TEXRail, a new commuter rail system designed by an ACEC Texas member firm joint venture, extends 27.2 miles from downtown Fort Worth to Terminal B at the Dallas-Fort Worth International Airport.

The TEXRail system was implemented based on anticipated population and employment growth projections in Tarrant County, Texas. It has since become a game changer for the communities along the line, providing convenience, reliability, and more options for passengers – an amenity that will benefit North Texans well into the future.
CONTENTS ★ FEATURES

20 Build up and Encourage Those Who Serve with Honor

22 Protecting Our Most Vulnerable: State Turns to City Fire Departments

23 Making Sense of Uncertainty

24 Stepping Up to Weather “Storms” Together

26 Strategic Planning and Strong Community Ties Help Maintain Focus on What’s Important During COVID-19

30 Health and Safety Through Housing

33 McKinney Mayor ‘All-In’ Leading Community in Midst of COVID-19

36 Formation and Procedures of the Texas Municipal League Nominating Committee

ABOUT THE COVER

In honor of the graduating classes of 2020, the City of Round Rock lit up its historic water tower with the colors of the Round Rock ISD’s high schools May 18-23.
The Texas Municipal League exists solely to provide services to Texas cities. Since its formation in 1913, the League’s mission has remained the same: to serve the needs and advocate the interests of its members. Membership in the League is voluntary and is open to any city in Texas. From the original 14 members, TML’s membership has grown to more than 1,150 cities. Over 16,000 mayors, councilmembers, city managers, city attorneys, and department heads are member officials of the League by virtue of their cities’ participation.

The League provides a variety of services to its member cities. One of the principal purposes of the League is to advocate municipal interests at the state and federal levels. Among the thousands of bills introduced during each session of the Texas Legislature are hundreds of bills that would affect cities. The League, working through its Legislative Services Department, attempts to defeat detrimental city-related bills and to facilitate the passage of legislation designed to improve the ability of municipal governments to operate effectively.

The League employs full-time attorneys who are available to provide member cities with information on municipal legal matters. On a daily basis, the legal staff responds to member cities’ written and oral questions on a wide variety of legal matters. The League annually conducts a variety of conferences and training seminars to enhance the knowledge and skills of municipal officials in the state. In addition, the League also publishes a variety of printed materials to assist member cities in performing their duties. The best known of these is the League’s monthly magazine, Texas Town & City. Each issue focuses on a variety of contemporary municipal issues, including survey results to respond to member inquiries.

For additional information on any of these services, contact the Texas Municipal League at 512-231-7400 or visit our website, www.tml.org.

**Board of Directors**

The League’s monthly magazine, The Texas Town & City, is designed to improve the ability of municipal governments to operate effectively.

### TX Municipal League Board of Directors

**President**

Eddie Daubern, CMO, Mayor, Staples

**President-Elect**

Karen Hunt, Mayor, Coppell

**Past Presidents**

Holly Gray-Moore, CMO, Mayor Pro Tem, City of Roanoke

Mary M. Dennis, CMO, Mayor, Live Oak

Jungus Jordan, Mayor Pro Tem, Fort Worth

Leonard Reed, CMO, Mayor, Willis

Henry Wilson, Mayor, Hurst

Dock Jackson, Councilmember, Bastrop

Terry Henley, Board of Adjustment Member, Meadows Place

**Directors-At-Large**

Jeff Williams, Mayor, Arlington

Steve Adler, Mayor, Austin

Joe McComb, Mayor, Corpus Christi

Eric Johnson, Mayor, Dallas

Dee Margo, Mayor, El Paso

Betsy Price, Mayor, Fort Worth

Martha Castex-Tatum, Vice Mayor Pro Tem, Houston

Ron Nirenberg, Mayor, San Antonio

**Regional Directors**

2-Doyle Robinson, Mayor, Panhandle

3-LaTrelle Joy, Councilmember, Lubbock

4-Raul J. Marquez, Councilmember, Big Spring

5-Bill Lindenburg, Commissioner, Burkburnett

6-Robert Brown, Alderman, Menard

7-Suzanne de Leon, CMO, Mayor, Balcones Heights

8-Tito Rodriguez, Councilmember, North Richland Hills

9-Ray O’Doherty, Mayor, Groesbeck

10-Connie Schroeder, CMO, Mayor, Bastrop

11-Patrick R. Rios, CMO, Mayor, Rockport

12-Ramiro J. Rodriguez Jr., Mayor, Palmhurst

13-Jim Pruitt, Mayor, Rockwall

14-Andy Brauning, Mayor, Huntsville

15-Shelley Brophy, Mayor, Nacogdoches

16-W.L. Pate Jr., CMO, Mayor Pro Tem, Beaumont

**Affiliate Directors**

Lee Battle, Director of Community Engagement, Allen

American Planning Association-Texas Chapter

Marissa Ximenez, Councilmember, Floresville

Association of Hispanic Municipal Officials

Selso A. Mata, Director of Building Inspections, Plano

Building Officials Association of Texas

Clifford Blackwell, CGFO, Interim City Manager, Bedford

Government Finance Officers Association of Texas

Robin Mouton, CMO, Councilmember, Beaumont

Texas Association of Black City Council Members

Beth Ann Unger, Information Services Manager, Frisco

Texas Association of Governmental Information Technology Managers

David Rutledge, CMO, Mayor, Bridge City

Texas Association of Mayors, Councilmembers and Commissioners

Steve Killen, Director of Development Services, City of Stephenville

Texas Association of Municipal Health Officials

Will Hampton, Communications and Marketing Director, Round Rock

Texas Association of Municipal Information Officers

R. Alan Shubert, Vice President, Operations and Technical Services, El Paso Water

Texas Chapter of American Works Association

Marcus Norris, Deputy City Attorney, Amarillo

Texas City Attorneys Association

Kelly Kuenstler, City Manager, Leon Valley

Texas City Management Association

April Christiansen, Court Administrator, Cedar Park

Texas Court Clerks Association

**Ex-Officio Non-Voting Invited Representatives**

Jimmy Chew, Fire Chief, Stephenville

Texas Fire Chiefs Association

Aimee Nemer, City Secretary, Richardson

Texas Municipal Clerks Association, Inc.

Tadd Phillips, Human Resources Director, Georgetown

Texas Municipal Human Resources Association

Maria Redburn, Library Director, Bedford

Texas Municipal Library Directors Association

Glenn Dishong, Utility Director, Georgetown

Texas Municipal Utilities Association

Brian Frieda, Chief of Police, Sweetwater

Texas Police Chiefs Association

Sabrina Schmidt, Purchasing Supervisor, Pflugerville

Texas Public Purchasing Association

Vacant

Texas Recreation and Park Society

TML Health Benefits Pool

Eddie Edwards, City Manager, Borger

TML Intergovernmental Risk Pool

Mary Gauer, Harker Heights

TEXAS TOWN & CITY • JULY 2020
Dear Texas City Official,

Difficult times call for strong leadership. Speaking of difficult times, can you recall a year that’s thrown so many challenges at Texans and the cities where they live? I sure can’t. But I take comfort in knowing that the leaders of our great member cities—mayors, councilmembers, managers, and department heads—are among the best anywhere in our nation. You’re up to those challenges. And that’s the theme of this issue of the magazine: leadership.

As always, with the great differences between our cities, there’s no one way to lead. Coronavirus, violence, looting, recession, and many other problems have hit some Texas cities simultaneously, and other cities little or not at all. There’s no one-size-fits-all approach, in other words. But we can learn from others’ approaches and experience. In this issue you’ll read about how mayors and city officials have led towns through their various crises, and I hope, as I have, you’ll take a few lessons from each that you can apply back home.

The Annual Conference and Exhibition later this year in Grapevine will be like no other conference in my time with TML. As you are aware, TML has had to cancel many educational and training conferences this year, so I expect the Grapevine conference will be the most attended conference ever. The focus will be leading in times of pandemic and recovery. We owe it to ourselves, and our citizens, to constantly be sharpening our leadership tools and the Annual Conference will be the place to learn. Next year, I promise, Texas cities will be hit with a new set of problems we can’t even dream up now. But the skills we hone now will get us more than ready to respond.

Eddie Daffern, CMO
Mayor
City of Staples
TML President
The 2020 TML Annual Conference and Exhibition, “From Crisis to Recovery,” will be held October 14-16 in Grapevine at the Gaylord Texan Resort & Convention Center. The Annual Conference will bring together city leaders and staff, state and federal officials, economic development specialists, and recovery experts to discuss the resources, tools, and strategies needed to rebound and rebuild post-pandemic.

Look for the Annual Conference program online in August at www.tmlconference.org. Conference registration and housing will open on August 18. We hope to see you there.

The League has a city-specific Coronavirus Resource page with links to state disaster orders and guidance, TML resources, and state and federal services. Want to review the governor’s recent disaster order or read one of the League’s past daily Coronavirus Updates? Visit www.tml.org/654/Coronavirus-COVID-19-Resources.

The 2020 TML Budget and Tax Rate Webinar is now available online through TML On Demand. The four-hour recorded session covers the basic legal requirements for budget and tax rate setting, components of a budget and budget implementation, and the tax rate setting process and Senate Bill 2. Learn more about the webinar and other on-demand offerings at www.tml.org/218/Texas-Municipal-League-On-Demand.

The Revenue Manual for Texas Cities (2019 edition) covers nearly every known source of revenue available to Texas cities in a simple question-and-answer format. You’ll find in-depth discussions of the major sources of city revenue like property taxes, city sales taxes for general and dedicated purposes, and right-of-way rental fees, in addition to lesser-known sources of municipal revenue. The manual is a collection of new revenue ideas, as well as a basic how-to
guide for each revenue source. It’s designed for mayors, city councilmembers, finance officers and staff, and city attorneys. To print your free and searchable copy, visit www.tml.org/191/Revenue-Manual-for-Texas-Cities-2019.

TML Water and Wastewater Survey

The 2020 TML Water and Wastewater Rate Survey results are now available on the TML website. The survey was sent to 1,124 Texas cities; 741 cities responded. Information is presented only for cities that provide water and wastewater services to their residents.

A total of 574 cities reported that they provide water service to their residents. The average cost of water usage of 5,000 gallons in all cities is $41.28, an increase of 3.82 percent over the 2019 average of $39.76. The average monthly residential consumption in all cities is 5,586 gallons. Wastewater service is provided in 547 of the cities responding to the survey. The average cost of wastewater service for residential usage of 5,000 gallons is $35.19, an increase of 14.73 percent over last year’s average of $30.67.

Visit www.tml.org/229/Water-Wastewater-Survey-Results to find full survey results. Please contact Jacqueline Redin at jredin@tml.org with any questions.

Access Archived Issues of Texas Town & City

Past issues of Texas Town & City (TTC) are now available online in a pdf format for easy access. Access any issue published from January 2019 through June 2020 at www.tml.org/583/Texas-Town-City.

HometownHeroes

The Small Town America Civic Volunteer Award

The Small Town America Civic Volunteer Award is a national program that will honor 100 extraordinary local government volunteers in smaller cities, townships and counties under 5,000 in population. The program, which will launch June 1 online at www.civic-volunteer.com and run through August 15, is being sponsored by CivicPlus. STACVA is intended to help spotlight the growing challenge small cities face in retaining and recruiting people to fill on municipal boards/councils and on local government committees that support planning, library, parks and recreation, vital public safety roles as e.g., firefighters and emergency medical technicians, and other important services.

Nominations begin June 1st at www.civic-volunteer.com

$10,000, $7,500 and $5,000 Cash Awards, and 100 Free CivicCMS Websites

Local governments represented by the top 100 STACVA honorees will receive free CivicCMS websites (featuring custom volunteer modules to aid in volunteer retention and recruitment efforts). Localities represented by the top three winning honorees will also receive cash awards of $10,000, $7,500 and $5,000. The Barton Russell Group (www.BartonRussell.com) will administer the program and judging process.

SPONSORED BY

Our Co-Sponsors
Texas Public Officials Lead the Way

The coronavirus pandemic has tested Texas leadership and demonstrated the strength of that leadership under pressure. Texas leaders have always built solutions in the face of challenge.

Forty years ago, when legislation required cities and counties to buy workers’ compensation coverage and commercial insurance coverage couldn’t meet those needs, a group of innovative and brave city leaders got together and decided they could solve this problem by sharing the risk among themselves, bypassing the commercial insurance market. That’s how the first TML risk pool was born.

It was daring—no one had ever done it—but they planned well, executed wisely, and the model was wildly successful. Pooling transformed workers’ compensation coverage and the entire industry - opening up new ways for public entities to manage risks and obtain the coverage they needed to protect their employees and assets. These pioneers blazed a new path that allowed them to design coverage and services uniquely suited to municipalities, with a level of control that wasn’t available in the commercial market.

As new challenges such as the Coronavirus pandemic arise, the TML Health Benefits Pool, and the many city leaders on its board of trustees, have found new ways to build what’s needed.

TML Health Trustee Jay Stokes, City Manager of Deer Park, who was recently elected to the Texas City Management Association board, guided TML Health to serve the best interests of members all across the state. He encouraged the Pool to look at new ways to deliver or pay for healthcare, ease the cost burden on public entities in difficult times like the coronavirus pandemic, and offer new services to meet emerging needs.

As Deer Park grapples with closures and budget shrinkage due to coronavirus, Stokes has risen to the challenge of aligning the city to follow the developing orders given by Harris County and Governor Abbott, and to stay attuned to the community’s needs. Responsive leadership by city management, city staff, and others has enabled the city to weather a lot of big changes quickly. From March, services began shutting down to protect workers and help slow the spread of COVID-19. Deer Park faced the challenge of keeping essential operations running as safely as possible, while doing without many services. In the late spring, the new challenge arose of beginning to reopen services that had been closed, such as public parks and libraries, while staying within prescribed guidelines for social distancing and keeping everyone safe.
While Stokes is new to the Texas City Management Association Board, his leadership has been helping guide the TML Health Benefits Pool for 14 years, and multiple cities across Texas for much longer. He affirms that being part of the leadership team of the TML Health Benefits Pool has helped him to become an even more effective city leader, and is prepared to face the challenges ahead.

“We all face the same challenges,” says Stokes. “and the biggest challenge lying ahead is we’re facing our budget seasons – what’s the impact on revenue now and in the next year and beyond that, and what are the services going to be as they [are affected by] diminished revenues, but Texas is full of great leaders who will do fantastic jobs in making those decisions.”

To address the budget challenges cited by Stokes, the TML Health board of trustees voted to protect pool members from any rate increase due to COVID-19. In solidarity with its members, the board opted to use the financial strength of the Health Pool to absorb those costs this year, and hold down rates while city budgets are strained.

Together, we Texans have met the challenges of building what we need time and again, and adapting to whatever comes. And with the new challenges we’re facing, we’ll do it again.

About TML Health Benefits Pool
TML Health Benefits Pool brings together hundreds of Texas public entities to leverage collective purchasing power and risk sharing to offer big-employer health benefits at small-town prices. By sharing in the Pool, TML Health’s members share the rewards of superior health coverage—lower costs, better health outcomes, and more personalized service.
Planning for the Worst and Finding a “New Normal” Amid a Pandemic

Good risk management demands reflection on what we are learning in the process. What has been learned from the initial shelter-in-place experience should provide relevant and accurate information that will enhance operations going forward. With this consideration in mind, this article is written with the following caveats: keep it philosophical, be intentional, and leverage the best information available so local governments can make informed decisions regarding operations and staffing, as the new normal is identified.

Determining those tasks or operations that are “essential” has been front in center of importance. As you’ve undoubtedly seen, heard, and perhaps even questioned, each organization has its own perceptions regarding essential operations. What’s deemed integral to one city may not be seen as such elsewhere. Lessons learned in the spring of 2020 have undoubtedly informed the decisions as to those employees who need to be available, while considering the potential exposure to both staff and the public.

With employees returning to work, workspace design, including desk and cubicle placement, shared and common spaces and equipment, and those employees regularly interacting with the general public, should be evaluated based on what we’ve learned about the spread of viruses. Just as barriers have been installed in many retail cashier locations, such as grocery and convenience stores, much of the same should now be considered at the municipal court or utility billing counters. Additionally, it is now vitally important to address general hygiene and sanitization in the workplace. While handwashing and cleanliness are on everyone’s minds, expectations should be established and communicated to ensure those practices continue.

Many employers have tried to contend with COVID-19 concerns through telecommuting (e.g. working from home). While this was a preferred and effective method throughout the stay at home/shelter in place orders, our most recent experience has uncovered that it too has limitations and concerns for employers. We know some employees do not adapt well to working remotely. Other challenges include the potential for employee injuries while “working” at home; Internet connectivity, such as struggling bandwidth; limited access to system resources; and cyber security. These lessons will allow public entities to continue to evolve plans for dealing with business disruptions, COVID-19 or otherwise.

We have learned that communication is of paramount importance. This includes leadership providing clear information to staff and the public. That might have seemed relatively easy prior to COVID-19 circumstances. But with the abundance of information via news, studies, and rhetoric being passed along with such haste, identifying and understanding trusted sources for information is becoming increasingly more difficult. Local health officials
and decision-makers, the State of Texas, and the Centers for Disease Control (CDC) have been reliable and accurate sources for general health information. Geographical hotspots also factor into the decisions that are made and subsequent communications. We have learned every effort must be made to update and recommunicate the message for changes that are made, as well as organizational and personal decision-making.

Risk management is everyone’s job and should be considered in every decision we make. Not many public entities, save the Boy and Girl Scouts in the group, were prepared for all the trials and tribulations this pandemic has wrought on our communities. While emergency action plans and fire drills are good, they are no match for a virus. If anything is to be gleaned from this entire experience, consider planning for the worst to be the top prize, followed closely by remaining flexible. No two situations will likely ever be the same, but having thoughts on paper based on the experience of spring 2020, is much better than the alternative of burying your head in the sand thinking this can’t happen...again.

These unprecedented and trying times have called for the Risk Pool to evaluate, learn, and adapt with the goal of supporting its members in ways that promote stability, one of the principle concepts of pooling. To say “it takes a village” is an understatement; we are absolutely stronger together, in the collective, than as individuals. Texans helping Texans navigate the ebb and flow of this new normal.

The Texas Municipal League Intergovernmental Risk Pool has several resources related to COVID-19 to assist, including a remote working policy and reopening guidance: http://info.tmlirp.org/covid-19-resources.

We infused innovation into a wastewater treatment facility to strengthen a community.

EVERYONE’S A WINNER.

We’re Olsson, engineers who understand that where there’s a project, there’s a purpose. See how we used a bio-tech approach in Batesville, Arkansas, to upgrade an important piece of infrastructure at olsson.com.
You’ve Got a Friend in Plano

COVID-19 forced many family members to end visits to parents and grandparents who are at increased risk for severe illness, but that distancing has caused isolation and loneliness for many of our elderly. Recognizing this, the City of Plano launched a new service to connect with senior citizens who want some social interaction. Seniors enrolled in the outreach program receive biweekly calls from a friendly City staff member who asks how they are doing, answers their questions, and provides referrals to community resources. Seniors can get on the call list by completing a short form at surveymonkey.com/r/SeniorCall.

Sweet Cash Program in Sugar Land

The Sugar Land Office of Economic Development developed the Sugar Land Sweet Cash program as a creative way to support small businesses in safely reopening and getting back to normal during the pandemic. Under this program, residents and visitors can help out local restaurants and retail, while also supporting frontline workers by purchasing gift cards.

For every gift card that was purchased from a Sugar Land business between June 20 and June 30, 2020, the Sweet Cash program will buy a gift card of an equal amount from a different participating business. Customers who submit proof of their gift card purchase receive a gift card for half their amount spent for a local business that was negatively impacted by COVID-19. The remaining half is used to send a gift card to a local frontline worker.

Businesses applied to participate in Sweet Cash. Eligibility requirements included operating in the city limits, having fewer than 50 employees or full-time equivalents, demonstrating revenue loss suffered due to COVID-19, and being a hotel, retail, food and beverage, or service-oriented business.

Boerne Stimulates Local Small Business Recovery

The City of Boerne launched the Boerne Strong Stimulus Program ("BSSP") to assist small businesses with 50 or fewer employees within Boerne city limits during the COVID-19 pandemic. The program provides limited financial assistance to businesses severely impacted by COVID-19. More than 100 small businesses were recently granted some financial relief through the initiative.

During the first in-person meeting since the pandemic shutdown — the Boerne City Council approved a resolution to grant 111 businesses a total of $305,500 in financial aid.

“I think this is a home run for how we have responded from our standpoint as a council and as a city,” Mayor Tim Handren said during Tuesday’s meeting. “We didn’t let government bureaucracy get in the way of doing something good for the community.”

Business can use the small business grants for expenses that include rent and mortgage payments, employee salaries, insurance and paid leave, utilities, COVID-19 supplies for customer protection and cleaning, and marketing. The money does not have to be repaid to the City if the businesses abide by the contract terms.
Free Milk for Dallas Families

Dallas Mayor Eric Johnson launched the Mayor’s Milk Initiative in May, a partnership with Borden Dairy to distribute thousands of gallons of milk to Dallas residents in need during the COVID-19 pandemic.

Borden Dairy, which is based in Dallas, is distributing fresh milk to nonprofits through the United States Department of Agriculture’s Farmers to Families Food Box Program, which is part of the Coronavirus Farm Assistance Program (CFAP).

Through the Mayor’s Milk Initiative, Borden delivers the milk to Dallas ISD elementary schools and certain houses of worship. Mayor Johnson has been partnering with local faith leaders to provide volunteers to help distribute the free milk at the sites. Volunteers have also distributed Census flyers at the sites.

As of early June, the Initiative had distributed 12,595 gallons of milk and approximately 230,000 pounds of food provided by the North Texas Food Bank. More than 6,400 families — a total of more than 24,000 people — have been helped through the effort.

“I am proud to partner with Borden Dairy on the Mayor’s Milk Initiative. With the help of Dallas ISD and our local faith leaders, this program will ease the burden on families facing hardships during the COVID-19 pandemic,” Mayor Johnson said. “Our city will get through these difficult challenges, and we will do so by working together, caring for one another, and helping those in need however we can.”

Locals Are the Heart of Melissa

The City of Melissa launched a twice-monthly podcast “Heart of Melissa” which features interviews with local residents and business owners about why they chose to live or set up shop in Melissa. The podcast gives Melissa the opportunity to connect with and leverage its most valuable asset: its people.

A recent installment features Drew Myers of Open Mouth Communications interviewing Melissa High School graduating seniors, Bella Blankenship and Grayson Hurst. The two discussed their experiences as they dealt with the realization that their final year of high school would be harshly affected by COVID-19. Each spoke about missing out on the expectations of all high school seniors everywhere, but most especially missing out on the extracurricular activities they excelled at and enjoyed.

Both students, nevertheless, said the circumstances of the pandemic resulted in what both agreed was a blessing in disguise. They pointed to the extended time with family as a positive aspect that might not have happened without the restrictions.

The podcasts are free and currently available. Listeners can search for Heart of Melissa on their favorite podcast site, subscribe, and receive alerts when new episodes are added.

Healthy Streets Roll out in Austin

In response to the COVID 19 pandemic, The City of Austin Transportation Department is working to create places that promote physical and mental health, and safe options to access jobs and services. The City’s Healthy Streets Initiative will connect previously disconnected portions of the active transportation network and create more space for daily physical activity.

Healthy Streets are achieved by closing select streets to through traffic, while maintaining local access only for residents, deliveries, and emergency vehicles. On Healthy Streets, people can more comfortably use these low-traffic areas for activities like walking, wheelchair rolling, running, and bicycling with enough space to maintain physical distance.

The initiative launched in late May with “soft closures” which consist of signage, traffic cones, and barricades along three initial roadway segments. The streets will be closely monitored to assure they operate safely and continue to meet the needs of the community.

Healthy Streets are designed for “active use” only, individuals are prohibited from gathering, barbecuing, or playing games that involve physical contact.

Community members can weigh in on future “Healthy Street” options and tell ATD how the effort is working using tools available at AustinTexas.gov/HealthyStreets.★
As I volunteered to drive in a parade for a nursing home so that their residents’ spirits were uplifted, I saw a sign that caught my attention: “Hope is NOT Cancelled!” Cancelling had become engrained in my mind due to our city having to play defense in the midst of COVID-19 and all of the unchartered territory we were wading through on a daily basis. I made a conscious decision that day not to cancel hope, and I encourage you not to either. So what exactly has Leon Valley done on behalf of our citizens and businesses to combat or deal with this pandemic?

- We negotiated with our solid waste provider to make no pricing adjustments for the next quarter even though our contract allowed a rate increase.

- We launched a campaign early on to ensure business visibility for those that were still allowed to remain open in some form.

- City council temporarily waived the sign ordinance on temporary signs so that Leon Valley businesses could ensure visibility and let potential customers know that they were open. The council also approved purchasing individual signs for open businesses for added visibility.

- City council temporarily waived late fees for water users, late fees for red light camera citations, processing fees for court, and credit card processing fees for citizens paying their city expenses electronically.

- Our fire and police departments individually met with all open businesses and group homes to establish up-to-date information in an effort to maintain constant contact during the pandemic. They also placed signs in the right-of-way on major roads to urge residents to follow CDC guidelines and support local businesses.

- Our fire and police departments have been supporting senior citizens with grocery shopping, picking up and delivering prescriptions, removing hazardous materials, and simple chores that aren’t so simple to our elderly population.

- Our economic development team worked with a digital sign company to waive fees for advertising open businesses in Leon Valley. The team also worked with businesses to ensure they remained updated on the frequently changing rules.

- Our public works department took the opportunity during the crisis to make needed repairs at City Hall so as not to disturb the public when the facility is reopened. The department also applied fresh paint to park restrooms and installed new toilets while the restrooms were closed.

- City staff worked with Meals on Wheels to deliver food to seniors.

- City staff have also attended all birthday parades we’ve been invited to for persons ages six to 96 in an effort to make our citizens’ celebrations a little brighter.
• Our economic development team developed a social media blitz which encourages citizens to purchase season tickets to interactive entertainment venues to help keep doors from closing permanently with some advance income.

• City council waived fines/fees due to the library. All library cards were renewed and due dates were extended.

• The Leon Valley Library launched virtual programming by doing story time and crafts online, expanded their digital collection, and stocked the “little free libraries” around our pocket parks. They have also conducted lots of social media outreach on closure, programming, and research for at-home kids.

• Our fire department continues to host a program called the “Leon Valley Blessing Box.” These boxes are filled with toiletries and “hard to find” items and given to residents in need. The idea was generated by Leon Valley Councilmembers Alcocer and Bradshaw. They have also shared with many residents the extra hand sewn face masks they have received.

• Our economic and community development advisory committee has helped by recommending several programs to aid local businesses, including the purchasing of temporary signage, grants for the purchasing of personal protective equipment (gloves, masks, and hand sanitizers) to ensure business safety, and a grant which pays up to two months of rent for businesses still unable to open under the governor’s order.

• Citizens are attending Leon Valley city council meetings virtually which is assisting with and allowing for social distancing and safe practices.

• Citizens, businesses, several councilmembers, and staff are volunteering their time and resources to assist those in need during the pandemic. Their acts of kindness have been noticed and are appreciated.

• Elected officials and city staff constantly attend virtual meetings in an effort to keep informed and disseminate information to our residents about the pandemic. This information has been disseminated via social media, walking businesses door-to-door, and on our electronic message signs.

What is next? There will be more changes by the governor’s office by the time this article comes out, so the future isn’t clear. What we do know is that as a team, as a community, and as caring people, we are getting through this pandemic together. We will continue to wear our face masks for the protection of others and wash and sanitize our hands often. We will follow recommended CDC guidelines. We will continue to connect virtually as often as possible, offer assistance to those in need, and remember that “Hope is NOT Cancelled!” ★
**LEGAL *Q&A**

By **Amber McKeon-Mueller**, TML Assistant General Counsel and **Sarah Hayes**, TML Law Clerk

---

**Q** How does a city acquire land for a park?

**A** A city may acquire land and buildings to be used for public parks, playgrounds, or historical museums by gift, devise, purchase, or eminent domain proceeding. Loc. Gov’t Code § 331.001(b)(1). A city may exercise eminent domain for the acquisition of a historic site, building, or structure only on a showing that it is necessary to prevent the destruction or deterioration of the site, building, or structure. Id. § 331.003.

City subdivision ordinances sometimes mandate that a developer dedicate land for parks a condition of plat approval. A city can also dedicate city-owned land by resolution or ordinance to be used for park purposes. A city may also receive a donation of land for park purposes. A city should accept donated land by resolution or ordinance.

**Q** What authority does a city have over its parkland?

**A** Parks are under the control and management of the city that acquired the park. Id. § 331.005(a). A city may sell or lease concessions or privileges for the establishment of amusements, stores, gasoline stations, and other concerns consistent with the operation of a public park. Id. § 331.006(a). The proceeds of those sales or leases may be used for the improvement and operation of the park or for the support, maintenance, and upkeep of other municipal parks. Id. § 331.006(b).

A city also has control and management of a historic or prehistoric site or historical museum. Id. § 331.005(b). Like with a city park, the city may sell or lease concessions or privileges for the establishment of amusements, stores, gasoline stations, and other concerns consistent with the operation of a public park and the preservation of noteworthy features of a historic or prehistoric site or historical museum. Id. § 331.006(a). The proceeds of those sales or leases may be used only for the improvement and operation of the museum or site. Id. § 331.006(b).

The city council may turn over parkland to the Parks and Wildlife Department by agreement to be operated as a public park. Id. § 331.005(a). If the city agrees with the Parks and Wildlife Department to turn over parkland, the expenses of the improvement and operation of the park shall be paid by the city according to the agreement with the department. Id.

**Q** How does a city official determine whether land is being used for park purposes?

**A** City officials should err on the side of caution and treat an area that citizens think of as a park as such. Some cases have interpreted whether or not the use of land gifted to the city meets the requirement that the land is used for “public park purposes.” For example, in King v. City of Dallas, a deed gifted property to the city of Dallas specifically for “public park purposes” and specifically as a “park.” King v. City of Dallas, 374 S.W.2d 707, 710 (Tex. Civ. App.—Dallas 1964, writ ref’d n.r.e.). The court concluded that the widening of paved streets, a bridge, a retaining wall, and sidewalks constituted “public park purposes.” Id. In another case, the construction of a library was a recreational facility and, thus, met the deed restrictions on the land to be used only as a community park. City of McKinney v. Eldorado Land Co., LP, 05-15-00067-CV, 2016 WL 2349371, at *10 (Tex. App.—Dallas May 3, 2016, pet. denied).
Taking a conservative approach to what is “parkland” is especially important for the purposes of sale of a park, which is governed by Local Government Code § 253.001(b). Local Government Code § 253.001(b) states that “[l]and owned, held, or claimed as a public . . . park may not be sold unless the issue of the sale is submitted to the qualified voters.” No reported cases or attorney general opinions have interpreted when land is being used as a park for purposes of a sale. In analyzing whether land was a park for the purposes of sale, attorney general opinion LO-97-057 states that “[w]e are not aware of any case law addressing whether land must be formally dedicated as a park in order to fall within” Local Government Code § 253.001(b). Therefore, if citizens view land as parkland, a city should treat that land as parkland for purposes of selling it.

Q  If land is being used as a park, how does a city sell it?

A  The sale of a municipal park is governed by several statutes:

- Parks and Wildlife Code § 26.001(a)(1) requires a city council to determine that the sale of the park is the best use of the land. The city must (1) give notice to the department with supervisory authority over the land and the public at large, (2) publish notice of a hearing in official newspaper once a week for three consecutive weeks beginning at least 30 days before the hearing, and (3) hold a public hearing on the matter. Parks & Wild. Code §§ 26.001(a)(1), 26.002(a)-(c).

- Local Government Code § 253.001(b) generally requires a city to submit a question of sale of the park to voters at an election held for that purpose.

- Government Code § 1508.006(a)(2) also prohibits the sale or lease of a park without an election.

After the notice and hearing and election have been held, assuming the voters approve the sale, the city may sell the park under either the notice and bid requirements of Local Government Code Chapter 272 or the public auction
requirement of Local Government Code § 253.008. A city may be able to avoid the notice and bid requirement if the parkland meets one of the limited exceptions in Local Government Code § 272.001(b). A city should consult with its city attorney on the best method to sell a park.

If any step in the process fails, the city may not sell the park.

**Q** What must a city do with the proceeds of the sale of its park?

**A** State law provides that “[t]he proceeds of the sale may be used only to acquire and improve property for the purposes for which the sold property was used.” Loc. Gov’t Code § 253.001(d). Any city selling a park should consult with its city attorney on how to handle the proceeds of the sale.

**Q** Can a city accept donations for its parks?

**A** Yes. A city may accept a gift of land, money, or personal property to use in support of public recreation facilities and programs. Id. § 332.006.

Additionally, a city may accept by gift or devise land and buildings to be used for public parks, playgrounds, or historical museums. Id. § 331.001(b). A city may also accept donations of land of other historical significance. See id.

**Q** Must city parkland be located inside city limits?

**A** No, but it must be located in the same county in which the city is located. Id. § 331.001(c).

**Q** Must parks be open to the public?

**A** Yes. Local Government Code § 331.007 requires that a park, a playground, a historical museum and its contents, or a historic or prehistoric site be open for the use of the public. Id. § 331.007. A city council may prescribe rules that govern the use of its parks, playgrounds, museums, or historical sites. Id.

**Q** Can a city charge for use of its parks for special events?

**A** Yes, but the city should have an ordinance and/or rules governing special events. Id. Without such an ordinance, groups will be able to use the park without charge since they are open to the public. Id.: see also Anthony v. State, 209 S.W.3d 296, 306 (Tex. App.—Texarkana 2006, no pet.) (unwritten policy delegating complete discretion to the police officers to ban persons from public parks at the officers’ discretion held unconstitutionally vague and in violation of procedural due process).

Additionally, cities drafting rules and ordinances governing parks should make sure they do not violate the First Amendment. Parks have long been considered “quintessential public forums.” Perry Educ. Ass’n v. Perry Local Educators’ Ass’n, 460 U.S. 37, 46 (1983). Speech may not be suppressed in public forums unless it is necessary to achieve a compelling governmental interest. See Cornelius v. NAACP Legal Defense & Ed. Fund, Inc., 473 U.S. 788, 800 (1985). When permitted, regulations restricting speech may only consist of reasonable time, place and manner regulations. Perry Ed. Ass’n, 460 U.S. at 45. The regulations must: (1) be content neutral; (2) be narrowly drawn to achieve the compelling governmental interest; and (3) leave open ample alternative channels for expression. Cornelius, 473 U.S. at 800; see also Carey v. Brown, 447 U.S. 455, 463 (1980). Restrictions on viewpoint are also prohibited. See Carey, 447 U.S. at 463.

A city should discuss the issue with its city attorney in drafting its special events ordinance and/or rules governing its parks to ensure the ordinance or rules don’t discriminate.

**Q** Can a city charge different prices for residents and nonresidents for use of park facilities?

**A** Yes. Many cities charge different rates for use of park facilities to residents and nonresidents. For example, some cities charge more for nonresidents to use a city-owned pool or rent facilities in the park. A city considering doing so should consult with its city attorney in drafting an ordinance. 


Smell a rat?

If something smells funny about the too-good-to-be-true offer that salesman’s making... maybe there’s a reason. TCAP is Texas’ only non-profit, by-cities-for-cities aggregator of electricity. Contact us today for a free, unbiased appraisal of your options. We offer an innovative approach to maintaining competitive rates, deliver top-tier service, and are governed by your peers. No profit motive. No hidden gotchas. No magic tricks.

WE’RE NOT SALESPEOPLE. WE’RE YOUR PEOPLE!

tcaptx.com 972 764-3136
This letter written by Gene Ellis, Chief of the Belton Police Department and President of the Texas Police Chiefs Association (TPCA), was published in the June TPCA bulletin. It is reprinted here with permission.

Dear Texas Police Chiefs Association Members,

Like each of you, I was shocked, sorrowful, and angry when I watched the video of Minneapolis PD officers with George Floyd. It angers me that these bad actors committed this atrocity and dishonored the uniform so many heroes wear. In over 30 years in this profession, I have never personally seen a technique taught that involved placing a knee on someone’s neck. Anything involving the neck should be construed as an act of deadly force. For the past two decades, our profession has trained on positional asphyxia. We have trained that once a person is restrained we must get them into a recovery position as quickly as possible. We also train about our duty to render aid when someone is in distress or asking for help. We know that we can be held responsible when we fail to act, including stopping a fellow officer from harming another person. From what I have seen, none of this was done, and no proper police tactic was used with Mr. Floyd. It is appalling how some just stood there as the one continued to cause harm, even after Mr. Floyd lost consciousness.

I spent the hours and days following this tragedy meeting with each patrol shift and with individual officers. They heard directly from me the condemnation of what transpired in Minnesota. I also reaffirmed the higher burden of care we have for someone in our custody. At the same time, I told them how proud I am of the way each officer conducts themselves as professionals while showing compassion and respect to all people we encounter. I demanded they treat everyone with the dignity that every human deserves. Finally, I challenged them to continue to put others first, lead with the heart of a servant, and love our community.

It is my hope that most police chiefs spent time talking to their officers, rather than just sharing their thoughts on social media. Don’t get me wrong, I read many heartfelt and passionate social media posts by law enforcement leaders. However, your officers need to hear directly from you. When was the last time you attended a briefing or checked by on a call for service? Do you and your command staff randomly watch body worn camera videos? As law enforcement leaders, we must inspect what we expect, challenge assumptions, and never give the appearance of consent through silence.

Policing is a noble and honorable profession made up of outstanding individuals who will run towards danger while others flee. Our profession should not be defined by a very small number of bad actors. While we condemn their actions, we must continue to build up and encourage all of those who serve with honor every day. By displaying Fairness, Impartiality, Transparency, and giving those we interact with a Voice, we will meet the policing expectations of our communities while honoring our oath.

The scenes of violence across the nation are disturbing and distract from the real issues. Lawful and peaceful protests are protected under the Constitution and are an American way. Rioting, assaults, theft, vandalism, and arson are criminal acts that destroy communities. My heart breaks for those in the areas ravaged by these acts, especially the business owners who are already devastated by the pandemic shutdown. Please join me in praying for peace in our nation.

Stay safe,

Chief Gene Ellis
TPCA President

Texas Police Chiefs Association
The Texas Police Chiefs Association was established in 1958 to promote, encourage, and advance the professional development of chiefs of police and senior police management personnel throughout the State of Texas. Learn more at www.texaspolicechiefs.org.
We are committed to deploying a world-class program that is built on the foundation of trust, excellence, and science-based evidence, crucial to helping rebuild economy and businesses.

BV, in conjunction with the Cleveland Clinic is poised to act as Chief Medical Director, for BV’s Restart your Business with BV Program, is working to help you restore confidence in safety and hygiene standards. BV’s renowned knowledge in testing, inspection, and certification (TIC) will help you build confidence with employees, customers, and our communities across North America.

FOR MORE INFORMATION CONTACT:

Van Tran, CBO | 214.876.6855 | van.tran@bureauveritas.com
Where do Governor Greg Abbott and the Texas Division of Emergency Management (TDEM) turn when they need COVID-19 assistance? Cities, that’s where. More specifically, the governor partnered with local fire departments and local public health authorities to provide testing in nursing homes throughout the state. The partnership was developed and implemented through an ongoing collaboration between TDEM, the Texas Commission on Fire Protection, the Texas Health and Human Services Commission, and the Texas Department of State Health Services.

“This partnership builds upon our efforts to expand COVID-19 testing in the Lone Star State, especially among our most vulnerable Texans,” said Governor Abbott. “I thank our local fire departments for continuing to serve their fellow Texans throughout the COVID-19 response. By serving their communities in this new capacity, we will continue to contain the spread of this virus and protect the health and safety of all Texans.”

Firefighters are “proud to be on the frontlines on the pandemic response,” Texas State Association of Fire Fighters President John Riddle wrote in a statement. “No matter what, we'll be there when the call comes in,” Riddle wrote. “We just want to ensure we can deliver excellent service as safely as possible.”

Mike Wisko, former City of Galveston Fire Chief and Executive Director of the Texas Commission on Fire Protection, said. “We need the leadership and resources of the Texas fire service to help service the 1,223 nursing homes, which when combined, have a population of residents and staff close to 250,000 people.

The partnership highlights the fact that local government public safety personnel are on the front lines every day, whether it’s responding to a fire, an auto accident, or a pandemic. Texas cities are ready to get the job done. ★
A lot of scary things are in the news lately, from the continued spread of the COVID-19 into every crevice of the globe to the mental and emotional toll that fighting the virus is taking on those who are in self-isolation. There is also an increased insecurity for food, housing, and employment within communities nationwide. As all cities know, this pandemic has affected our staffing and resources available to support those needs. The sudden and involuntary transition to remote work caused by COVID-19 has not been a smooth process for government agencies. Texas communities are more in need of services during a time when service delivery is more difficult.

Around the great state of Texas, grassroots initiatives spearheaded by nonprofits, community groups, and individuals are working to fill these gaps. All these contributions are meaningful and important to our specific communities. As the impact of the Coronavirus evolves, the Texas Municipal League (TML) continues to work with state and federal officials and city leaders to limit the spread of the virus, mitigate health and economic risks, and protect our communities.

Staying connected to Coronavirus-related information and help that is available can be challenging – information is changing rapidly, families and businesses are struggling, and some traditional services are not operating. It is nearly impossible to navigate through the daily blitz of information from the state and federal levels.

When our city encounters problems that hinder us from achieving our primary goals – which are to protect, provide for, and support our citizens – we look to our collaborating partners. Amid these uncertain and challenging times, one resource I turn to is TML. As I write this article, TML has provided daily updates that specifically relate to the Coronavirus. The informational updates are easy to understand and they are BRIEF. If I have a question, I simply send an email and receive a response within 24 hours.

TML provides synergy. Synergy is defined as, the sum of the whole being bigger than the sum of each part. Working together collaboratively can result in greater accomplishments as compared to each of us working on our own. That is the Texas way.

I have been a member of TML for nearly 30 years, and I am ashamed to admit that during this pandemic I am just now realizing the value of my partnership with TML. I have had the privilege to serve the City of Harker Heights as the parks and recreation director, public relations director, and now as interim assistant city manager. Our community is approximately 30,000 in population and just like most, if not all cities, we are employee lean. There is no doubt that without the League’s assistance, we would be woefully under-informed.

When information goes unnoticed or untapped, it ultimately affects the end user – our citizens. TML has greatly assisted me in my role to keep our city council, department heads, civic and business leaders informed and educated on the issues and programs being offered due to the pandemic. They have also allowed me to collectively make sense of a situation riddled by anxiety and uncertainty.

It is accurate to say that TML exists solely to provide services to Texas cities. They are providing a service which Harker Heights does not have the time or staff to by ourselves. It’s great to know that my community is not in this alone.
As Hurricane Harvey roared into Port Aransas on August 25, 2017, Joe McComb knew the powerful storm would leave behind a path of destruction. Though he was new to the job of mayor of Corpus Christi (following a special election less than 90 days previously), McComb had lived on the coast his entire life. While still a mayor-with-training-wheels, he had previously served on the city council and as a Nueces County commissioner.

The morning after the hard-hitting storm, McComb drove around Corpus Christi to assess the damage. He then visited other hard-hit communities – including Port Aransas – to see if he could help. He was dismayed by the destruction and his conversations with local officials and residents. For example, Port Aransas City Manager Dave Parsons, who was casually dressed in a Hawaiian shirt, shorts, and flip flops shared that those were literally the only clothes he had left.

Communications and power were non-existent in some communities. Public buildings and equipment were destroyed.

In conversations with friends like Larry Elizondo, a former city council member and then an executive at CITGO, the idea of establishing a Mayor's Hurricane Harvey Relief Fund developed with the focus on distributing funds to cities and public entities to quickly help them through recovery. By August 31, McComb worked out the details with Karen Selim, the Executive Director of the Coastal Bend Community Foundation (CBCF), to act as the fund’s fiduciary agent. Word went out asking for donations. The response was swift and substantial with CITGO being the first donor with a sizeable contribution. McComb began to deliver checks within a week to hard-hit governmental entities in the region. Approximately $1 million in total was contributed and distributed over the fall of 2017.

You might be thinking “What does Hurricane Harvey have to do with our current COVID-19 calamity?” When the Nueces County judge and Governor Greg Abbott issued stay-at-home or essential services only orders, McComb knew another “storm” was on the horizon. He once again called Selim at CBCF and others who had helped him with the Harvey fund.
McComb once again reached out to the community to support the new Mayor’s Disaster Relief Fund. Donations to the fund would be distributed to 501 (c) (3) entities that were operational and focused on housing/shelter assistance, food distribution, medical services, or child care. CBCF, with a strong working and funding relationship with successful not-for-profits, contacted organizations to assess the level of increased needs due to COVID-19 and their financial situation.

McComb and CBCF staff began contacting potential major donors, such as foundations, major businesses, and individual philanthropic donors. By the time the new fund was announced on April 9, 2020, donations had already been pledged. A week later, on April 16, the first two $25,000 checks were presented to the Coastal Bend Food Bank and the Salvation Army. Through small and large donations the fund has grown to almost $300,000, and nearly $277,500 has been distributed to 21 non-profits. The more than 65 individual donations have ranged from $25 to $100,000. McComb emphasized that every dollar is equally important and valued.

In some instances, major donors had specific charitable desires which have been followed. McComb has worked with CBCF to determine the most pressing needs, and then selected entities to receive funds. While his primary role is to serve Corpus Christi, McComb has been resolute in ensuring that funds support entities that serve other regional communities as well as rural areas.

Presenting checks with only three people in the room, all wearing masks, is a new experience. Knowing the funds are being used to stock food pantries, help essential service workers with child care, pay rent and utilities, and provide free (and mobile) COVID-19 medical testing is as rewarding as the checks McComb delivered to public and governmental entities following Hurricane Harvey. In both disasters, the donations were often accepted by people with tears in their eyes.

As is his nature, McComb said the accolades go to the generous donors, to the astounding staff at CBCF, and to the agencies delivering the services. Because the financial challenges are far from over for so many, the Mayor’s Disaster Fund effort continues, encouraging donations and providing support. ★
STRATEGIC PLANNING AND STRONG COMMUNITY TIES HELP MAINTAIN FOCUS ON WHAT’S IMPORTANT DURING COVID-19

By Craig Morgan, Mayor, City of Round Rock
I’ve often said that the City of Round Rock’s current success is due to our strategic planning. Our council gathers annually for a strategic planning work session to establish a clear vision for the year ahead. By focusing on a handful of key priorities, we’ve been able to maintain a family-friendly community that is distinctive by design, despite our community’s fast growth.

This year’s strategic planning retreat took place in late January – just over a month before COVID-19 became the center of attention for all of us. The weeks since then have felt like months – at times, years – and even our stable plan for the future has had many unexpected obstacles in its path.

That said, let’s be honest — as city leaders, we are always dealing with change. Changing economic landscapes and new legislation are familiar territory for us. A pandemic is an unexpected challenge, to say the least, but our response has been rooted in the identity we’ve created for ourselves over many years of long-term planning and visioning.

Round Rock has always been a community of entrepreneurs, critical thinkers, and neighbors who look out for each other. This is at the core of who we are and sets the stage for the actions we take, no matter the situation.

Like many other cities, we continue working with our local health department and county counterparts. Although our past financial planning puts us in a solid position, we have already sharpened our pencils to brace for the budgetary
impacts of the past few months. To assist individuals, our community development division, created years ago out of one of our strategic goals, is connecting residents in need with local resources and volunteers willing to help.

In true Round Rock fashion, several organizations and groups have come together to help those in need. A coalition of local non-profits set up drop-off donation sites for non-medical items to be delivered to vulnerable populations and elderly residents. The Round Rock Area Serving Center ran a modified food pantry by delivering groceries curbside to families in need. Our local school districts banded together to provide mental health support to students and families who have been facing difficulties.

One of the causes closest to my heart was Round Rock Cares. We announced Round Rock Cares in conjunction with our local Chamber, Dell Technologies, and the Greater Round Rock Community Foundation to help small businesses in Round Rock by allocating financial resources as quickly and directly as possible in their greatest time of need. We were able to raise nearly $400,000 as a community to help 160 small businesses in need, well before money was made available through the CARES Act. I have been so proud of our community coming together to uplift the entrepreneurs who make our city special.

Although these are all established organizations in our community, several others have come together in less formal ways to provide for those in need. So many of our residents have helped by making masks, picking up necessary items and groceries for neighbors, and coming up with creative ways to offer support.

Our City also made the decision to begin opening our facilities in conjunction with Governor Abbott’s phased reopening plan. However, it was important to us that we reopen the Round Rock way — with critical thinking that prioritized the safety and health of our residents and businesses. We communicated these decisions clearly to residents and even gained their input via surveys along the way. If this has taught me one thing, it’s that even though our vision or expectations may change, it’s vital to maintain a strategic mindset rooted in our community’s identity.

As we move forward, it is important for cities to reflect and face these challenges in a thoughtful, respectful way. Our community will always make a commitment to show that, even with our differences, we always have each other’s back. ★
Members like you make us who we are

That’s why we’re proud to have been able to bring you expanded services during the COVID-19 crisis. We...

- Waived certain eligibility requirements to ensure members who were furloughed or had their hours reduced could keep their health benefits
- Expanded prescription drug authorizations and early refills to ensure members could safely get their medication during social distancing measures and closures
- Extended renewal deadlines for open enrollment to lighten the administrative burden on member groups
- Issued guidance on workers' compensation for our first responder members exposed to COVID-19 in the line of duty
- Board voted to use the Pool’s financial strength to cover all COVID-19 costs and avoid increasing rates due to the pandemic.
- Expanded telemedicine coverage to help members get ongoing care from their regular doctors
- Opened new phone enrollment to ensure the new remote-first world didn’t keep members from getting their benefits
- Automatically renewed coverage for all member groups who did not wish to change plan designs
- Found new ways to get benefits ID cards to members who couldn’t—or shouldn’t—go into the office during the outbreak
- Issued guidance on antibody testing
- Cover COVID-19 treatment at 100% through the end of June

If we can do this over spotty wifi, in a crisis, imagine what we can do for you when times are good. See you again soon, but in the meantime we’re still here for you.

http://www.tmlhealthbenefits.org
When the San Antonio City Council approved an affordable housing policy in October 2018 that included a Risk Mitigation Fund to assist families facing displacement from their homes, no one at the City of San Antonio had ever heard of COVID-19. The fund was, at the time, a response to the pressures that some renters and homeowners were facing after the highly successful “Decade of Downtown” had led to rapid redevelopment of many neighborhoods in and around San Antonio’s urban core.

Nor was the coronavirus the motivation behind the City presenting a Status of Poverty Report in February 2020 that offered recommendations to address generational poverty and economic segregation. Rather, it was strategic action on the heels of the release of United States Census Bureau data showing that despite its position as the sixth largest city in the United States, San Antonio was also among the nation’s leaders in the percentage of residents in poverty.

Yet both policies, and the partnerships they created, proved to be invaluable when the economic realities of the COVID-19 pandemic caused great uncertainty for homeowners, tenants, and their landlords.

“Affordable housing has been a priority for this city council,” said City Manager Erik Walsh. “The creation of a Risk Mitigation Fund two years ago put the mechanisms in place that put us in a better position to respond. We didn’t have to start at the ground floor.”

“It’s important to understand what ‘normal’ looks like in San Antonio,” added Mayor Ron Nirenberg. “We have a city that ranks among the highest in poverty, so we know that when a crisis strikes, it’s going to exacerbate the challenges that are already present here.”

Public health professionals and affordable housing advocates have for years pointed to the connection between safe housing and public health, but never has the link been more obvious than during this pandemic. When the key to stopping the spread of the virus is the ability to stay home. Yet for those suddenly facing a precipitous drop in income and unable to pay their rent or mortgage, staying home isn’t that simple.
In response to the uncertainty, the federal government implemented a 120-day moratorium on evictions for any residential property that received federal housing funds. In San Antonio, approximately half of the 260,000 rental units were covered by this protection, which expires July 24, 2020. Additionally, the Texas Supreme Court issued a stay on all court proceedings involving petitions for eviction for non-payment of rent, which was in effect until May 18, 2020. At the local level, the Bexar County Justices of the Peace issued an order further suspending eviction proceedings in Bexar County until June 1, 2020.

As critical as these protections were, they only paused or delayed the eviction process. The protections did not forgive outstanding rent or mortgage payments once the moratoria are lifted. And they did not address the other side of the equation – landlords for whom their tenant’s rent is the primary source of revenue to service debt or maintain a property.

Not surprisingly, by mid-March 2020, San Antonio’s Risk Mitigation Fund had grown from the 57 inquiries received per week pre-COVID to more than 5,300 applications per week.

In an effort to keep people housed during the pandemic, the City of San Antonio created the COVID-19 Emergency Housing Assistance Program (EHAP). At more than $25 million, combined with an additional $4 million from Bexar County, San Antonio’s program is believed to be one of the largest such relief programs in the country.

“This is immediate relief for our most vulnerable and disadvantaged residents who are on the bubble because of this crisis,” said Nirenberg. “We have in this community almost $30 million dedicated to helping folks stay in their homes and be able to put food on their table in the middle of a pandemic. This is extraordinary teamwork, and I’m very proud of us for doing it.”

The program was funded by cobbling together multiple funding sources. The City’s $77 million Community Development Block Grant (CDBG) allocation from the CARES Act was combined with redirected funds from the City’s FY 2020 budget, including housing repair programs, parking revenues and savings resulting from the COVID-required closure of certain programs. Outside contributions from Tax Increment Reinvestment Zones, the San Antonio Housing Trust Foundation, the San Antonio Area Foundation and private donations both large and small helped top off the fund.

“Affordable housing is a priority,” said Assistant City Manager Lori Houston. “So we already had an office that was ready to respond to the COVID pandemic because it was a priority.”

Like San Antonio’s existing Risk Mitigation Fund, the EHAP funds rental and mortgage payments for qualified applicants, but by council action in April, it was expanded to provide financial assistance with utility bills and internet access. Funds for rental, mortgage, internet, and utility assistance are paid directly to the landlord, bank or service provider. In addition, the EHAP also provides cash assistance to help pay for groceries and fuel. The cash assistance is provided directly to the family receiving assistance by Family Independence Initiative (FII), an organization whose partnership with the City started with the implementation of San Antonio’s Status of Poverty Report prior to COVID-19.

“This is not a new program,” said Councilwoman Shirley Gonzales. “We are adding to the pot of a program that we have tweaked and perfected over time.”

To qualify for assistance, applications must show proof of hardship – a termination letter, proof that the applicant is seeking unemployment benefits, bank statements to show reduced income. The City works closely with applicants to identify acceptable documentation. The City launched an online application process that includes additional questions about the applicants’ safety: Do you have enough food? Are you experiencing domestic violence? Are you aware of unemployment benefits and how to apply?

“Creating the program was one challenge; promoting awareness of it was another, especially, noted Gonzales, at a time “when we can’t go door-to-door and speak with people, as we would during a campaign. The biggest challenge is getting the word out and enrolling people.”

City staff implemented an outreach plan to both promote the COVID-19 Emergency Housing Assistance Program and educate tenants and landlords on tenants’ rights and the existing protections. These efforts are in English and in
Spanish and target the most vulnerable in San Antonio. The outreach plan included:

- 4,000 door hangers in areas with low equity scores
- 13,000 flyers distributed to residents in 90 properties that are often the subject of eviction filings
- 5,000 letters mailed to landlords and the membership of the San Antonio Apartment Association outlining tenant protections and promoting the housing assistance program
- Application intake conducted at various churches
- 10,000 flyers distributed at the SA Foodbank distribution centers
- Public Service Announcements on local broadcast and print media
- Targeted outreach by city council districts with low participation in the program
- Information provided through the City’s fair housing website and hotline that provides counseling services for tenants
- Information provided through a partnership with Texas Rio Grande Legal Aide, which provides legal services to tenants dealing with evictions or other conflicts with landlord

The City of San Antonio and Bexar County worked with the four Bexar County Justice of the Peace precincts to include information about the City’s EHAP and the County’s Temporary Rental Assistance Measure (TRAM) in the notices to tenants regarding their scheduled hearing dates for evictions due to nonpayment of rent. Additionally, the precincts will allow staff to be present at the eviction hearings to help eligible defendants apply the program.

City staff has also partnered with the Archdiocese of San Antonio on a film used to educate priests about the program. The film provides instruction on how to complete the application so that church leaders may share with their parishioners and assist with intake. An advertisement for the EHAP will be in the next issue of “Today’s Catholic” and another film advertising the EHAP will air on the Catholic Network.

“COPS Metro and the City of San Antonio haven’t always seen eye-to-eye on issues,” said Linda Davila of COPS/Metro, one of many grassroots organizations that pledged to help spread the word. “But through this crisis, we have been very impressed by the City’s fast and thoughtful response to the COVID-19 crisis. The executive orders require people to stay home to be safe, but if residents are forced out of their homes, they will not be safe anywhere.”

As of May 12, 2020, more than 7,014 applications had been received, representing nearly half of the City’s $25 million. Fifty-six percent of the applicants currently earn less than 10 percent of the Area Median Income ($7,200 annually), and 65 percent of the applicants are female. The largest percentage of applicants is between 26 and 45 years old. According to data from the National Multifamily Housing Council, rent collection for April 2020 was down only 1.8 percent compared to the prior year for the San Antonio/New Braunfels Metropolitan Statistical Area. However, the City of San Antonio anticipates the percentages increasing as unemployment benefits and other federal relief is exhausted. At the time of this writing, the city council was considering adding another $25 million to the EHAP from the Coronavirus Relief Fund revenues received by the City.
In McKinney, a city in Texas of nearly 200,000 residents, when a worldwide health crisis became local, the mayor leaned in. While cities considered which steps were needed to flatten the curve, Mayor George Fuller made it crystal clear he wanted to move quickly and have his city do everything they could to protect the health of the community and all of its residents.

Fuller was an active and engaged community participant, not only in his elected role as mayor, but as a citizen, since the earliest days of the COVID-19 crisis. His willingness to get into the details and truly understand the quickly emerging and fluid situation that the pandemic presented was evident. He spent countless hours on phone calls with experts across the state and nation, meeting with local community leaders, and taking a leadership role when many others were just getting started in understanding the emerging situation. He studied the scenarios in-depth and came to the table with true empathy and an undeniable passion to serve.

On March 16, McKinney’s State of Disaster for Public Health Emergency was declared, and the following day, shelter in place protocols, closing businesses, and limiting food establishment services began. In the wake of many American cities processing emotions of denial and anger toward the crisis, Fuller was prepared to shoulder the weight of any backlash to keep his community safe.

“I am convinced that the risks of underreacting are so much greater than the risks of overreacting, and although we hope for the best, we must be prudent and plan for the worst,” said Fuller. “It is going to take all of us, working together, to ensure that we put the health and safety of our community above all else, and I have no doubt that is what we will do.”
The health and well-being of citizens were at the forefront of his mind, but the business community’s vitality was too. Fuller has been a fervent supporter of economic development and retention for existing business, so decisions that involved weighing the impact of public health against economic hardship were difficult. As a local small-business owner himself, the consequences of shelter in place restrictions were not lost on him and gave him genuine empathy for his colleagues.

Fuller supported the #McKinneyStrong campaign started by the Chamber of Commerce and other local organizations which encouraged residents to continue supporting local businesses through online purchases, gift cards, takeout, drive-thru, and curbside service. The campaign had overwhelming support on social media and pivoted online chatter from discussing which businesses were essential to how residents could support local businesses. In a few short weeks, more than $20,000 was raised through t-shirt sales alone to funnel back into community resources. The camaraderie was indisputable and the start of a wave of other efforts to come.

The city’s emergency order was met by a lawsuit from one local resident who opposed the ordinance. While Fuller was disappointed that City staff time and resources had to be shifted from COVID-19 response efforts to battle the lawsuit, it didn’t slow the momentum he created to bring the community together. Adding to the stress, Fuller had to briefly quarantine when his daughter battled COVID-19. But even in quarantine, he continued to give media interviews from his home and did not miss a beat in his work as mayor.

Thinking ahead to recovery even as the crisis persisted, Fuller was a champion for encouraging the City of McKinney to team up with leading McKinney businesses, the Chamber of Commerce, faith-based organizations, and other members of the community to help residents impacted by the coronavirus in both the short- and long-term by launching OneHeartMcKinney.com. The website has become a one-stop-shop for those looking for help.
and those seeking opportunities to help. It lists everything from free or low-cost medical clinics and services providing food to people in need, to guidance for business owners and resources for those looking for work. But he didn’t stop there. The mayor and his wife donated a $50,000 matching grant from their nonprofit – The Love Life Foundation – to OneHeartMcKinney to jump-start fundraising for the organization to distribute.

Together with the city council, he challenged staff to look into every revenue source available to the City to find opportunities to provide assistance to the community. Through a partnership with the McKinney Community Development Corporation (MCDC), the City established the McKinney Strong COVID-19 Small Business and Nonprofit Grant program, offering up to $1,500 grants to eligible McKinney-based small businesses and nonprofits enduring economic hardships due to COVID-19. The grant funds up to $1 million. Fuller has pledged to continue to look for other funding sources that can be used to continue to assist both businesses and residents who need help and has asked council to work with him to consider options for developing programs for larger grants ranging from $15,000 to $25,000.

In the months navigating the pandemic and mitigation efforts, Fuller has conducted countless media interviews and maintains an active social media presence providing up-to-date information and personally addressing multitudes of citizen questions and concerns. He is incredibly generous with his time, saying yes to basically any request of him to communicate, help, or listen. In addition to his formal role leading McKinney, Fuller continues to be an actively engaged citizen and neighbor – participating in fundraisers and initiatives to support struggling local businesses and residents. From hosting live concerts with his wife in support of local musicians and recording book recommendations for the public library system virtual programming to riding his motorcycle in car parades and reminding residents to support local businesses by ordering food to-go, he leads by example and makes every effort to serve where needed. Our mayor truly walks his talk.

While COVID-19 mitigation efforts could easily be a full-time job, Fuller continues to focus on ongoing community development projects too. The regular day-to-day business of running one of the fastest growing cities in the nation has not skipped a beat. In April, the announcement came that McKinney had succeeded in attracting the prestigious AT&T Bryon Nelson golf tournament to McKinney’s TPC Craig Ranch facility which gave the community something to celebrate and look forward to. On May 5, he voted with the majority of city council to move forward with a capital improvement project in Historic Downtown McKinney. When finished, the project will result in enhanced lighting along the street, wider sidewalks, new planters, and a designated valet section among other things like improved water and wastewater utilities. The goal is for the improvements to attract visitors and welcome people back to downtown in a time when local businesses need it most.

During COVID-19, McKinney city council met in person for regularly scheduled and emergency meetings. Adjustments were made to follow social distancing guidelines.

When a crisis hits, character is tested. Fuller has displayed extraordinary tenacity to do good, spread compassion and hope, and fervently serve his community. He truly cares for the residents of McKinney and the businesses that call McKinney home.
Editor’s Note: The following information describes the TML nominating procedures. In accordance with those procedures, this information must be published in the July issue of Texas Town & City magazine.

The TML Nominating Committee shall be formed and shall conduct its activities under the following TML Board-adopted policies.

Formation of a Nominating Committee
During the summer meeting of the TML Board of Directors, the TML President shall appoint a TML Nominating Committee to be made up of not less than five nor more than seven members of the TML Board of Directors, all of whom shall be elected officials.

The most immediate TML Past President shall chair the Nominating Committee, and two other Past Presidents shall be appointed to the Committee.

The TML President shall attempt to make appointments in a way that balances the Nominating Committee with regard to gender, ethnicity, geographic regions, city size, and other relevant factors.

Following the summer meeting of the TML Board of Directors, all Board members and all member cities shall be notified of the composition of the Nominating Committee and of the procedures to be used by the Committee. Specifically, such information shall be printed in the issue of Texas Town & City magazine that is published in July.

City officials are hereby informed that the 2020 TML Nominating Committee is made up of the following TML Board members:

- TML Past President Holly Gray-Moore, Mayor Pro Tem, Roanoke – Chair
- TML Past President Terry Henley, Board of Adjustment Member, Meadows Place
- TML Past President Dock Jackson, Councilmember, Bastrop

- Robert Brown, Alderman, Menard
- Raul Marquez, Councilmember, Big Spring
- Betsy Price, Mayor, Fort Worth

Procedures of the Nominating Committee
A candidate for TML President-Elect must be: 1) an elected city official of a member city; 2) a member of the TML Board of Directors; and 3) shall declare his or her candidacy by completing a Candidate Data Form and mailing a sufficient number of those forms to:

Nominating Committee
c/o Bennett Sandlin, Executive Director
Texas Municipal League
1821 Rutherford Lane, Suite 400
Austin, Texas 78754-5101

Candidate Data Forms may be obtained from the TML Executive Director.

A candidate for TML President-Elect must submit seven copies of the Candidate Data Form along with any attachments to that form. That material must be mailed and must be postmarked prior to September 1. No material may be faxed or emailed. The TML Executive Director shall distribute the submittal materials to Committee members.

The Candidate Data Form submitted by a candidate for TML President-Elect must include a copy of a resolution of support from the candidate’s municipal governing body and may include a biographical sketch or résumé.

If there are two or more candidates for the position of TML President-Elect, the Nominating Committee shall interview the candidates no sooner than September 1 and no later than the day on which the Nominating Committee makes its report to the TML Board of Directors during the TML Annual Conference. The specific times and places for such interviews shall be coordinated by the TML Executive Director. The TML Executive Director shall not be present during deliberations except at the unanimous request of the Nominating Committee members present.

Members of the Nominating Committee may seek candidates for TML President-Elect prior to September 1.

All persons who are eligible to run for TML President-Elect shall be informed that the TML Nominating Committee will base its decision on the candidates’ qualifications and interviews, and not on the basis of campaigning directed
to the Nominating Committee, the TML Board of Directors, other city officials, or member cities.

If, at the time of the summer meeting of the TML Board of Directors, the position of President-Elect is vacant and the TML President is ineligible for another term as TML President, these procedures of the TML Nominating Committee shall also govern the nominating process for the position of TML President.

**Report of the Nominating Committee**
The Nominating Committee shall make a written report to the TML President prior to the time the Committee will make its oral report to the TML Board of Directors at the TML Annual Conference. That meeting shall be an open meeting and shall be listed in the Annual Conference Program.

The Nominating Committee shall nominate one Board member for TML President and one Board member for TML President-Elect.

**Action on the Nominating Committee Report**
Following the oral report of the Nominating Committee, the position of TML President shall be considered first and separate from the position of TML President-Elect.

Nominations from the floor shall be allowed. Three TML Board members must second any nomination from the floor for either TML President or TML President-Elect. A TML Board member may nominate himself or herself or may second his or her nomination. A nomination from the floor does not require the suspension of any rules of procedure.

If an election is contested, each candidate may address the TML Board of Directors for no more than three minutes. No other person may speak on behalf of a candidate.

If an election is uncontested, the vote shall be by voice vote.

If an election is contested, the vote shall be by written ballot. In that case, the TML President shall appoint two disinterested persons from the TML Board or staff to act as tellers to count the ballots.

If an election is contested by three or more candidates, the candidate who receives the most votes shall be declared the winner. There shall be no run-off, except in the case of a tie for the most votes. ★

---

**Texas Political Subdivisions JSIF**  
*Serving Texas Cities Since 1983*

You owe it to your City to get another insurance quote...  
What’s the worst that could happen?  
You find out you’re getting a good price.  
Or you find out you really can get a better price and better service!

Coverages Include
- Auto Physical Damage  
- Auto Liability  
- Crime  
- Crisis Management (Active Shooter)  
- General Liability  
- Cyber Liability  
- Law Enforcement  
- Property  
- Public Officials  
- Workers’ Compensation

Compare your current insurance coverage and pricing with us today!  
972-361-6303 • keith.alberts@tpspool.org  
www.tpspool.org
We are slowly starting to come out of isolation and transition into a new normal. How long it will take to complete the process and the various steps involved are matters that are way beyond my pay grade. However, I know this: Before us lie great opportunities for introspection.

Along this line, what have we learned over the past few months that might be of personal value? As a result of what we’ve learned, are we better, stronger, more disciplined and more mature?

With these thoughts in mind, let’s give some attention to what we will do differently as a result of the coronavirus. Here are some suggested “differences.”

Greater courage: General George S. Patton defined courage as “fear holding on a minute longer.” We’ve held on and we’ve pulled together. But what does that mean to us? What does it mean for individuals, families, workplaces, communities, and society? It should mean that we’ve been toughened for other challenges and against other fears. Where previously fear might have caused us to give up, now we have a foundation of hardened experience on which we can build. We can build courage and confidence that conquer rather than cower when life and relationships get tough.

Greater appreciation of others: I’m a believer in the concept that strong relationships are forged by shared experiences, and that the tougher the experiences, the stronger the relationships. However, it doesn’t have to be that way. It all depends on how we treat others during and after the experiences. And keep this in mind: Under all circumstances, we get to choose how we treat people. However, we do not get to choose the results of that choice. Hopefully, during these stressful times, we’ve chosen to treat others with kindness, consideration, and appreciation. If not, now would be a good time to start. If we’ve learned anything as a result of the crisis, it should be that every life is fragile and relationships are precious.

Greater patience: I’ve always taken the approach that “patience” is two or more people in the presence of a physician. It’s always been sort of a foreign concept to me. So, when isolation replaced my going-and-doing routines, it was quite an adjustment. Perhaps this is also true for you. But we adjusted, right? I now see things differently. I’ve discovered that regardless of whether I’m able to continue as I’d like, life goes on. I’ve also discovered that impatience and restlessness are often ego things that grow out of an inflated sense of importance. Maybe the discipline required by present circumstances has taken us out of some of that and made us more patient.

Greater compassion: Where do we begin to talk about opportunities for compassion? First we think of those, and the families of those, who have been most directly affected by the coronavirus. There are also those who tirelessly risk their lives on the frontlines. We’re likewise mindful of those who have suffered tremendous financial loss. Our hearts ache for them all. Lord Byron said: “The dew of compassion is a tear.” The dew will evaporate. The milk of human kindness must never be evaporated. Going forward, when we tend to become desensitized by the world around us and as we busy ourselves with our own affairs, let’s permit our hearts to stay in the perspective of we’re all in this together.

Greater gratitude: We often take so much for granted. Ever wonder why? We lose our perspective. Author Ryan Holiday says: “Gratitude looks to the past and love to the present; fear, avarice, lust, and ambition look ahead.” In seeking our own ambitions and interests we often lose our way by overlooking the past and the present. We should now be able to see that we had and have so much to be grateful for – good health, family, friends, and much more. If we keep these main things the main thing, then greater gratitude will be ours.

Connector tip: As we become better people, we become better with people.

Terry L. Sumerlin is a professional speaker and accomplished author. To learn more, visit terrysumerlin.com or contact him at terry@terrysleadership.com.
@cityofmesquite
Thank you to everyone that showed up for our #RecoveryMesquite event today! We enjoyed seeing everyone!

@cityofkyletx
Beautiful morning for a beautiful sight. Volunteers woke up early this morning to prepare to feed 3,000 families at today’s Mass Food Distribution event. Thank you to @ctxfoodbank, @texasdisposalsystems, and community leaders for making this happen.

@cityofsanmarcos
We’re rounding up Hunger Heroes Action Month by focusing on a countywide resource that helps put food on the table for hundreds of families, the Hays County Food Bank! Photo: @haysfoodbank
Get rewarded for shopping.

The more governmental entities and school districts in Texas spend through BuyBoard, the more money they are eligible to receive at the end of the year.

- $9.1 million in rebates delivered in 2018-19 alone
- More than 970 members rebated
- Over $58.8 million redistributed to members since 2006

Learn more at buyboard.com/tx-rebate.