300 deaths. But head west into adjacent Blanco County. It has 114 confirmed cases and five deaths. Continue northwest into Llano County, and the numbers drop to 89 and 1. The driving distance between the City of Austin and the City of Llano is less than 100 miles, yet the latter has four-tenths of one percent the number of cases as the former.

It seems logical that those who see hardly any trace of the virus where they live may not be on as high alert as those who do. *The Texas Tribune* included these disclaimers related to the DSHS data:

-“The state data comes from 57 city and county health departments, about 600 hospitals and 340 laboratories and the state vital records registration. It may not represent all cases of the disease given limited testing.”

-“In order to publish data quickly, the state has to bypass what is normally a months-long process of reviewing the COVID-19 data and performing quality checks before publishing. That’s why all of these numbers and information are provisional and subject to change.”

8/14/2020

What’s the latest from the governor on the virus in Texas?

Governor Abbott met with local officials yesterday (August 13) in Lubbock and El Paso to discuss regional COVID-19 updates.

According to [KXAN News](#) (Austin’s NBC affiliate), when asked in Lubbock about the state’s climbing positivity rate:

“Abbott said the Texas Department of State Health Services has brought on investigators to look into possible reasons for growth in that category. He said the state has so far found a few possible key points. He said fewer people had been tested in the past few weeks, compared to previous months, adding that surge testing plus more interest led to more tests being conducted.”

With Labor Day weekend and flu season approaching, Abbott said health leaders worry about hospital systems being overrun with patients:

“It’s so important for people to not let their guard down during the Labor Day holiday, like they did during Memorial Day,’ Abbott said. ‘If Texans and people in Lubbock refuse to let their guard down, especially on holidays, they will be able to contain the spread of COVID-19, they will be able to prevent hospitals from becoming overrun with patients.’”

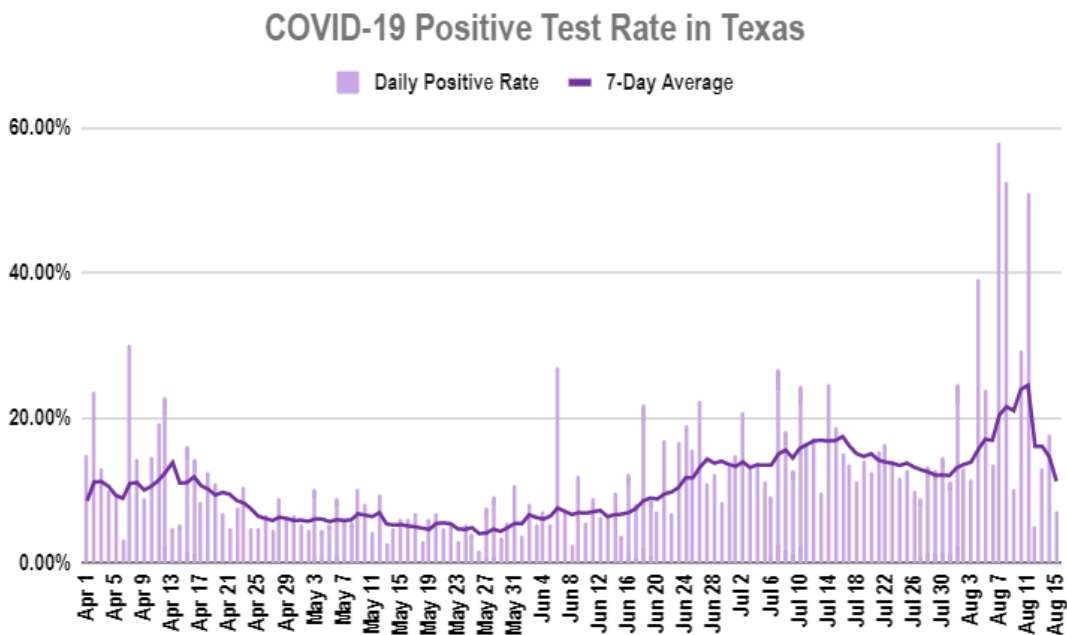
In El Paso, the governor highlighted the concept of “COVID-fatigue” again. “The COVID disease doesn’t care about COVID fatigue,’ he stated, mentioning that the virus does not discriminate in the people it might manifest itself in.”

8/17/2020

What’s the latest from the governor on the virus in Texas?

According to [The Texas Tribune](#), Governor Abbott says said bars could potentially reopen once coronavirus metrics improve significantly. He said reopening would require the state’s positivity rate to drop below 10 percent for a sustained period of time and for hospitalizations to decrease.

We reported in a recent update that the state’s positivity rate was as high as 25 percent for the week ending August 11. However, according to [KXAN News](#) (reporting Department of State Health Services data), the current rate is much lower at just over 11 percent. The following chart shows how erratic the rate has been in recent weeks.



Abbott alleged that fewer people getting tested and a drop in July surge testing operations in various coronavirus hotspots contributed to the former high rate.

The governor also applauded Big 12 Conference officials' decision to allow college football this fall.

8/19/2020

Where were you yesterday and what were you doing?

You missed us, didn't you?! We didn't forget. We were preparing a [list of all the virus-related lawsuits and attorney general opinions](#) so they'd all be in one place. The volume of the various disputes is large: We count 16 lawsuits, three formal attorney general opinions, and five informal attorney general memos/letters.

Of course, many state agencies have issued letters or guidance as well, but those are typically very specific. We separately report on those if they are city-related and of relatively broad applicability. A good example are the Secretary of State Elections Division mass emails and advisories. Those are all archived on our "[Elections](#)" Q&A page. Every other previous Update is archived by subject as well. Just visit the main TML Coronavirus webpage, and scroll down to "[TML Resources](#)," then "[TML Coronavirus Updates \(listed by subject\)](#)."

What's the latest from the National League of Cities about what's happening in Congress?

NLC provided the following updates yesterday (August 18):

Senate Releases Text of New COVID-19 Relief Bill

Yesterday, the Senate GOP released a new COVID-19 relief bill. The "Delivering Immediate Relief to America's Families, Schools and Small Businesses Act" has no money for state and local governments. It would provide a non-repayable loan from the Treasury to the United States Postal Service if their cash on hand falls below \$8 billion.

House Democrats, who are concerned about the financial health of the USPS, plan to come in on Saturday for a special session to vote to approve more money for the organization. Each party's bill is a chance to show the country that they are doing something. However, neither bill will become law. Whether negotiations will begin in earnest any time soon remains to be seen.

NLC Sends Letter to Treasury's Office of Inspector General

Last week, NLC sent a letter to the Treasury Department's Office of the Inspector General (OIG) questioning the premises of a report issued on July 31, 2020. The report showed that costs incurred for recipients of the Coronavirus Relief Funds (CRF) were a fraction of the monies appropriated by Congress.

NLC pointed out a number of issues with the OIG's report and asked to engage the OIG in correcting them:

1. The rolling and delayed guidance out of Treasury slowed the expenses that many recipients could incur. The recipients wanted to wait until there was more concrete, or even any, guidance before they began to expend money.
2. It was only eight to 10 weeks between when Treasury sent the money to recipients and the June 30, 2020, reporting date, providing very little time to expend the money properly.
3. Most of the funds from the CRF are allocated. The states, counties, and cities that received them have made plans on how to use the money between now and the end of the year. Not all of the money would have been expended in the first 8-10 weeks.

NLC is waiting from a response from the Treasury's Office of the Inspector General.

8/25/2020

What's the latest on the Gulf storms?

Hurricane Laura, which is expected to hit somewhere along the Texas or Louisiana coast sometime late Wednesday or early Thursday, is forecast to turn into a Category 3 storm or higher by landfall, according to [The Weather Channel](#).

A handful of counties and the Cities of Port Arthur and Galveston have issued mandatory evacuation orders. Go to the following website for up-to-date information: <https://gov.texas.gov/hurricane>.

The Texas Municipal League Intergovernmental Risk Pool (IRP) has [resources available for cities](#), including a link to the main TML's [emergency management web page](#).

City officials who need immediate assistance from TML legal can contact Scott Houston, TML general counsel, at gencounsel@tml.org or by phone at 512-231-7464. If you need TML IRP assistance, please contact one of the following:

- Mike Rains 512-491-2342
- David Nix 512-491-2426
- David Goldston 512-491-2347

Stay safe everyone.

8/26/2020

What's the latest on the Gulf storms?

Hurricane Laura is now a category 4 (at least) hurricane and appears to moving slightly east as it approaches the Texas/Louisiana border, according to [The Weather Channel](#). Many more cities have issued voluntary evacuation orders since yesterday. Visit this website for up-to-date information: <https://gov.texas.gov/hurricane>.

We'll be thinking of all of those in her path tonight. The Texas Municipal League Intergovernmental Risk Pool (IRP) has [resources available for cities](#), including a link to the main

TML’s [emergency management web page](#). If you need further TML IRP assistance, please contact one of the following:

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The Governor [announced](#) that [he has added 36 counties](#) to his State Disaster Declaration due to the threat of severe rain, wind, and flooding. He also discussed evacuation efforts throughout the state, and announced that reception centers in San Antonio, Dallas-Fort Worth, and Austin will open later today. The state is providing buses to transport Texans who are evacuating. There are also over 225,000 hotel rooms available across the state to provide shelter to evacuees. A full list of mandatory and voluntary evacuations can be found on the [Texas Hurricane Center](#) web page. Governor Abbott urged Texans to take action now to protect themselves and their property.

8/27/2020

What’s the latest on the Gulf storms?

Based on [very preliminary reports](#), officials in Southeast Texas are “sounding optimistic that their corner of the state had escaped the worst of the hurricane’s impact.” Even so, more than 100,000 Texans are without power in the East Texas counties of Jefferson, Orange, and Hardin.

If you need hurricane-related assistance, the Texas Municipal League Intergovernmental Risk Pool has [resources available for cities](#), including a link to the main TML’s [emergency management web page](#). If you need further TML IRP assistance, please contact one of the following:

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What’s the latest on testing results in Texas?

According to [The Texas Tribune](#), after state officials this month “disclosed that hundreds of thousands of coronavirus tests had not been previously reported — a backlog that has distorted metrics used to gauge the toll of the pandemic — the governor said that the current data is ‘far more accurate than what we had last month.’”

The disclosure of the backlog, reported the *Tribune*, was the latest in a string of data problems that have plagued the state’s public accounting of the pandemic and comes as schools and universities prepared to resume instruction for the fall term.

A spokesperson for the Department of State Health Services said positive tests revealed in the backlog show there might have been more infections in July than state officials previously knew about, but the “additional cases would not have changed the overall trend or the recommendations for the public.”

Meanwhile, the state’s positivity rate — the rolling average of people who test positive — swung wildly this month as backlogged tests were added, soaring to 24.5 percent on August 11 and plummeting to 10.8 percent a week later.

Abbott, who frequently cites the metric to explain his decision-making, has said anything above a 10 percent would raise a “warning flag,” while a sustained rate below that could prompt him to loosen restrictions.

(The [article summarized above](#) includes conversations with epidemiologists and health experts about the backlogged tests and what the state can expect with schools and universities resuming online or in-person instruction and the Labor Day holiday approaching.)

8/31/2020

What’s been the general tone of the United States Supreme Court regarding virus-related litigation?

Lisa Soronen is the Executive Director of the State and Local Legal Center (SLLC) in Washington, D.C. (@SLLCSCOTUS). The [Big Seven](#) national organizations representing state and local elected and appointed officials are members of the SLLC, including the National League of Cities, as well as the Texas Municipal League.

According to Soronen, the bottom line is that “the Court has not been interested in overturning lower court decisions upholding stay-at-home orders (even where those orders don’t seem to comply with the First Amendment) and isn’t willing to tolerate judges rewriting voting requirements.”

Visit the [SLLC website](#) for more details on the various cases that suggest this trend.

What’s the latest on the Gulf storms?

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What additional information on the effect of the virus on the economy has the comptroller compiled?

Texas Comptroller Glenn Hegar shared the following information in an email titled “Investigating COVID’s Economic Impact:”

In these uncertain times, having the latest data and analyses is essential. That’s why the Comptroller’s office is monitoring and reporting on COVID-19’s impact on the Texas economy and state government. Here’s some recommended reading from our recent publications:

- “[Recessions and Revenues](#)” explains how public health concerns curtailed economic activity, resulting in decreased tax collections.
- “[Pandemic Drives Record Unemployment](#)” gauges the unprecedented number of claims that flooded the Texas Workforce Commission this past spring.
- “[Texas’ International Trade](#)” examines the disruption of supply chains and trade flows.
- [Texas’ professional sports franchises](#) explore creative options in the pandemic economy.
- A top education official outlines how [community colleges](#) are coping with the crisis.
- [Nonprofit organizations and volunteers](#) are stepping up to plug gaps in social services and educational activities.
- The pandemic is forcing [telemedicine](#) to ramp up rapidly to meet the health care challenge.

[Fiscal Notes](#) is available online and can be received by [subscribing](#) via the Comptroller’s website. For questions about how tax functions are continuing during the outbreak, visit the Comptroller’s [COVID-19 News](#) page or [Virtual Field Office](#).

9/2/2020

Where can I access a summary of the key topics you’ve covered in these Updates?

TML staff launched these Coronavirus Updates in mid-March when our cities started feeling the effects of COVID-19. Since then, we’ve produced more than 350 pages of archived information.

We know it’s hard to digest it all, so we’re offering a comprehensive update at the TML Virtual Annual Conference and Exhibition on October 14 at 1:30 p.m. Scott Houston, TML Deputy Executive Director and General Counsel, will lead the discussion, and will be joined by Assistant General Counsels Christy Drake-Adams, Amber McKeon-Mueller, and Evelyn Njuguna. [Register here](#) to listen in on this update, and view more than 30 other conference sessions, many of which are related to disaster recovery and resilience.

What’s the latest with students returning to college?

According to [online media](#), members of the President’s Coronavirus Task Force held a call with governors yesterday (September 1). On the call, Dr. Deborah Birx, the Coronavirus Response Coordinator for the White House Coronavirus Task Force, and Vice-President Mike Pence, asked governors to tell their college presidents to keep virus-infected students on campus to avoid major outbreaks.

“We know that what happened across the South [earlier this year] was primarily driven by 18-to-25 year olds, across the South, with asymptomatic spread,” said Dr. Birx. “Sending these individuals back home in their asymptomatic state to spread the virus in their home town or among their vulnerable households could really recreate what we experienced over the June time frame in the South. So I think every university president should have a plan for not only testing but caring for their students that need to isolate.”

Vice President Pence said, “In general, we want to encourage, even when you have test positivity on campuses, we want to encourage universities to have students remain on or near campus and minimize the potential exposure to the larger community. We really believe – and I spoke to a university president just the other day – in suspending classes for a few weeks, have people study in their rooms, and... that kind of isolation... for the overall health and well-being [of everyone].”

Yesterday, [according to a local news outlet](#), Texas Tech confirmed 239 total active cases of COVID-19 in students. Similarly, Texas State [reported](#) 24 new cases last Friday (August 28). Most colleges and universities post data on their websites. For example, UT has a COVID-19 [dashboard](#).

Texas A&M’s [dashboard](#) shows 290 cases for the week ending August 23, with a positivity rate of 11.83 percent for August. (Editor’s note: Seeing those numbers, I’ll stick to being an oft-maligned “two-percenter.”)

What’s the latest from the Texas comptroller on revenue?

Yesterday (September 1), Texas Comptroller Glenn Hegar released totals for fiscal 2020 state revenues (the state closes its fiscal year at the end of each August):

- General revenue-related revenue for fiscal 2020 totaled \$56.98 billion, down 1.5 percent from fiscal 2019.
- All funds tax collections were \$57.38 billion, down 3.4 percent from fiscal 2019.
- Sales tax revenue was \$34.10 billion, up 0.2 percent over fiscal 2019.
- Motor vehicle sales and rental tax revenue was \$4.8 billion, down 3.9 percent from fiscal 2019.
- Franchise tax revenue was \$4.42 billion, up 4.8 percent over fiscal 2019.
- Oil production tax revenue was \$3.23 billion, down 16.9 percent from fiscal 2019.
- Natural gas production tax revenue was \$925 million, down 45.1 percent from fiscal 2019.
- All Funds revenue was \$141.58 billion, up 10.7 percent over fiscal 2019, primarily due to substantial increases in federal funding for pandemic-related assistance.

“Yearly revenues were slightly ahead of our projections in the revised [Certification Revenue Estimate](#) (CRE) released in July,” Hegar said. “This was, in part, due to surprisingly strong July sales tax collections as Texans’ spending for home improvement projects increased while they spent more time at home both for teleworking and staycations, in lieu of leisure travel. Those July gains, however, were largely reversed in August, bringing actual collections closer to, but still ahead of, our estimate.”

The Economic Stabilization Fund and State Highway Fund both receive funding from oil and natural gas severance taxes. In November, the comptroller’s office will deposit \$1.13 billion in each of those funds, down from the \$1.67 billion deposited in each fund in November 2019.

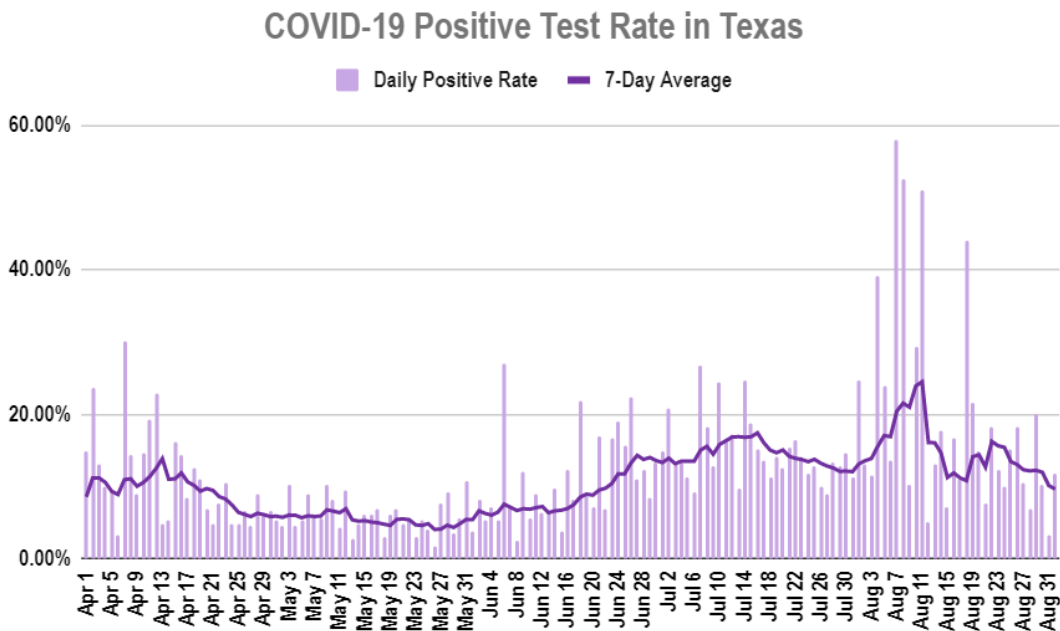
Hegar also said state sales tax revenue totaled \$2.82 billion in August, 5.6 percent less than in August 2019.

For details on all monthly collections, visit the Comptroller's [Monthly State Revenue Watch](#). For an extensive history of tax policy developments and fees since 1972, visit the updated [Sources of Revenue](#) publication

9/3/2020

What’s the latest news relating to the positivity rate for Texas?

According to the Texas Department of State Health Services [COVID-19 dashboard](#), the state’s seven-day average positivity rate is 9.64 percent:



On August 31, the governor [tweeted](#) the following:

“I said last month that Texas wouldn’t have any more lockdowns—despite demands from mayors & county judges insisting on lockdowns. Since my last orders in July, COVID numbers have declined—most importantly hospitalizations. I hope to provide updates next week about next steps.”

We assume that the governor will wait until after Labor Day holiday and announce future plans. Feeling positively positive about the decline in the positivity rate, we are almost positive there won’t be an update tomorrow, unless someone posits something that can’t wait.

Enjoy the long weekend safely everyone!

What did the big city mayors talk about at The Texas Tribune Festival?

Evan Smith of *The Texas Tribune* interviewed the mayors of Houston, San Antonio, Dallas, Austin, Fort Worth, and El Paso to kick off the start of the virtual “Texas Tribune Festival.” The panel focused on major issues including the pandemic, the economy, and each city’s budget outlook.

The mayors emphasized their collaborative efforts against the coronavirus since the beginning, including weekly calls and implementing a mask mandate in their cities before the statewide mandate. Stressing local control, the mayors discussed how they have the expertise on the local economy, demographics, and COVID-19 cases, among other factors, in their cities.

Budget issues were front and center. While facing major shortfalls this budget cycle, most were able to avoid layoffs and furloughs. Budget woes are different for each city, but the loss from hotel occupancy taxes are felt in all of the largest cities. The cancellation of major events and festivals will be devastating as some businesses will be shuttered.

Each mayor talked about the financial challenges their city is facing. San Antonio is dealing with a \$100 million shortfall, even as the city halted certain expenses mid-year. Mayor Sylvester Turner of Houston talked about his concern for future budgets after taking a \$162 million hit. Mayor Betsy Price of Fort Worth echoed his concern, saying that cities will be facing budget challenges for the next three-to-four years. Fort Worth has had a loss of \$20 million in sales tax revenue, but they remain optimistic as sales taxes continue to increase. Austin is addressing a \$60-\$80 million deficit. El Paso has already adopted its budget, with a reduction of \$24 million from the previous year.

The panel is available to [watch on demand](#) for festival attendees.

9/8/2020

What has TxDOT been up to during the pandemic?

They’ve been making masks and PSAs!

If you feel like you haven't yet been able to properly express yourself with a message on your face mask, don't fret! The Texas Department of Transportation has created "Don't Mess with Texas" cloth face masks, which are now available for purchase at Texas Highways Magazine's "[mercantile shop](#)." The masks are even washable and reusable, with a pocket for a filter to be inserted!

Are the masks simply a fun extension of one of the most popular ad campaigns in history? Or are they a secret means by which the state is seeking to bolster the process of "reverse intergovernmental aid" by raising revenue from city officials who buy one? To plug the current projected state budget shortfall, TxDOT would have to sell only 427,112,349 masks at \$9.95, which is \$10.77 with tax. (Okay, that's a joke, but [reverse intergovernmental aid is a real thing](#) – see page 24.)

In addition, people seem to be littering with their used personal protective equipment. According to a TxDOT [press release](#) from last Friday (September 4), "With a growing number of discarded face masks, gloves and sanitizing wipes found littering roadways and parking lots, Don't mess with Texas called on the help of some celebrity friends to remind fellow Texans that the only safe way to dispose of used Personal Protective Equipment (PPE) is in a trash can.

Oscar winner and Minister of Culture/M.O.C. Matthew McConaughey* and country music legend George Strait* are lending their voices to new video [public service announcements](#) that urge Texans to clean up their act, including proper disposal of used PPE.

The [PSAs](#) will air on TV networks, cable channels and digital platforms starting this week. Other Texas celebrities joining McConaughey and Strait in raising awareness about the issue are [Mark Cuban](#), [Eva Longoria](#), [Marsai Martin](#), [Ally Brooke](#) and [Brittany Broski](#). Each are using their social media channels to share a personal video message reminding followers that Don't mess with Texas means don't litter."

[Editor's Note: Come on, the dude can act, we know that. But UT's "MOC?" That's laying it on pretty thick. Of course, nobody better malign the "King of Country," or they'll have to answer to us.]

Where can I access a summary of the key topics you've covered in these Updates?

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We know it's hard to digest it all, so we're offering a comprehensive update at the virtual TML Annual Conference and Exhibition on October 14 at 1:30 p.m. Scott Houston, TML Deputy Executive Director and General Counsel, will lead the discussion, and will be joined by Assistant General Counsels Christy Drake-Adams, Amber McKeon-Mueller, and Evelyn Njuguna. [Register here](#) to listen in on this update, and view more than 30 other conference sessions focused on disaster recovery and resilience.

9/10/2020

Will you have an update manana?

Not if it is humanly possible to avoid it. We can't believe this information just keeps on coming, and we know everyone (including Ed.) needs a break from it. Stay safe and enjoy some cooler weather. (Isn't it nice when the Texas summer heat breaks, even just for a while? Fall and Spring weather in Texas seem to make all the other nonsense way more palatable. Love this state and her cities.)

How do we approach the challenge of recovery from COVID-19?

The way we approach recovery will likely define Texas going forward. Our ultimate challenge is to make our cities and state stronger than we've been in the past. In his TML virtual Annual Conference session on October 14, Steven Pedigo, LBJ Urban Lab director, will outline a Playbook for Resiliency, and offer strategies and actions we can adopt now for a more prosperous future. Pedigo is challenging Texans to "think about resiliency as a place's capacity to weather threats to its economy and its residents' health, and even more broadly, as the capacity of residents, communities, institutions, businesses, and systems to survive, adapt, and grow, no matter what kinds of chronic stresses and acute shocks they experience. The more resiliency a community has, the less likely it is to break under pressure – and the faster it is to rebound."

[Register here](#) to hear Pedigo's October 14 presentation, and view more than 30 other TML Annual Conference sessions related to disaster recovery and resilience.

9/14/2020

Can you give us a recap of where cities are in relation to key pandemic-related issues?

Sure. Information overload is a real thing, especially right now. Here're the basics as of today (September 14):

Governor's Orders: Executive Order [GA-28](#), as modified by [proclamation](#), still controls. These together state that a mayor must approve any outdoor gathering in excess of 10, with several exceptions. The order isn't really a "stay home, work home" directive any longer. Instead, it provides for what's open and has this general limitation: "Except as provided in this executive order or in the minimum standard health protocols recommended by DSHS, found at www.dshs.texas.gov/coronavirus, people should not be in groups larger than ten and should maintain six feet of social distancing from those not in their group." Trying to figure out which businesses are open and must do what? Go to www.open.texas.gov to see them all listed with links to relevant protocols.

Lawsuits and Demand Letters: Many have been filed. They mostly focus on voting issues (see, e.g., next Q&A) and the authority of state and/or political subdivision leaders to impose various virus-related restrictions. We created a [web page](#) with the status of all of the virus-related lawsuits and letters.

Open Meetings Act: The governor's [suspension](#) of various parts of the Act, along with [guidance](#), is still in place. They continue to authorize city officials to meet more easily by using virtual options.

Federal Stimulus Legislation: Both the House and Senate have passed various versions of additional stimulus bills, but partisan gridlock has prevented anything from passing.

CARES Act Coronavirus Relief Funds: Cities over 500,000 population received a direct allocation of CRF funds, and cities in a county with over 500,000 population should have received their CRF allocation directly from that county. The expenditure of the funds is governed by U.S. Treasury Department [FAQs and guidelines](#). Cities in a county of 500,000 or less population apply for their CRF funds from the Texas Division of Emergency Management, which imposed [spending restrictions](#) on top of those imposed by the Treasury Department.

Pandemic Data: The Texas Department of State Health Services [COVID-19 dashboard](#) has all the data in one place. As of September 12, it shows an 8.11 percent statewide positivity rate.

The November Election: The election will take place on November 3, 2020, and will include city general elections that were [postponed](#) due to the pandemic. The Secretary of State's Elections Division has [archived](#) their advisories and other useful information. Of particular interest, city officials should be aware that all political subdivisions, including cities, must use county election precincts for elections held on the November uniform election date. City officials in cities holding elections this November should work closely with county election officials to make sure voters know that some traditional city polling places used in May might not be available for the November election.

Texas Municipal League: We are open for business! TML's Coronavirus [web page](#) archives what we've prepared to date. If you have a virus-related (or any other subject for that matter) question, email the TML attorneys at legalinfo@tml.org. The virtual TML Annual Conference and Exhibition is up and running, and the presentations and exhibits are going to be very cool. Register [here](#) if you haven't already. We look forward to seeing you!

2021 Legislative Session: Pre-filing of bills begins on November 9, 2020. Our Grassroots and Legislative staff are busy preparing for the upcoming session, and we've submitted written testimony in response to the two city-related committee requests thus far ([House Land and Resource Management Committee](#) and [House Ways and Means Committee](#)). No one is really sure at this point what the session will look like, especially committee hearings. We will keep you posted on new developments. At the virtual TML Annual Conference and Exhibition, each city is entitled to one delegate at the TML Business Meeting, at which the membership will consider [several resolutions](#) related to legislative issues. The meeting takes place using Zoom on October 14, 2020, at 3:30 p.m. Each city's delegate must [sign up electronically](#) prior to 5:00 p.m. on October 9, 2020, for planning purposes.

Update Editor: All things considered, I feel pretty good. You know what makes it all tolerable? The dog. She isn't worried about the pandemic in the least. Or about anything really. Other than sleeping, at which she excels.



If you'd like an update on anything pandemic-related, email Scott Houston at gencounsel@tml.org.

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The way we approach recovery will likely define Texas going forward. Our ultimate challenge is to make our cities and state stronger than we've been in the past. In his virtual TML Annual Conference session on October 14, Steven Pedigo, LBJ Urban Lab director, will outline a Playbook for Resiliency, and offer strategies and actions we can adopt now for a more prosperous future. Pedigo wants to challenge Texans to “think about resiliency as a place's capacity to weather threats to its economy and its residents' health, and even more broadly, as the capacity of residents, communities, institutions, businesses, and systems to survive, adapt, and grow, no matter what kinds of chronic stresses and acute shocks they experience. The more resiliency a community has, the less likely it is to break under pressure – and the faster it is to rebound.”

[Register here](#) to hear Pedigo's presentation, and view more than 30 other TML Annual Conference sessions related to disaster recovery and resilience.

9/15/2020

What is the Texas Department of State Health Services doing with its positivity rate calculations?

According to a DSHS [press release](#), “The Texas Department of State Health Services today will begin reporting two additional measures of the COVID-19 positivity rate, the percentage of tests that are positive in a given period. The update is the result of DSHS's work to enhance the [state's COVID-19 data](#) in partnership with the Governor's Strike Force.

While DSHS will continue to post the data in the form Texans are used to, DSHS will primarily rely on the positivity rate calculated according to when people were tested, the specimen collection date, which provides the most accurate view of the pandemic's effect over time. Because all test results received will be counted by when the test occurred, the rate for previous days will change as that information becomes more complete, and it will not be skewed by delays in reporting test results to the state.

‘These enhancements are part of our continuous effort to improve the information we present,’ said Dr. John Hellerstedt, DSHS commissioner. ‘As the COVID-19 pandemic evolves, so must the data we share. Our information must provide the clearest possible picture of what is happening now and what has occurred in the past. The trends in this and other data shape our understanding of what to expect in the future.’”

To that end, here are the new positivity rates as of September 13:

- Specimen Collection Date = 6.71 percent
- Lab Test Reported Date = 9.25 percent
- Case Reported Date (this is the “legacy method” DSHS has been using all along) = 6.85 percent

Apparently, the new calculation method will give a more accurate representation of viral transmission in Texas on a given day, but it will also result in large fluctuations from day-to-day.

How can we help our local hotels keep their doors open and rebound?

Hotels are fighting their way out of a halt in travel that has caused large-scale layoffs and temporary closures, and industry leaders don't expect a turnaround until a proven COVID-19 vaccine is developed. [Scott Joslove](#), President and CEO of the Texas Hotel & Lodging Association, said that in his 20 years in the business, he has never seen such dire impacts. Listen in on Joslove's session “Hotels Are Your Partners in Economic Recovery” at the virtual [TML Annual Conference and Exhibition](#) on October 14 at 3:00 p.m. to hear what your city can do now to make a difference for your hospitality community and local economy.

[Register here](#) to hear Joslove's presentation, and to view more than 30 other TML Annual Conference sessions related to disaster recovery and resilience.

9/21/2020

How has COVID-19 impacted our state's prosperity and opportunities in the future?

Listen to Margaret Spellings, former U.S. Secretary of Education and President and CEO of [Texas 2036](#), a data-driven long-term planning non-profit, discuss what their research shows are the most important issues facing our state today and tomorrow. She'll discuss issues like health, broadband, workforce, education, and government performance, and recommend ways cities, businesses, and all Texans can work together to make sure our state is the best place to live and work for years to come.

[Register here](#) to hear Secretary Spellings’ keynote session at the virtual 2020 TML Annual Conference, and view more than 30 other conference sessions related to disaster recovery and resilience.

9/24/2020

How should cities treat COVID-19 health screening records?

Luckily, the Texas State Library and Archives Commission (TSLAC) is here to help with the answer. Earlier this week, TSLAC [posted on their blog](#), *The Texas Record*, some helpful guidance on how cities handle COVID-19 screening records.

9/29/2020

How can we help local retailers keep their doors open and rebound?

Retail has been especially hard hit by the pandemic with many beloved stores hanging out “for sale” signs as the virus forces permanent closures. Innovations are helping the retail sector weather the challenges with curbside shopping and delivery, but what does the future hold? Listen in on “Retail Trends Post COVID-19” at the virtual [TML Annual Conference and Exhibition](#) on October 14 at 1:30 p.m. where C. Kelly Cofer and Aaron Farmer of The Retail Coach will discuss how you can help foster a strong retail sector in your community.

[Register](#) to hear this presentation and view more than 30 other TML Annual Conference sessions related to recovery and resilience. The deadline for early conference registration is Thursday, October 1.

10/5/2020

Is there any new information on the Texas Eviction Diversion Program?

Yes. Back on September 25, Governor Abbott [announced](#) the allocation of \$171 million of federal CARES Act funding for rental assistance and the Texas Eviction Diversion Program (TEDP). The TEDP is a voluntary program that allows landlords and tenants to agree to resolve eviction lawsuits. TEDP funds may be used for up to five months of past-due rent payments, and for up to six months of future rent payments.

The Texas Department of Housing and Community Affairs [recently announced some new details](#) on the program. The first phase of the TEDP is a pilot program in which \$3.3 million is allocated to subrecipients covering 20 counties. The pilot program will help inform the statewide program, which is expected to begin in CDGB entitlement communities by the end of the year, and CDBG non-entitlement communities by early 2021.

10/6/2020

How can I learn more about wastewater epidemiology predicting COVID-19 spikes?

This Thursday (October 8) at 3:30 p.m. CT, the North Texas Commission (NTC) is hosting a Zoom webinar entitled “Wastewater Epidemiology and Pandemic Prediction.” Interested city officials and employees can register for the webinar [here](#). NTC staff has indicated to TML that cities that are not members of NTC may receive the free NTC-member rate for the webinar. To receive the free rate, non-NTC member cities should choose to pay by credit card and then enter the term “NTCFriend.”

10/7/2020

How has COVID-19 impacted our state’s prosperity and opportunities in the future?

Listen to Margaret Spellings, former U.S. Secretary of Education and President and CEO of [Texas 2036](#), a data-driven long-term planning non-profit, discuss what their research shows are the most important issues facing our state today and tomorrow. She’ll discuss issues like health, broadband, workforce, education, and government performance, and recommend ways cities, businesses, and all Texans can work together to make sure our state is the best place to live and work for years to come.

[Register here](#) to hear Secretary Spellings’ keynote session at the virtual 2020 TML Annual Conference, and view more than 30 other conference sessions related to disaster recovery and resilience.

10/12/2020

Can I learn more about COVID-19 and cities at the TML Conference and Exhibition?

Yes! Several sessions will assist city officials with pandemic recovery:

-COVID-19 and our state’s prosperity and opportunities in the future: Listen to Margaret Spellings, former U.S. Secretary of Education and President and CEO of [Texas 2036](#), a data-driven long-term planning non-profit, discuss what their research shows are the most important issues facing our state today and tomorrow. She’ll discuss issues like health, broadband, workforce, education, and government performance, and recommend ways cities, businesses, and all Texans can work together to make sure our state is the best place to live and work for years to come.

-Recovery from COVID-19: The way we approach recovery will likely define Texas going forward. Our ultimate challenge is to make our cities and state stronger than we’ve been in the past. In his virtual TML Annual Conference session on October 14, Steven Pedigo, LBJ Urban Lab director, will outline a Playbook for Resiliency, and offer strategies and actions we can adopt now for a more prosperous future. Pedigo wants to challenge Texans to “think about resiliency as a place’s capacity to weather threats to its economy and its residents’ health, and even more broadly, as the capacity of residents, communities, institutions, businesses, and systems to survive, adapt, and grow, no matter what kinds of chronic stresses and acute shocks

they experience. The more resiliency a community has, the less likely it is to break under pressure – and the faster it is to rebound.”

-Helping local hotels: Hotels are fighting their way out of a halt in travel that has caused large-scale layoffs and temporary closures, and industry leaders don’t expect a turnaround until a proven COVID-19 vaccine is developed. [Scott Joslove](#), President and CEO of the Texas Hotel & Lodging Association, said that in his 20 years in the business, he has never seen such dire impacts. Listen in on Joslove’s session “Hotels Are Your Partners in Economic Recovery” at the virtual [TML Annual Conference and Exhibition](#) on October 14 at 3:00 p.m. to hear what your city can do now to make a difference for your hospitality community and local economy.

-Helping local retailers: Retail has been especially hard hit by the pandemic with many beloved stores hanging out “for sale” signs as the virus forces permanent closures. Innovations are helping the retail sector weather the challenges with curbside shopping and delivery, but what does the future hold? Listen in on “Retail Trends Post COVID-19” at the virtual [TML Annual Conference and Exhibition](#) on October 14 at 1:30 p.m. where C. Kelly Cofer and Aaron Farmer of The Retail Coach will discuss how you can help foster a strong retail sector in your community.

[Register here](#) to hear these sessions at the virtual 2020 TML Annual Conference, and view more than 30 other conference sessions related to disaster recovery and resilience.

10/20/2020

What kind of COVID-19 infection trends have we seen in recent days?

As infections and hospitalizations creep upwards in some regions of the state, so too have certain state data points. This rise prompted Dr. James McDeavitt, dean of clinical affairs at the Baylor College of Medicine, to [recently say](#) the following: “I’m no longer pondering if we’re going to see a surge. We’re already seeing it.”

Governor Abbott has taken action to tamp down the uptick in certain regions of the state. Last week, Governor Abbott [announced](#) the deployment of medical personnel and sent personal protective equipment to El Paso in response to the uptick in hospitalizations there. This action complemented the local actions taken by city and county leaders to keep citizens healthy. According to Governor Abbott’s press release, “[t]he State of Texas will continue to work alongside local officials and prioritize the health and safety of Texans.” On Friday (October 16) the governor [took similar action](#) in Amarillo and Lubbock.

City officials can continue to track local COVID-19 data using DSHS’s [County Trends Dashboard](#).

10/22/2020

What’s new with the Texas Eviction Diversion Program?

The Texas Eviction Diversion Program (TEDP) is a partnership between the Texas Supreme Court, Texas Department of Housing and Community Affairs, and Office of Court Administration to help tenants who can't keep up with rent due to the COVID-19 pandemic and who have been sued for eviction to keep their current living situation. If both the landlord and tenant agree to participate in the program, the TEDP can provide up to five months of past-due rent payments, and for up to six months of future rent payments.

The entities administering the program published [this TEDP informational brochure](#), which must be included with all notices that a tenant has been sued for eviction (where the program is currently effective).

As of October 12, the TEDP is in a pilot phase in 19 Texas counties – Bee, Bexar, Brazos, Chambers, Deaf Smith, El Paso, Erath, Fannin, Grayson, Harris, Jim Wells, Kleberg, Montgomery, Palo Pinto, Parker, Potter, Randall, San Patricio, and Wise. During the pilot phase, eligibility for TEDP is limited to those under 200% of poverty. The TEDP is scheduled to become effective in all counties on November 9.

Interested city officials can access more detailed TEDP information on the [Texas Courts website](#) and the [TDHCA website](#).

10/26/2020

What is the latest on the COVID-19 spike in El Paso and elsewhere around the state?

Despite [state and local efforts](#) to quell the pandemic surge in El Paso, numbers continue to tick upwards. Local efforts include a curfew, increased enforcement of the governor's executive order, and asking citizens not participating in essential activities to stay home. In recent days, Governor Abbott [has taken additional steps](#) to help mitigate COVID-19 in the El Paso area.

New infections and hospitalizations continue to trend upwards in a number of other areas of the state. City officials can [track hospitalization data](#) by Trauma Service Area and can access other county level data on the Texas Department of State Health Services' [County Trends Dashboard](#).

10/28/2020

Switching gears completely - with Halloween coming up this weekend, what can local leaders do to promote healthy celebrations?

The Centers for Disease Control and Prevention (CDC) has [published guidance](#) on how to minimize COVID-19 spread at holiday gatherings, including specific different "risk level" activity information for Halloween, Día de los Muertos, and Thanksgiving. Additionally, the CDC has a [separate webpage](#) spelling out the best ways to make trick-or-treating as safe as possible, under the circumstances.

Beyond CDC guidance, the Halloween and Costume Association has created a website – [Halloween2020.org](#) – that includes social distancing tips and a color-coded COVID-19 risk-level

map created by the Harvard Global Health Institute. The map can be broken down by Texas county, and the website has guidance on possible Halloween activities based on the risk-level of each county.

How will the pandemic impact Texas' economy in 2021 and what does that mean for cities?

The temporary closure of businesses and unemployment due to the pandemic have caused sales tax revenues to drop. Even when Texans are back to work, many city budgets will be upside down, with a greater demand for services than money to pay for them. At the virtual TML Economic Development Conference on December 10, Deputy Comptroller Lisa Craven will present the 2021 state economic forecast, and answer your questions about the impact on cities. [Registration is open.](#)

11/3/2020

Will there be an Update tomorrow (Wednesday)?

Hopefully not. While the Coronavirus is still very much with us, the volume of significant policy-related news seems to be levelling off. Accordingly, we intend to reduce publication of the Coronavirus Update to Tuesdays and Thursdays only in most weeks. Of course we will make an exception for breaking news, such as new orders by the Governor.

11/5/2020

How are Coronavirus numbers in Texas looking?

They are increasing. Yesterday (Wednesday), according to an [article](#) in *The Texas Tribune*, El Paso reported 3,100 new cases, breaking the previous daily record by more than 1,000.

Statewide, the testing positivity rate (legacy method) rose to 9.3 percent, compared to a recent low of 5.3 percent in late September. (See the [TXDSHS dashboard](#) for daily numbers.)

Total hospitalized persons in Texas who were positive for COVID-19 were 5,936 on Tuesday, the highest since August 19.

How are national Coronavirus cases looking?

According to the [Financial Times Coronavirus Tracker](#) (a very useful national and worldwide source of Coronavirus information by the way), the seven-day rolling average of daily new cases in the U.S. this week peaked at 84,641, the highest since the pandemic began in March.

Despite increasing cases, COVID-19 deaths are not increasing at the same rate. Again according to the [Financial Times Coronavirus Tracker](#), the seven-day rolling average of daily U.S. deaths sits at 839, fairly steady since early June, and down from a high of 2,105 in mid-April.

11/11/2020

Has the Governor's office said anything about plans for COVID-19 treatment distribution now that the U.S. Food and Drug Administration (FDA) recently authorized the use of the first medical treatment for the virus?

Yes. Yesterday (November 10), the Governor's office issued a [press release](#) describing the new antibody drug, bamlanivimab, and the FDA's recent (November 9) blessing to distribute it.

According to the Governor's press release:

The State of Texas has already prepared to distribute the COVID-19 vaccines and medical treatments.

The Department of State Health Services (DSHS) has already developed a [Vaccine Distribution Plan](#) and is working with health care providers to enroll in their [Immunization Program](#) to be eligible to administer these vaccines once available. Over 2,500 providers have already enrolled in the program. DSHS formed an Expert Vaccine Allocation Panel to develop vaccine allocation strategies.

The Texas Division of Emergency Management (TDEM) is prepared to assist the swift distribution of COVID-19 vaccines and treatments. In late October, TDEM hosted the State of Texas COVID-19 Vaccine Virtual Tabletop Exercise – over 1,000 local, state, federal, and non-governmental organization partners came together to test the state's vaccine support plan, understand its operational procedures, and examine their roles and responsibilities.

"Swift distribution of vaccines and medical treatments will begin to heal those suffering from COVID-19, slow the spread of the virus, and aid in reducing hospitalizations of Texans," said Governor Abbott. "As we anticipate the arrival of COVID-19 vaccines and treatments, the State of Texas is prepared to quickly distribute those medicines to Texans who voluntarily choose to use them."

11/12/2020

Is state government doing anything to help with the recent surge of Coronavirus cases in El Paso and Lubbock?

Yes. Yesterday (November 11), Governor Abbott [announced](#) the deployment of additional state resources to the areas, including Auxiliary Medical Units to Lubbock and the availability of additional medical personnel from TDEM and DSHS to El Paso, to join the 1,350 workers already there.

The assistance comes as El Paso County extended its three-week shutdown of nonessential businesses, as [reported](#) by *The Texas Tribune*. The Attorney General is challenging the legality of the county's order, but the Texas Supreme Court declined to intervene in the case on Wednesday, deferring to the 8th Court of Appeals which is expected to rule this week. A state district court last Friday declined to quash the county's order.

11/17/2020

Is there any follow-up on the state’s distribution of the anti-viral drug bamlanivimab?

Yes, on Friday (November 13), the Governor [announced](#) that the drug, which can prevent COVID-19 hospitalizations in some cases, will be distributed to acute care hospitals starting this week.

How will the pandemic impact the state’s economy in 2021, and what does that mean for cities?

As the Comptroller’s recent announcements show, state sales tax collections are down over November of last year, yet city sales tax distributions are up. At the live, virtual TML Economic Development Conference on December 10, Deputy Comptroller Lisa Craven will discuss the 2021 state economic forecast, and answer your questions about what impact this may have on cities. [Registration is open.](#)

11/24/2020

What do Texas restaurants say they need from cities at this stage of the Coronavirus pandemic?

The Texas Restaurant Association recently asked that [this letter](#) be shared with city and county officials. The League takes no position on the specific policy requests in the letter, but we do know that city officials will be interested in hearing how our partners in the restaurant industry are doing and what it is they are asking for.

What can Texas restaurants do for city residents?

Yesterday (November 23), the restaurant association in partnership with the Governor announced the [Holiday Comfort Food Care Package Program](#) (CFCP) to provide meals for at risk families. Families in need of food assistance through the program can get information [here](#).

12/8/2020

Is there news on the need for additional federal legislation relating to Coronavirus?

Yes, the National League of Cities has [reported](#) the results of a new survey on the harmful effects of Coronavirus on the nation’s cities. Of most significance, over 70 percent of responding cities reported that their fiscal conditions are negatively impacted by Coronavirus.

12/10/2020

How can we apply what we’ve learned from COVID-19 to build resiliency?

Faculty from the [Lyndon B. Johnson School of Public Affairs](#) at The University of Texas at Austin have published a toolkit on the COVID-19 crisis titled “Resiliency in the Age of COVID-19.” The toolkit is a collection of 18 articles designed to give policymakers the knowledge and solutions to tackle the pandemic’s challenges. The articles are rooted in the principle of resiliency which is used to describe how a community of any size copes with crises like pandemics, natural disasters, and economic shocks. Solutions in the toolkit build this capacity through recommendations such as scenario planning, increased public engagement, improved capacity building and partnerships, and more. Access the free toolkit [here](#).

12/22/2020

Can we expect another Update on Christmas Eve?

No. We are giving you a break from city-related COVID-19 news on Thursday. We're grateful to you for your work and dedication to Texas cities during this especially challenging year, and wish you and your family a happy and healthy holiday. Look for the next Coronavirus Update on Tuesday, December 29.

12/29/2020

Can we expect an Update on New Year’s Eve?

No. Unless there’s urgent news to share, we’re giving you a break from city-related COVID-19 news on Thursday. Look for the next Coronavirus Update on Tuesday, January 5. Best wishes for a happy and healthy new year.

1/26/2021

What is the new schedule for the *TML Coronavirus Update*?

The plan is to send one update email per week, usually each Tuesday. As always, we will send additional updates if needed to ensure that city officials remain informed of breaking news.

What are the latest COVID-19 statistics?

The Texas Department of State Health Services [COVID-19 Dashboard](#) shows that while deaths are increasing, cases and hospitalizations in much of Texas are slightly decreasing. The vaccine rollout continues nationwide. According to the [Centers for Disease Control](#), about 19 million Americans have received the first dose, and more than 3.3 million are fully vaccinated.

2/2/2021

What additional information on the effect of the virus on the economy has the comptroller compiled?

Texas Comptroller Glenn Hegar shared the following information in a special issue of his [Fiscal Notes](#) Newsletter titled “Weathering the Pandemic – Texas Industries and COVID-19”:

“All Texas industries have been affected by the COVID-19 pandemic, but some have struggled more than others. In the recently released December/January edition of *Fiscal Notes*, our office takes a closer look at some of the industries most affected by the pandemic, including hotels and motels, restaurants and bars, retailers, airlines and hospitals. . . .

Nine out of the 10 U.S. industries with the biggest job losses during the pandemic were service providers, including hotels, performing arts venues and restaurants. In Texas, employment in the arts, entertainment and recreation industries fell by nearly half from February to April 2020 and remained 27 percent lower in November, according to data from the Texas Workforce Commission. Employment at hotels, restaurants and bars fell by 12.5 percent during this period.

The most significant characteristic shared by the hardest-hit industries is their inherent need to operate in close quarters with their customers; their profitability typically depends on face-to-face encounters or crowds, from restaurants to sports arenas. Many sectors are financially fragile, with little cash on hand to weather an economic downturn. In addition, some businesses have been affected by the lack of consumer confidence and a concern for individual health and safety.

Fiscal Notes furthers the Comptroller’s constitutional responsibility to monitor the state’s economy and estimate state government revenues. It has been published since 1975, featuring in-depth analysis concerning state finances and original research by subject-matter experts in the Comptroller’s office.

For questions about how the agency functions are continuing during the outbreak, visit the [COVID-19 News](#) page or our [Virtual Field Office](#). *Fiscal Notes* is available online and can be received by [subscribing](#) via the Comptroller’s website.”

What’s the latest information on the pandemic from other state leagues?

On January 25, the Georgia Municipal Association (GMA) [hosted a COVID-19 interview](#) with Dr. Anthony Fauci. In the interview with GMA’s Larry Hanson (Executive Director), Rusi Patel (General Counsel), and Kelli Bennett (Director of Communications), Dr. Anthony Fauci (Director of the National Institute of Allergy and Infectious Diseases and the chief medical advisor to the president) shared an inside look into the COVID-19 vaccines, gave his professional opinion on when we can expect a return to normal, and explained what local leaders can do to engage with and protect their communities.

2/9/2021

What is the state doing to help Texans avoid eviction during the pandemic?

The Texas Department of Housing and Community Affairs is using \$1.3 billion in funds from the most recent federal stimulus bill to assist renters with rent and utility bills. The [Texas Rent Relief Program](#) website has detailed information for landlords and renters.

4/22/2021

We hear that the League will no longer be sending these email updates. Where do we look to find information related to the pandemic and stimulus?

That's correct. The League will no longer send the TML Coronavirus Update emails. After more than a year in which we've sent [183 email updates](#) and [amassed hundreds of pages of archives](#), the reduced volume of information no longer necessitates that we send these stand-alone emails.

In the future, all pandemic-related updates, including information about the American Rescue Plan's city-related provisions, will be published in the League's weekly [Legislative Update Newsletter](#).