

**RESOLUTIONS APPROVED  
BY THE MEMBERSHIP OF  
THE TEXAS MUNICIPAL LEAGUE**

**October 11, 2018**

**Fort Worth, Texas**

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1.

A RESOLUTION ADOPTING THE REPORT OF  
THE 2018 TML MUNICIPAL POLICY SUMMIT

WHEREAS, the 2018 TML Municipal Policy Summit was appointed by TML President Holly Gray-Moore early in 2018; and

WHEREAS, more than 100 municipal officials from cities of every size across the state served on the Summit; and

WHEREAS, the Summit studied numerous city-related issues; and

WHEREAS, the Summit has completed its work and has drafted the attached report;

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2018 Annual Conference of the Texas Municipal League that the attached report of the TML Municipal Policy Summit be accepted and adopted.

PASSED AND APPROVED by the membership of the Texas Municipal League this 11<sup>th</sup> day of October, 2018, at Fort Worth, Texas.

APPROVED:



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Holly Gray-Moore,  
President

ATTEST:



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Bennett Sandlin,  
Executive Director

# **Municipal Policy Summit**

## **Summary of Actions**

### **August 23-24, 2018**

#### **Harmful Legislation in General/Preemption**

The Summit delegates voted to recommend that the League:

1. oppose legislation that would erode municipal authority in any way, would impose an unfunded mandate, or would otherwise be detrimental to cities.
2. oppose legislation that would provide for state preemption of municipal authority in general.

#### **Revenue and Finance**

The Summit delegates voted to recommend that the League:

1. oppose legislation that would impose a revenue and/or tax cap of any type, including a reduced rollback rate, mandatory tax rate ratification elections, lowered rollback petition requirements, limitations on overall city expenditures, exclusion of the new property adjustment in effective rate and rollback rate calculations, or legislation that lowers the rollback rate and gives a city council the option to re-raise the rollback rate.
2. oppose legislation that would negatively expand appraisal caps but take no position on legislation that would authorize a council-option reduction in the current ten-percent cap on annual appraisal growth.
3. support legislation that would simplify the effective tax rate calculation for notice purposes only, provided the legislation would have no effect on either the underlying effective tax rate and rollback tax rate calculations themselves, or upon the hold harmless exemptions to those rates.
4. support legislation extending the sunset date for Chapter 312 tax abatement authority only if the business lobby groups whose members benefit from tax abatement agreements refrain from any support for harmful revenue and expenditure caps.
5. oppose legislation that would impose new property tax or sales tax exemptions that substantially erode the tax base.
6. support: (1) legislation that would make beneficial amendments to the equity appraisal statute; (2) legislation that would close the “dark store” theory of appraisal loophole; and (3) legislation that would require mandatory disclosure of real estate sales prices.
7. support: (1) legislation that would authorize a council-option property tax exemption of a portion of the appraised value of property damaged by a disaster; and (2) legislation that

would authorize a council-option city homestead exemption expressed as a percentage or flat-dollar amount.

8. support legislation that would convert the sales tax reallocation process from a ministerial process into a more formalized administrative process.
9. with regard to economic development: (1) take no position on legislation that would broaden the authority of Type A or Type B economic development corporations; and (2) oppose legislation that would limit the authority of Type A or Type B economic development corporations statewide, but take no position on legislation that is regional in scope and that is supported by some cities in that region.
10. oppose legislation that would erode the ability of a city to issue debt.
11. oppose legislation that would limit or eliminate the current flexibility of the Major Events Reimbursement Program as a tool for cities to attract or host major events and conventions.

## **Regulation of Development**

The Summit delegates voted to recommend that the League:

1. oppose legislation that would erode municipal authority related to development matters, including with respect to the following issues: (1) annexation, (2) eminent domain, (3) zoning, (4) regulatory takings; (5) building codes, (6) tree preservation, and (7) short-term rentals.
2. support legislation that would expand municipal annexation authority.
3. support legislation that would authorize a city council to opt-in to requiring residential fire sprinklers in newly constructed single-family dwellings.

## **Utilities and Transportation**

The Summit delegates voted to recommend that the League:

1. oppose state or federal legislation or rules that would erode the authority of a city to be adequately compensated for the use of its rights-of-way and/or erode municipal authority over the management and control of rights-of-way.
2. support legislation that would: (1) allow for greater flexibility by cities to fund local transportation projects; (2) amend or otherwise modify state law to help cities fund transportation projects; or (3) provide cities with additional funding options and resources to address transportation needs that the state and federal governments are unable or unwilling to address.

3. support legislation that would: (1) provide additional funding to the Texas Department of Transportation for transportation projects that would benefit cities; and (2) provide local, state, and federal transportation funding for rail as one component of transportation infrastructure.
4. oppose legislation that would erode municipal authority over billboards or place any unfunded mandate on cities relating to billboards.

**Miscellaneous (Public Safety, Personnel, Elections, Municipal Court, Member-Submitted Items):**

The Summit delegates voted to recommend that the League:

1. take no position on legislation that would standardize red light photo enforcement systems, so long as the underlying authority is not eliminated. (Further, the committee recommends that TML defer to the Texas Red Light Coalition on more detailed matters relating to revisions to red light camera policy.)
2. take no position on legislation that would amend the affected provisions of the Texas Government Code relating to the Texas Municipal Retirement System to allow for greater flexibility in retiree pension increases and provide for a forgiveness provision for cities that stopped the regular repeating COLA payments without reference to a cost of living index.
3. oppose legislation that would further erode local control as it pertains to retirement issues.
4. oppose legislation that would substantively change or expand the scope of the current disease presumption law, unless doing so is supported by reputable, independent scientific research.
5. oppose legislation that would require candidates for city office to declare party affiliation in order to run for office.
6. oppose legislation that would eliminate any of the current uniform election dates.
7. in relation to municipal courts: (1) oppose legislation that would impose additional state fees or costs on municipal court convictions or require municipal courts to collect fine revenue for the state; and (2) support legislation that would allow a more equitable way of distributing court fines that would result a higher percentage of fines being kept local, where the laws are enforced, the court is held, and the fines collected.
8. oppose legislation that would: (1) require the reporting of lobbying activities beyond the requirements in current law; (2) limit or prohibit the authority of city officials to use municipal funds to communicate with legislators; and (3) limit or prohibit the authority of the Texas Municipal League to use any revenue, however derived, to communicate with legislators.

9. support additional appropriations for the Texas Veterans Commission and the Texas Workforce Commission skills for veterans initiative that dedicates state funding to address the training needs of veterans returning home and entering the Texas workforce.
10. support legislation that: (1) clarifies federal congressional intent of federal transit law to protect cities across the United States from being penalized due a to a population drop suffered as a direct result of a natural disaster, retroactive to 2000; (2) explicitly states that only presidentially declared major disasters are covered, in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 100-707); and (3) protects federal transit funding streams for urbanized areas until the execution of the next decennial census.
11. support legislation that would request that the legislature increase funding for the Texas Intrastate Fire Mutual Aid System to \$3 million annually.
12. support legislation that would allow cities the option of using either an official newspaper or a website for the publication of legal notices.
13. support legislation that would allow a city to lower the prima facie speed limit from 30 to 25 miles per hour without the need for a traffic study.

## **Other**

The Summit delegates directed League staff to seek the guidance of the TML executive committee in relation to tax abatement agreements should the “support” position included elsewhere in this program no longer encompass evolving scenarios.

The Summit delegates directed League staff to seek the guidance of the TML board of directors on issues related to sales taxes on remote sales.

The Summit delegates requested that, after the 2019 legislative session, the TML President appoint a committee to study seeking additional local option transportation funding mechanisms.

The Summit delegates requested that the TML President appoint a committee to study and make recommendations to the TML board of directors on issues related to initiative and referendum.

The Summit delegates concurred with the [legislative program](#) of the Texas Recreation and Park Society, but disapproved the provision in that program relating to prohibiting firearms at certain types of city events.

The Summit delegates directed League staff to work with the City of Leary on legislation that would reduce cost drivers for small city audits, so long as appropriate statutory safeguards remain in place.

A RESOLUTION RELATING TO THE RESTORATION OF FUNDING TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR AIR QUALITY MONITORING AND MITIGATION PROGRAMS FOR NEAR NON-ATTAINMENT COMMUNITIES ESSENTIAL TO REMAIN IN COMPLIANCE WITH THE NATIONAL AMBIANT AIR QUALITY STANDARDS FOR OZONE ESTABLISHED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY THROUGH THE CLEAN AIR ACT

WHEREAS, Texas communities like Austin, Beaumont, Corpus Christi, El Paso, Granbury, Killeen/Temple, Longview/Tyler/Marshall, San Antonio, Victoria, and Waco have efficiently and effectively utilized funding provided in the General Appropriations Act in a rider to the Texas Commission on Environmental Quality (TCEQ) to implement air quality monitoring, and mitigation strategies to remain in compliance with current and proposed National Ambient Air Quality Standard for Ozone by the United States Environmental Protection Agency (EPA) as authorized in the federal Clean Air Act; and

WHEREAS, the Clean Air Act directs the states to develop state implementation plans (SIPs), applicable to appropriate industrial sources in the state, in order to achieve ozone standards, the lack of funding for near non-attainment communities resulting from a line item veto by Governor Greg Abbott in the 2018-2019 General Appropriations Act prevents impacted communities to implement strategies in the adopted Texas SIP, and local governments do not have the financial capacity to assume the responsibilities of an unfunded mandate by the State of Texas; and

WHEREAS, the health and quality of life for millions of Texas residents in near non-attainment communities has benefitted greatly from the strategies, services and programs implemented at the local level by local governments, businesses, and industry to reduce ozone levels and remain in compliance with federal standards; and

WHEREAS, the Corpus Christi air-shed remains in attainment of the most recently established ozone standards announced by the EPA in 2015 of 70 parts per billion (ppb); and

WHEREAS, two programs in Corpus Christi served to ensure the Corpus Christi air-shed's continued attainment of ozone standards: Texas A&M University Corpus Christi Pollution Prevention Partnership's vehicle emissions reduction program, and Texas A&M University Kingsville's ozone air monitor program; and

WHEREAS, both the Texas A&M University Corpus Christi Pollution Prevention Partnership's vehicle emissions reduction program, and Texas A&M University Kingsville's ozone air monitor program relied on funding through the TCEQ's Clean Air Account No. 151; and

WHEREAS, Rider funding to support the continuation of the Texas A&M University Corpus Christi Pollution Prevention Partnership's vehicle emissions reduction program and Texas A&M University Kingsville's ozone air monitor program was vetoed after adjournment of the 85<sup>th</sup> Regular Session of the Texas Legislature by Governor Abbott after it had been recommended by the Legislative Budget Board, and adopted without opposition by both the Texas House of

Representatives and the Texas Senate, stripping these critical programs of the funding needed to continue; and

WHEREAS, without restoration of funding by the 86<sup>th</sup> Texas Legislature, both the Texas A&M University Corpus Christi Pollution Prevention Partnership's vehicle emissions reduction program and Texas A&M University Kingsville's ozone air monitor program will cease to operate thereby risking Corpus Christi air-shed's continued attainment designation of ozone standards; and

WHEREAS, the Texas A&M University Corpus Christi Pollution Prevention Partnership's vehicle emissions reduction program protects Corpus Christi's attainment status of ozone standards by providing over 10 tons of reductions of ozone causing emissions each year at a cost of approximately \$4,700 per ton compared to the possible costs of \$50,000 a ton or more for offset emissions should a development choose to site in Corpus Christi that no longer attains ozone standards; and

WHEREAS, without the restoration of funding to the TCEQ by the 86<sup>th</sup> Texas Legislature, Corpus Christi is stripped of the only program that works to reduce the mobile source emissions that are a significant 30 percent contributor to Corpus Christi's ozone causing emissions; and

WHEREAS, without the restoration of funding provided by the 86<sup>th</sup> Texas Legislature, Corpus Christi is stripped of the ozone research monitors that support proving and documenting transported emissions that are not generated in our air-shed, and possible consideration for attainment designations; and

WHEREAS, the economic burden on the State of Texas to bring a non-attainment community back into attainment is far greater than the cost to restore funding that assists struggling attainment communities to remain an attainment community in the State of Texas; and

WHEREAS, the economic burden for a business to obtain a permit to locate or expand in Corpus Christi is significantly increased should funding for the TCEQ not be restored by the 86<sup>th</sup> Texas Legislature and Corpus Christi loses the critical ozone attainment protection programs of the Texas A&M University Corpus Christi Pollution Prevention Partnership's vehicle emissions reduction program and Texas A&M University Kingsville's ozone air monitor program programs, and fall into non-attainment of ozone standards; and

WHEREAS, the Corpus Christi air-shed prides itself on being a national leader in voluntary actions and programs that work to keep our industrial based community in attainment of toughened ozone standards;

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2018 Annual Conference of the Texas Municipal League that the League urge the Governor, Lieutenant Governor, the Speaker of the Texas House of Representatives, the Texas Senate and Texas House of Representatives to support legislation that would restore funding to the TCEQ in the FY 2020-2021 General Appropriations Act for air quality programs in all near non-attainment communities.

PASSED AND APPROVED by the membership of the Texas Municipal League this 11<sup>th</sup> day of October, 2018, at Fort Worth, Texas.

APPROVED:



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Holly Gray-Moore,  
President

ATTEST:



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Bennett Sandlin,  
Executive Director

3.

A RESOLUTION SUPPORTING LEGISLATION THAT IDENTIFIES LOCAL GOVERNMENT ACTIONS EXERCISED UNDER DISASTER RECOVERY-RELATED CONTRACTS ARE GOVERNMENTAL FUNCTIONS FOR PURPOSES OF ENSURING LOCAL GOVERNMENT IMMUNITY PROTECTION

WHEREAS, cities are immune from suit and liability while performing governmental function under the doctrine of governmental immunity unless that immunity is expressly waived by the Texas Legislature; and

WHEREAS, municipalities are the only form of government who are deemed to engage in proprietary activities for which there is no governmental immunity; and

WHEREAS, governmental functions involved matters related to the public health and welfare such as police and fire service, utility service, and zoning, while proprietary functions are those actions typically performed by a private entity; and

WHEREAS, in recent years, the Texas Supreme Court has determined that certain contracts entered into by municipalities funded by the Community Development Block Grant program are proprietary functions for which there is no governmental immunity; and

WHEREAS, Community Development Block Grant funds are used for rehabilitation of residences after natural disasters such as hurricanes, floods, or tornados and by their very nature are governmental functions to protect public health and safety; and

WHEREAS, the City of Galveston seek legislation that will clearly identify that local government actions exercised under disaster recovery-related contracts are governmental functions for purposes of ensuring local government immunity protection;

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2018 Annual Conference of the Texas Municipal League that the League support legislation establishing that expenditures of Community Development Block Grant funds by municipalities are governmental function of cities.

PASSED AND APPROVED by the membership of the Texas Municipal League this 11<sup>th</sup> day of October, 2018, at Fort Worth, Texas.

APPROVED:



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Holly Gray-Moore,  
President

ATTEST:



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Bennett Sandlin,  
Executive Director

4.

A RESOLUTION SUPPORTING LEGISLATION THAT EXTENDS TO ALL MUNICIPALITIES VACANT REGISTRATION ORDINANCE AUTHORITY GRANTED TO CERTAIN MUNICIPALITIES UNDER SECTION 214.233 OF THE LOCAL GOVERNMENT CODE

WHEREAS, the Galveston City Council passed Ordinance No.17-077 that updated and consolidated the substandard and dangerous building definitions, penalties and fees, notice requirements, and means of appeal for continued use and occupancy of all residential and commercial buildings to protect health, life and property as allowed under state law; and

WHEREAS, the City of Galveston is committed to fair and impartial code enforcement that reasonably balances sound private property right protections with public health and safety concerns, while respecting the community's historical preservation goals; and

WHEREAS, the City of Galveston can face significant time delays when identifying the last known owner of vacant buildings through the Galveston Central Appraisal District system; and

WHEREAS, Section 214.233 of the Local Government Code limits authority to a municipality located in a county with a population of two million or more to adopt an ordinance requiring owners of vacant buildings to register their buildings by filing a registration form with a designated official; and

WHEREAS, in an ordinance adopted under Section 214.33 of the Local Government Code, the effected municipality may exempt certain classifications of buildings as determined reasonable and appropriate by the governing body of the municipality; and

WHEREAS, the City of Galveston seeks legislation that will extend the authority granted under 214.33 of the Local Government Code to all municipalities seeking to adopt an ordinance requiring owners of vacant buildings to register their buildings by filing a registration form with the designated municipal official;

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2018 Annual Conference of the Texas Municipal League that the League support legislation that will extend the authority granted under 214.33 of the Local Government Code to all municipalities seeking to adopt an ordinance requiring owners of vacant buildings to register their buildings by filing a registration form with the designated municipal official.

PASSED AND APPROVED by the membership of the Texas Municipal League this 11<sup>th</sup> day of October, 2018, at Fort Worth, Texas.

APPROVED:



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Holly Gray-Moore,  
President

ATTEST:



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Bennett Sandlin,  
Executive Director

5.

A RESOLUTION RELATING TO LEGISLATION REQUIRING THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY TO OBTAIN THE CONSENT OF A CITY BEFORE ISSUING A STANDARD PERMIT FOR CERTAIN ACTIVITIES IN THE CORPORATE LIMITS OR EXTRATERRITORIAL JURISDICTION OF THAT CITY OR LEGISLATION THAT WILL OTHERWISE GRANT AUTHORITY TO SUCH A CITY TO RESTRICT, PREVENT, OR REGULATE SUCH ACTIVITIES THEREIN, OR LEGISLATION THAT WILL PROHIBIT TCEQ FROM ISSUING A STANDARD PERMIT FOR ACTIVITIES PROPOSED IN THE CITY LIMITS UNLESS THE CITY VERIFIES THAT SUCH ACTIVITY IS ALLOWED UNDER THE CITY'S ZONING REGULATIONS

WHEREAS, pursuant to Sec. 382.05195, Texas Health & Safety Code, the Texas Commission on Environmental Quality (TCEQ) is authorized to issue a standard permit for certain activities, including rock crushing operations, cement crushing operations, and other projects within the corporate limits or extraterritorial jurisdiction of municipality without that municipality's consent and without a contested case hearing; and

WHEREAS, during the past year a rock crushing operation was permitted by TCEQ that was to be located within the City of Marble Falls near a new hospital and clinic and within an area planned for significant economic development, despite the City's objections and comments to the TCEQ, such that the City was obligated to file suit in district court in an attempt to prevent the location of the rock crushing operation at that site; and

WHEREAS, it is understood and believed that other Texas cities have or are experiencing similar issues related to rock crushing and concrete crushing operations or other types of activities that may be authorized by TCEQ through a standard permit;

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2018 Annual Conference of the Texas Municipal League that the League support legislation that would require city consent before TCEQ is authorized to issue a standard permit for a rock crushing operation, cement crushing operation, or any similar activity that may be authorized under a standard air permit from TCEQ within the corporate limits or ETJ of a city. (Alternatively, or in addition, such legislation may: (a) authorize a city to restrict, prevent, or regulate the locating of such activities in the city's corporate limits or ETJ in other manners, such as imposing minimum distance from such operations and schools, hospitals, churches, and residences; (b) require TCEQ to provide notice of applications for standard permits to cities for activities proposed in the city's corporate limits or ETJ and require TCEQ to address any and all comments received from the City as required by Sec. 382.112 of the Texas Health & Safety Code; or (c) prohibit TCEQ from issuing a standard permit for activities proposed in the city's corporate limits or ETJ unless the city verifies that the proposed activity is authorized under the city's zoning ordinance or comprehensive plan to locate at the proposed location.)

PASSED AND APPROVED by the membership of the Texas Municipal League this 11<sup>th</sup> day of October, 2018, at Fort Worth, Texas.

APPROVED:



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Holly Gray-Moore,  
President

ATTEST:



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Bennett Sandlin,  
Executive Director

6.

A RESOLUTION RELATING TO GRANTING CITIES THE RIGHT TO OBTAIN INFORMATION ON INCIDENTS WITHIN THEIR JURISDICTION THAT AFFECT THE PUBLIC HEALTH OF THE GENERAL PUBLIC AND FIRST RESPONDERS AND OBLIGATING STATE AGENCIES TO PROVIDE IMMEDIATE NOTICE TO CITIES WHEN INCIDENTS OCCUR THAT MAY RESULT IN AN IMMEDIATE PUBLIC HEALTH RISK OR COMPROMISE CRITICAL INFRASTRUCTURE WITHIN THE CITY

WHEREAS, cities have a responsibility to promote and enhance the safety and wellbeing of their citizens; and

WHEREAS, cities are the first responders to emergencies occurring within the city's jurisdiction; and

WHEREAS, cities have first-hand knowledge of the critical infrastructure located within the city that may be compromised during an incident; and

WHEREAS, state agencies do not have a requirement to notify cities of incidents occurring in the city's jurisdiction; and

WHEREAS, to ensure that the health and safety of the general public is secured, that first responders are properly protected and use the proper resource to resolve incidents, and that cities are able to quickly respond and protect critical infrastructure, state agencies must notify cities of incidents related to public health issues and provide access to information regarding public health issues within the city's jurisdiction;

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2018 Annual Conference of the Texas Municipal League that the League support legislation that grants cities the right to obtain information and the right to receive notice of incidents affecting public health from state agencies, especially when that information is vital to both the protection of the general public and first responders.

PASSED AND APPROVED by the membership of the Texas Municipal League this 11<sup>th</sup> day of October, 2018, at Fort Worth, Texas.

APPROVED:



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Holly Gray-Moore,  
President

ATTEST:



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Bennett Sandlin,  
Executive Director

7.

A RESOLUTION TO SEEK INTRODUCTION AND PASSAGE OF LEGISLATION TO  
BRING UNIFORMITY TO CLASS "C" MISDEAMEANOR VIOLATION COMPLIANCE  
DISMISSAL REGULATIONS AND FEES

WHEREAS, a number of bills have been passed during Legislative Sessions authorizing courts to dismiss certain Class "C" violations upon proof of compliance; and

WHEREAS, the deadlines for compliance vary depending on violation from initial appearance date on the citation (minimum of 10 days) to 20 working days from the date of violation; and

WHEREAS, the fees to process compliance dismissals range from \$10.00 to \$20.00 depending on violation and or specifics of the violation; and

WHEREAS, the Office of Court Administration statistics show that approximately 300,000 cases were dismissed during the last year following compliance which makes processing these cases a regular occurrence in municipal courts; and

WHEREAS, Uniformity and consistency aid in the efficiency and accuracy of court processes and procedures, and provide for more equal administration of justice among courts;

NOW THEREFORE, BE IT RESOLVED by the delegates assembled at this 2018 Annual Conference of the Texas Municipal League that the League support legislation that would provide consistency and uniformity in the compliance deadlines and fees for compliance dismissals of Class "C" misdemeanors.

PASSED AND APPROVED by the membership of the Texas Municipal League this 11<sup>th</sup> day of October, 2018, at Fort Worth, Texas.

APPROVED:



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Holly Gray-Moore,  
President

ATTEST:



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Bennett Sandlin,  
Executive Director

8.

A RESOLUTION TO SUPPORT PASSAGE OF LEGISLATION TO ALLOW COURTS  
ACCESS TO TEXASSURE DATABASE TO VERIFY FINANCIAL RESPONSIBILITY

WHEREAS, the 85<sup>th</sup> Legislature passed S.B. 1187 mandating peace officers to verify financial responsibility prior to citation issuance; and

WHEREAS, all courts in the state are required by law to verify financial responsibility prior to dismissal of citations for failure to maintain financial responsibility; and

WHEREAS, the Office of Court Administration statistics show that approximately 85,000 cases were dismissed during the last year following proof of financial responsibility which makes processing these cases a regular occurrence in municipal courts, and

WHEREAS, access to TexasSure database for verification of financial responsibility would expedite the process of verifying insurance and thus save courts time; and

NOW THEREFORE, BE IT RESOLVED by the delegates assembled at this 2018 Annual Conference of the Texas Municipal League that the League support legislation that would provide courts with access to TexasSure database to verify financial responsibility.

PASSED AND APPROVED by the membership of the Texas Municipal League this 11<sup>th</sup> day of October, 2018, at Fort Worth, Texas.

APPROVED:



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Holly Gray-Moore,  
President

ATTEST:



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Bennett Sandlin,  
Executive Director

A RESOLUTION TO SEEK INTRODUCTION AND PASSAGE OF LEGISLATION TO PROVIDE ADDITIONAL FUNDING FOR THE MUNICIPAL COURT BUILDING AND SECURITY FUND AND THE MUNICIPAL COURT TECHNOLOGY FUND

WHEREAS, the 85<sup>th</sup> Legislature passed S.B. 42, named the Judge Julie Kocurek Judicial and Courthouse Security Act of 2017, mandating a Court Security Committee be formed; and

WHEREAS, all courts must implement this committee and use resources to meet the deficiencies with local funds through Municipal Building Security Fund and the Municipal Court Technology Fund; and

WHEREAS, the fees for the Municipal Building Security Fund is \$3.00 per conviction and the Municipal Court Technology Fund is \$4.00; and

WHEREAS, the increased funds would assist in the additional security measures to implement security committee recommendations throughout the state; and

WHEREAS, these additional funds would aid in the efficiency and implementation of needed security measures for courts across the state and increase needed resources to meet those mandates;

NOW THEREFORE, BE IT RESOLVED by the delegates assembled at this 2018 Annual Conference of the Texas Municipal League that the League support legislation that would provide additional resources for funding through the Municipal Court Building and Security Fund and the Municipal Court Technology Fund.

PASSED AND APPROVED by the membership of the Texas Municipal League this 11<sup>th</sup> day of October, 2018, at Fort Worth, Texas.

APPROVED:



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Holly Gray-Moore,  
President

ATTEST:



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Bennett Sandlin,  
Executive Director

A RESOLUTION SUPPORTING TEXAS STATE LIBRARY AND ARCHIVES  
COMMISSION REAUTHORIZATION

WHEREAS, The Texas State Library and Archives Commission's mission is to ensure that citizens have access to the information they need to lead informed, productive, and fulfilled lives; and

WHEREAS, the Commission accomplishes this by preserving the archival record of Texas; enhancing the service capacity of academic, public, and school libraries; assisting public agencies in the maintenance of their records; and meeting the reading needs of Texans with disabilities; and

WHEREAS, the Commission facilitates access to library and information services allowing individuals to achieve their personal, educational and professional goals, most notably through extensive digital content provided to all Texans; and

WHEREAS, the Commission develops and provides professional standards and professional development to support and assist public and school libraries in providing the highest quality of services to Texans, and

WHEREAS, the Commission collaborates closely with Texas libraries to meet ever-evolving needs in our society where digital literacy and inclusion is essential, including expanding broadband access; and

WHEREAS, the mission and performance of the Commission are under review by the Legislature as required by the Texas Sunset Act; and

WHEREAS, the Commission remains relevant and necessary, fulfills vital state functions and service to municipalities, and is an outstanding steward of public resources;

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2018 Annual Conference of the Texas Municipal League that the League supports the Texas State Library and Archives Commission and the work it does to advance fundamental and diverse state interests and respectfully requests that the Texas Sunset Commission recommend reauthorization of the Texas State Library and Archives Commission so that it may continue its essential work on behalf of all Texans.

PASSED AND APPROVED by the membership of the Texas Municipal League this 11<sup>th</sup> day of October, 2018, at Fort Worth, Texas.

APPROVED:



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Holly Gray-Moore,  
President

ATTEST:



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Bennett Sandlin,  
Executive Director

A RESOLUTION  
AMENDING THE TEXAS MUNICIPAL LEAGUE CONSTITUTION  
AS IT RELATES TO THE ELIMINATION OF THE RESOLUTIONS COMMITTEE

WHEREAS, the Texas Municipal League (TML) Constitution provides that “[t]he purpose of this organization is to advance and sustain the interests of the cities of Texas;”

WHEREAS, one of the League’s core functions in advancing and sustaining the interests of Texas cities is through a legislative policy development process to guide the League in its advocacy efforts;

WHEREAS, TML President Holly Gray Moore appointed members to a Blue Ribbon Legislative Committee on Advocacy Strategy;

WHEREAS, the Blue Ribbon Committee met on February 2, 2018, and recommended that the legislative policy development process be streamlined;

WHEREAS, the recommendation included the elimination of the constitutional Resolutions Committee, with a part-and-parcel directive to add that process to the duties of the membership at the annual Business Meeting; and

WHEREAS, Section 11.01 of the TML Constitution allows amendments at any Annual Conference of the League by a two-thirds vote of the membership present and voting, provided the proposed amendment shall have first been prepared in writing and submitted to the Board of Directors on or before the first day of the Annual Conference.

NOW, THEREFORE, BE IT RESOLVED that Section 8.2 of the TML Constitution be amended as follows:

~~Section 8.2 – **Resolutions and Annual Business Meeting.** Not later than thirty days prior to the Annual Conference, the President shall appoint a Resolutions Committee, which Committee shall consist of not less than fifty (50) city officials who will be in attendance at the Annual Conference, preferably officials who are familiar with the objectives and history of the League.~~

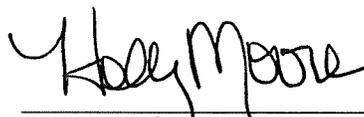
No resolution shall be eligible to be considered at the Business Meeting ~~by the Resolutions Committee~~ unless the same has been delivered to the Texas Municipal League headquarters office in Austin at least forty-five (45) full calendar days prior to the first day of the Annual Conference at which the Business Meeting Resolutions Committee will convene. Provided, however, that any proposed resolution that has not been submitted in accordance with this requirement may be considered at ~~by~~ the Business Meeting Resolutions Committee if two-thirds (2/3) of the ~~Committee~~ members present and voting vote in favor of suspending such requirement. Resolutions submitted later than 45 days prior to the first day of the Annual Conference must state the reason precluding timely submission.

No resolution shall be considered or adopted unless it has some direct relation to municipal affairs. All resolutions to be adopted by the membership shall be adopted at the ~~h~~Business

~~mMeeting in the General Assembly~~ at the Annual Conference. Resolutions pertaining to amendments to this Constitution, relative to membership dues or to new affiliates of the League shall, before their submission to the membership, receive prior approval only from the Board of Directors, as otherwise provided in this Constitution; all other resolutions not reserved herein for approval exclusively by the Board of Directors shall be first considered at by the Business Meeting Resolutions Committee except as hereinafter provided. ~~No resolution considered by the Resolutions Committee shall be eligible to be considered at the business meeting of the Annual Conference unless the same shall have been adopted by a majority vote of the Committee members present and voting at the meeting of the Resolutions Committee. A resolution relative to a matter within the jurisdiction of the Resolutions Committee which has not received prior approval of said committee may be offered from the floor and considered by the membership in the business session at the Annual Conference only by a two thirds (2/3) vote in favor of suspension of the rule requiring prior approval by said Committee.~~

PASSED AND APPROVED by the membership of the Texas Municipal League this 11<sup>th</sup> day of October 2018, at Fort Worth Texas.

APPROVED:



Holly Gray Moore  
President

ATTEST:



Bennett Sandlin  
Executive Director

A RESOLUTION  
INCREASING TML MEMBER CITIES' SERVICE FEES

WHEREAS, TML member city service fees were last increased in 2016; and

WHEREAS, in June 2015, the TML Board adopted a "Reserve Zones Policy" to determine what actions should be taken when adopting each year's budget; and

WHEREAS, pursuant to that policy, the current reserve is at approximately 45.7 percent of annual operating costs; and

WHEREAS, that level is consistent with "Zone 2" of the policy, which calls for regular, modest fee increases and deficit budgeting in legislative years only; and

WHEREAS, the cost of providing the League's services continues to climb; and

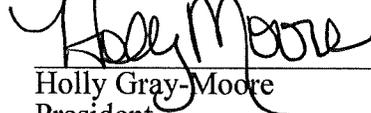
WHEREAS, the TML Board has unanimously determined that it is in the best interest of the League to raise its member cities' service fees.

NOW, THEREFORE, BE IT RESOLVED that TML member city service fees shall be increased by five percent; and

BE IT FURTHER RESOLVED that this increase shall be effective for all TML member city service fees payable on or after January 1, 2019.

PASSED AND APPROVED by the membership of the Texas Municipal League this 11<sup>th</sup> day of October, 2018, at Fort Worth, Texas.

APPROVED:

  
\_\_\_\_\_  
Holly Gray-Moore  
President

ATTEST:

  
\_\_\_\_\_  
Bennett Sandlin  
Executive Director