

CITY OF CORPUS CHRISTI
INTERGOVERNMENTAL RELATIONS DEPARTMENT

TO: Peter Zaroni, City Manager

FROM: Ryan Skrobarczyk, Director of Intergovernmental Relations *RS*

COPY: Mayor and City Council

SUBJECT: **TML Legislative Agenda Approved at Business Meeting**

DATE: October 21, 2024

On October 10, 2024, the Texas Municipal League (TML) conducted its annual Business Meeting at the association's conference in Houston, TX. Each year, delegates from member cities consider resolutions submitted by municipalities at this meeting. Any approved resolutions are then sent to the TML Board of Directors for final consideration.

At this year's annual business meeting, delegates considered and adopted the TML Legislative Report from the TML Municipal Policy Summit. In addition, attendees also considered 27 resolutions from cities on various policy issues. Many resolutions were defeated due to either a lack of support or research or the sponsoring city not offering an adequate explanation.

The resolutions that passed are included in the attachment. The final step for consideration and approval is the December TML Board of Directors meeting.

Attachment

Resolutions Approve by the Membership of the Texas Municipal League



RESOLUTIONS APPROVED

BY THE

MEMBERSHIP OF THE

TEXAS MUNICIPAL LEAGUE

October 10, 2024

Houston, Texas

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1.

A RESOLUTION ADOPTING THE REPORT OF
THE 2024 TML MUNICIPAL POLICY SUMMIT

WHEREAS, the 2024 TML Municipal Policy Summit was appointed by TML President Tito Rodriguez in early 2024; and

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

WHEREAS, the Summit reviewed the fixed legislative program, studied numerous city-related issues, and recommends certain modifications and additions to the program; and

WHEREAS, the Summit has completed its work and has drafted the attached fixed legislative program.

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the attached program from the TML Municipal Policy Summit be accepted and adopted.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October, 2024 at Houston, Texas.

APPROVED:



Tito Rodriguez,
President

ATTEST:



Bennett Sandlin,
Executive Director

THE TEXAS MUNICIPAL LEAGUE PROPOSED
LEGISLATIVE PROGRAM
(2025 – 2026)

Introduction

City officials across the state are well aware of the fact that many significant decisions affecting Texas cities are made by the Texas Legislature, not by municipal officials.

During the 2023 session, nearly 8,000 bills or significant resolutions were introduced; more than 1,800 of them would have affected Texas cities in some substantial way. In the end, over 1,200 bills or resolutions passed and were signed into law; 230 of them impacted cities in some way.

The number of city related bills as a percentage of total bills filed rises every year. Twenty years ago, around 17 percent of bills filed affected cities in some way. By 2023, that percentage had increased to 23 percent. In other words, almost a quarter of the legislature’s work is directed at cities, and much of that work aims to limit municipal authority.

There is no reason to believe that the workload of the 2025 session will be any lighter; it will probably be greater. And for better or worse, city officials will have to live with all the laws that may be approved by the legislature. Thus, the League must make every effort to assure that detrimental bills are defeated and beneficial bills are passed.

The TML approach to the 2025 session is guided by principles that spring from a deeply rooted TML legislative philosophy:

- The League will vigorously oppose any legislation that would erode the authority of Texas cities to govern their own local affairs.
- Cities represent the level of government closest to the people. They bear primary responsibility for provision of capital infrastructure and for ensuring our citizens’ health and safety. Thus, cities must be assured of a predictable and sufficient level of revenue and must resist efforts to diminish their revenue.
- The League will oppose the imposition of any state mandates that do not provide for a commensurate level of compensation.

In setting the TML program, the Board recognizes that there is a practical limit to what the League can accomplish during the legislative session. Because the League (like all associations) has finite resources and because vast amounts of those resources are necessarily expended in defeating bad legislation, the Board recognizes that the League must very carefully select the bills for which it will attempt to find sponsors and seek passage.

Each initiative is subjected to several tests:

- Does the initiative have wide applicability to a broad range of cities of various sizes (both large and small) and in various parts of the state?
- Does the initiative address a central municipal value, or is it only indirectly related to municipal government?
- Is this initiative, when compared to others, important enough to be part of TML’s list of priorities?
- Will the initiative be vigorously opposed by strong interest groups and, if so, will member cities commit to contributing the time and effort necessary to overcome that opposition?
- Is this initiative one that city officials, more than any other group, should and do care about?

The Board places each legislative issue into one of four categories of effort. Those four categories are:

- **Seek Introduction and Passage** – the League will attempt to find a sponsor, will provide testimony, and will otherwise actively pursue passage. Bills in this category are known as “TML Priority bills.”
- **Support** – the League will attempt to obtain passage of the initiative if it is introduced by some other entity.
- **Oppose** – the League will actively and vigorously attempt to defeat the initiative because it is detrimental to member cities.
- **No Position** – the League will take no action.

Our Highest Priority: Oppose Bad Bills

The Board determined that TML’s highest priority goal is the defeat of legislation deemed detrimental to cities. As a practical matter, adoption of this position means that the beneficial bills will be sacrificed, as necessary, in order to kill detrimental bills.

The TML Priority Package

The TML Priority Package includes the following items in no particular order:

1. Defeat any legislation that would erode municipal authority in any way, impose an unfunded mandate, or otherwise be detrimental to cities, especially legislation that would:
 - a. provide for state preemption of municipal authority in general.
 - b. impose further revenue and/or tax caps of any type.

- c. erode the ability of a city to issue debt.
 - d. 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; (7) short-term rentals; (8) the extraterritorial jurisdiction (ETJ); and (9) manufactured housing.
 - e. 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, including by state or federal rules or federal legislation.
 - f. limit or prohibit the authority of city officials to use municipal funds to communicate with legislators; or limit or prohibit the authority of the Texas Municipal League to use any revenue, however derived, to communicate with legislators.
 - g. reduce or abolish the concept of the ETJ.
2. Seek introduction and passage of any legislation that would:
- a. (1) eliminate reauthorization provisions for the collection and use of street maintenance sales and use tax; (2) authorize cities to reimburse themselves from sales and use tax collections for actual election costs required for tax implementation; and (3) clarify that cities may use street maintenance sales tax revenue for all streets and sidewalks in the city.
 - b. allow cities alternate methods for publications of legal notices.
 - c. promote pay as you go financing for capital projects expenditures by authorizing a dedicated property tax rate that is classified similarly to the debt service tax rate in property tax rate calculations.
 - d. (1) allow cities to unilaterally remove themselves from an emergency services district (ESD) if the city is capable of providing services to the area; (2) expressly authorize ESDs to expand into a city's corporate limits or ETJ only with city council approval; (3) require an ESD to enter into a sales and use tax sharing agreement with a city when a city annexes territory located in an ESD and, should negotiations fail, enter into binding arbitration and/or mediation; and (4) change the governance structure for ESDs from appointed boards to elected board to produce accountability to taxpayers, for ESDs above a certain size threshold.
 - e. increase the competitive bidding threshold to account for increased costs to cities.
 - f. require a rural water supply corporation to notify the nearest municipality, and any CCN holder closer than the nearest municipality, to inform the entity, via certified mail, of:

- i. any pending transfer;
- ii. any failure to comply with infrastructure improvements per existing and/or development agreements;
- iii. any failure to comply legally with contractual agreements;
- iv. any failure to refund finances for improvements, meters, hydrant meters and/or infrastructure related equipment;
- v. any failure to provide adequate staffing;
- vi. any failure to provide defined licensed operators, technicians, backflow inspectors;
- vii. any failure to refund finances to public improvement district bond obligations;
- viii. any failure to produce a third-party audit by the annual meeting for its customer members; and
- ix. any failure to have day-to-day administration and/or operation support.

With one or more violations based on the above list is determined, the water supply corporation is to be sold, placed under receivership, and/or transferred to another entity, then the nearest municipality has first right to asset transfer and/or customers of the corporation.

Support

The Board supports legislation that would:

1. make beneficial amendments to the equity appraisal statute; close the “dark store” theory of appraisal loophole; and require mandatory disclosure of real estate sales prices.
2. authorize a council-option city homestead exemption expressed as a percentage or flat-dollar amount.
3. convert the sales tax reallocation process from a ministerial process into a more formalized and transparent administrative process.
4. authorize a city council to opt-in to requiring residential fire sprinklers in newly constructed single-family dwellings.
5. make beneficial amendments to H.B. 3167 (2019), the subdivision platting shot clock bill.
6. allow for greater flexibility by cities to fund local transportation projects; amend or otherwise modify state law to help cities fund transportation projects; or provide cities with additional funding options and resources to address transportation needs that the state and federal governments fail to address.
7. provide additional funding to the Texas Department of Transportation for equitable transportation projects that would benefit cities and provide local, state, and federal transportation funding of transportation infrastructure, including rail.

8. allow a city to lower the prima facie speed limit from 30 to 25 miles per hour without the need for a traffic study.
9. in relation to federal transit funding: (1) clarify 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; (2) explicitly state 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) protect federal transit funding streams for urbanized areas until the execution of the next decennial census.
10. in relation to federal legislation, provide states greater authority over management of train delays in conjunction with affected cities.
11. provide greater authority to the Texas Department of Transportation to improve city railroad crossings and install signal lights where there are safety concerns.
12. establish that expenditures of Community Development Block Grant funds by cities are a governmental function.
13. require city consent before the Texas Commission on Environmental Quality (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.
14. provide consistency and uniformity in the compliance deadlines and fees for compliance dismissals of Class "C" misdemeanors.
15. rectify the wording of Texas Government Code Section 29.013 to eliminate the requirement that a city secretary notify the Texas Judicial Council of elected or appointed mayors or municipal court clerks.
16. protect from disclosure the list of applicants for a mail in ballot up until the time ballots are sent for those applications, regardless of whether a request is made for the applications.

17. allow for the expenditure of municipal hotel occupancy tax revenue for construction of improvements in municipal parks and trails/sidewalks that connect parks, lodging establishments, and other tourist attractions, and related public facilities.
18. require equitable treatment of local governments by preventing a state official or state agency from placing additional restrictions on a city's use of federal funds from future stimulus legislation related to a health pandemic, in contravention of congressional intent.
19. require counties to share timely information on health emergencies with cities.
20. treat broadband service similar to other critical utility infrastructure to ensure statewide availability, equity, and affordability for citizens and businesses.
21. modernize the Texas Universal Fund through revenue sources that ensure long-term sustainability for the provision of broadband services.
22. require the State of Texas to create a state regulatory process for oil and gas and CO2 pipeline routing that:
 - i. enables affected communities and landowners to provide input prior to establishment and publication of routes.
 - ii. provides for negotiation on routes when municipalities believe that substantial threats to economic development, natural resources, or standard of living are potential outcomes.
 - iii. intrastate pipelines will comply with environmental and economic impact study standards, including the participation of local governmental entities and public participation.
 - iv. pipeline operators shall have in place performance bonds like those the state has in its own contracts.
23. increase existing or create new grant program funding that provides financial assistance to local governmental public safety agencies for public safety resources, including legislation that supports the use and the purchase of body cameras and associated data storage costs.
24. harden the state's electric grid against blackouts, especially those caused by extreme weather events.
25. provide additional tools for municipally owned electric utilities to harden their systems against blackouts, especially those caused by extreme weather events.
26. mitigate the cost and liabilities of a generation or distribution outage event caused by a natural disaster from being passed on to cities and city residents.
27. provide stabilization and funding for the electric grid in response to increased demand.
28. ensure that each city gets at least one vote on appraisal district board members.

- ~~29. strengthen current law as it relates to catalytic converter theft and prevention, including increasing penalties for auto repair facilities and individual sellers who resell or are in possession of stolen catalytic converters.~~
29. promote increased flexibility under the Texas Open Meetings Act, including flexibility for public participation, so long as the legislation doesn't mandate any new costs on local governments.
30. give cities more input in the municipal utility district development process within the city limits and ETJ, including legislation that promotes additional transparency in the process for cities and city residents.
31. raise the threshold for the $\frac{3}{4}$ super majority requirements triggered by the opposition of landowners close to proposed zoning changes from 20% of property ownership interest within the notification area, to 50%.
32. add safeguards to the formation of new municipal utility districts (MUDs) through the Texas Commission on Environmental Quality process, limit MUDs administrative costs, require MUDs to meet in the cities they tax from, coordinate with local cities or counties on MUD board elections, and provide additional financial information to citizens in an open and transparent manner.
33. allow for competitive procurement of the professional services enumerated in the Professional Services Procurement Act by home rule and general law municipalities.
34. allow for the expansion and preservation of diverse, affordable housing in cities, including additional appropriations.
35. allow a city official to submit a request for an attorney general letter ruling under the Public Information Act by email at no charge.
36. increase the maximum hiring age for firefighters in a civil service city from age 35 to 45, or to eliminate the maximum hiring age altogether.
37. make beneficial amendments to H.B. 2439 (2019), the building materials bill.
38. amend Sec. 52.095, Election Code, related to the requirement that cities are only able to assign a letter of the alphabet to the measure that corresponds to its order on the ballot.
39. prohibit the Texas Department of Transportation from requiring municipalities requesting toll road frontage improvements, ramp improvements, and other competing facilities to pay for any revenue reduction from improvements and maintenance costs of the improvements.
40. require city consent for a housing finance corporation to operate within the city.

41. prohibit housing finance corporations from taking action that would remove property from the tax rolls without approval of the governing body of the jurisdiction in which the property is located.
42. make beneficial amendments to S.B. 2038 (2023).
43. make beneficial amendments to H.B. 1750 and H.J.R. 126 (2023).
44. cap state fees on municipal court convictions.
45. provide confidentiality and protection of information originally judges and their families extended to courthouse employees and employees of the Office of Court Administration.
46. study the adequacy of rural firefighting capabilities and rural technical rescue capabilities for rural jurisdictions.
47. enhance professionalism in policing and provide funding to assist police agencies in achieving accreditation status with a recognized state or national accrediting body.
48. fully fund the disabled veterans homestead exemption property tax relief program to assist cities uniquely impacted by high concentrations of disabled veterans homestead exemptions, enabling them to more effectively manage property tax rates.
49. ensure cities maintain their authority to determine lot sizes, parking, and density requirements in the city limits and these planning and zoning regulations are left to the individual cities, not the legislature.
50. codify Texas Commission on Environmental Quality guidance on regionalization for wastewater treatment facilities and improve permitting requirements around wastewater to ensure long term safety and security of package plants, so long as the legislation does not impose an unfunded mandate.
51. clarify a homeowners association's ability to fine residents during declared periods of drought.
52. make beneficial amendments to H.B. 3613 (2023).
53. provide funding for city police officers modeled after H.B. 1354 (2023).
54. authorize cities to use local hotel occupancy tax revenue derived from short term rentals on essential city services provided to short term rentals.

55. provide additional state grant funding to the Texas Water Development Board as identified in the State Water Plan.

Oppose

The Board opposes legislation that would:

1. 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.
2. impose new property tax or sales tax exemptions that substantially erode the tax base.
3. limit or eliminate the current flexibility of the Major Events Reimbursement Program or Events Trust Fund as a tool for cities to attract or host major events and conventions.
4. limit the type of incentives available to the city or that would limit any use of incentives by a city.
5. further erode local control as it pertains to retirement issues.
6. substantively change or expand the scope of the current disease presumption law, unless doing so is supported by reputable, independent scientific research.
7. require candidates for city office to declare party affiliation in order to run for office.
8. eliminate any of the current uniform election dates.
9. impose additional state fees or costs on municipal court convictions or require municipal courts to collect fine revenue for the state.
10. restrict city authority to draft ballot propositions in such a way that reflects the full fiscal impact of the proposition.
11. require preclearance of city ballot propositions by a state agency.
12. erode city solid waste franchise fee authority.
13. repeal the Texas Department of Public Safety's Failure to Appear/Failure to Pay Program through OmniBase Services.
14. restrict a city's ability to negotiate or enter into an employee severance agreement.

No Position

The Board takes no position on legislation that relates to immigration matters, so long as it does not impose new and substantial unfunded mandates or unavoidable liabilities on cities.

The Board takes no position on legislation that would impact local sourcing of sales and use taxes.

~~The Board takes no position on legislation that would authorize a city to annex out a roadway to bring a voluntarily requested area into the city limits.~~

Other

The Board takes the following additional actions:

1. 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.

2.

A RESOLUTION RELATING TO EXPANDING ELIGIBILITY FOR ECONOMIC DEVELOPMENT GRANT PROGRAMS TO MEET THE DEMANDS IMPOSED BY RAPID POPULATION GROWTH

WHEREAS, the State of Texas is the second most populous state in the nation, with the third highest growth rate; and

WHEREAS, many rural areas cannot meet the infrastructure, water, sewer, and utility demands imposed upon them by the rising population; and

WHEREAS, the Economically Distressed Areas Program provides grant funding to assist the burdens experienced by rural municipalities; however, the Texas Administrative Code defines an economically distressed area as an area with a median household income that is not greater than \$54,213, or 75 percent of the median state household income; and

WHEREAS, rural municipalities with a median household income that is greater than \$54,213, or 75 percent of the median state household income, are ineligible to apply for economic development grant programs governed by the Texas Legislature; and

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the League seek introduction and passage of legislation that would: (1) create new grant programs to assist rural cities with costs related to the expansion or upgrading of infrastructure and utility facilities required due to the rapid population growth; or (2) alternatively, expand the definition of “in-need” communities to include those cities whose median household income is more than 75% of the median household income of the state, but nonetheless need legislative support to alleviate the strains on their resources imposed by Texas’ rapid population growth and to meet the needs of their growing community.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October, 2024 at Houston, Texas.

APPROVED:



Tito Rodriguez,
President

ATTEST:



Bennett Sandlin,
Executive Director

3.

A RESOLUTION RELATING TO EXPANDING ELIGIBILITY FOR LAW ENFORCEMENT
GRANT PROGRAMS TO INCLUDE MUNICIPALITIES WITHOUT A PRE-EXISTING
POLICE DEPARTMENT

WHEREAS, the State of Texas is experiencing continuous and upending population growth; and

WHEREAS, law enforcement agencies are critical to community development; and

WHEREAS, annual strategic assessments reveal that, in response to population growth, county public safety offices cannot meet the demand for services in every area within their jurisdiction; and

WHEREAS, the governing body of a municipality may therefore decide to provide for the protection and safety of its citizens by establishing a municipal police force to meet the growing needs of its community; and

WHEREAS, Texas Administrative Code §211.16 and Texas Occupations Code §171.163 establish specific requirements that a city seeking to establish and operate a law enforcement agency must fulfill; and

WHEREAS, while a city may have sufficient anticipated capital to support the long-term maintenance of a police force, financing the equipment, facilities, and personnel costs associated with these statutory requirements may impose an undue burden on the municipality; and

WHEREAS, the Texas Legislature has stated its express interest in supporting the development of law enforcement agencies in rural communities; and

WHEREAS, the Texas Legislature has so far created grant programs to support the development of county law enforcement agencies or existing law enforcement agencies in rural communities; and

WHEREAS, rural cities without an existing police force are ineligible to apply for such grant programs.

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the League seek introduction and passage of legislation that would either create new law enforcement grant programs or expand the language of current law enforcement grant programs and expand eligibility to include those municipalities seeking to establish a police force.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October, 2024 at Houston, Texas.

APPROVED:

Tito Rodriguez

Tito Rodriguez,
President

ATTEST:

Ned Bennett Sandlin

Bennett Sandlin,
Executive Director

4.

A RESOLUTION RELATING TO GENERATOR REQUIREMENTS FOR NURSING HOMES
AND ASSISTED LIVING FACILITIES

WHEREAS, hurricanes, winter storms, and other extreme weather events have brought renewed national attention to the life-threatening impacts of the loss of electrical power on vulnerable populations; specifically, when power is lost, residents of nursing homes and assisted living facilities are susceptible to weather-related illnesses and sometimes even death; and

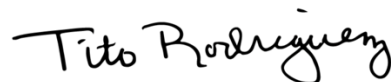
WHEREAS, nursing homes and assisted living facilities are currently required to have a generator to power only specified safety features, including, emergency lighting, alarm systems, illumination of exit signs, and communication systems, but not air conditioning or heating systems.

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the League support legislation that would require nursing homes and assisted living facilities to have generators for the purpose of:

- (a) providing backup power to meet all the needs of their residents, including air conditioning and heat, and to require that nursing homes and assisted living facilities have generators or a comparable power source and fuel to run for at least 72 hours during a power outage;
- (b) requiring this obligation to be placed on all nursing homes and assisted living facilities by a date certain; and
- (c) requiring inspections to be conducted to ensure the operation of the required equipment.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October, 2024, in Houston, Texas.

APPROVED:



Tito Rodriguez,
President

ATTEST:



Bennett Sandlin,
Executive Director

A RESOLUTION RELATING TO THE BALLOT LANGUAGE FOR THE STREET
MAINTENANCE SALES AND USE TAX

WHEREAS, a conflict exists in the Tax Code as to the expiration of the street maintenance sales and use tax as to whether the tax expires four (4) years after the date the tax took effect or four (4) years after the date of the most recent reauthorization election; and

WHEREAS, such conflict has caused some municipalities to hold elections early to ensure that the tax does not expire prior to the reauthorization, e.g., a municipality, which holds elections only on November uniform election dates and adopts the tax on November 5, 2024, would need to hold the reauthorization election on November 2, 2027, instead of November 7, 2028, since the tax would have expired on November 5, 2028, prior to the 2028 uniform election date; and

WHEREAS, this conflict has been recognized by the Texas Secretary of State's Office, which has attempted to amend the ballot language (the contract with the voters) in past legislative sessions, to no avail; and

WHEREAS, resolving this conflict by clarifying when the tax expires will not only provide certainty to voters and municipalities as to the expiration of the tax but also eliminate unnecessary expenses incurred by municipalities holding reauthorization elections almost a year early due to the conflict in the law.

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the League support legislation that would revise the ballot language for the street maintenance sales and use tax to mirror the ballot language used for the reauthorization of crime control districts and fire control, prevention, and emergency medical services districts so that early elections are not needed for reauthorization elections occurring as a result of the fluctuations in the uniform election dates.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October, 2024, in Houston, Texas.

APPROVED:



Tito Rodriguez,
President

ATTEST:



Bennett Sandlin,
Executive Director

6.

A RESOLUTION RELATING TO LOWERING SPEED LIMITS ON RESIDENTIAL
STREETS – “TWENTY IS PLENTY”

WHEREAS, current speed limits on residential streets may, at times, be unsafe for children and adults alike; and

WHEREAS, reducing travel speeds on such streets will allow for increased reaction time for drivers and pedestrians, avoidance of some accidents, and a reduction of the severity of injuries; and

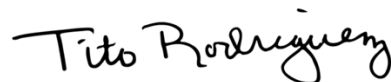
WHEREAS, current state law requires cities to perform extensive engineering or traffic investigations to declare a lower speed limit; and

WHEREAS, research shows that the implementation of 20 mile-per-hour speed limits in areas where vulnerable users (e.g., pedestrians and bicyclists) share the road with motorists may result in further safety benefits, including the reduction of motor vehicle accidents and fatalities.

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the League support legislation that would allow a city to lower the speed limit to 20 miles per hour without performing engineering or traffic studies if a city finds that the prima facie speed limit is unreasonable or unsafe.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October, 2024, in Houston, Texas.

APPROVED:



Tito Rodriguez,
President

ATTEST:



Bennett Sandlin,
Executive Director

7.

RESOLUTION RELATING TO PERSONAL INFORMATION OF MEMBERS OF
ADVISORY BOARDS, COMMISSIONS, AND COMMITTEES

WHEREAS, the Texas Public Information Act (the “Act”) allows employees and officers to elect whether to allow public access to the home addresses, home telephone numbers, emergency contact information, social security numbers, and other information that reveals whether the person has family members; and

WHEREAS, the same protection is not afforded in the Act to members of advisory committees, boards or commissions (collectively “committees”) since they are not technically “officers” of a municipality, as they do not exercise any sovereign function of the city but serve only in an advisory capacity; and

WHEREAS, these volunteers’ private information is subject to disclosure to the public; and

WHEREAS, citizens may not desire to volunteer for various committees, a service which is vital to the operations and functions of municipalities across the state, if they know their personal information is subject to disclosure; and

WHEREAS, personal information of persons who graciously volunteer their time and talents to serve their communities should be protected to the same extent officers’ and employees’ information is protected so that they can serve without fear of harassment, intimidation or injury.

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the League support legislation that would protect the personal information of members of city advisory committees to the same extent such protections are afforded to city officers and employees.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October, 2024, in Houston, Texas.

APPROVED:



Tito Rodriguez,
President

ATTEST:



Bennett Sandlin,
Executive Director

8.

RESOLUTION RELATING TO NOTICE REQUIREMENTS FOR ZONING AMENDMENTS

WHEREAS, cities are required to send notices to property owners within 200 feet of property for which a zoning classification change is proposed; and

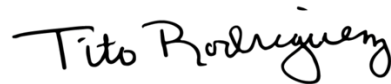
WHEREAS, recently, an appellate court held that a city was required to send upwards of 250,000 individual notices for a proposed comprehensive zoning classification amendment, although such notices were not required when the original zoning district boundaries were adopted; and

WHEREAS, there is a need for clarity regarding when such notices are required to be sent to owners of real property within 200 feet of a property subject to a zoning classification change.

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the League support legislation that would clarify notice requirements for zoning classification changes.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October, 2024, in Houston, Texas.

APPROVED:



Tito Rodriguez,
President

ATTEST:



Bennett Sandlin,
Executive Director

9.

A RESOLUTION RELATING TO THE ELIMINATION OF RELOCATION ASSISTANCE
FOR CODE ENFORCEMENT ACTIONS

WHEREAS, in eminent domain proceedings, cities and other governmental entities are required to provide relocation assistance to persons permanently or temporarily displaced by actions of the government; and

WHEREAS, prior to 2011, such relocation assistance was not mandatory but was permissive; and

WHEREAS, in 2011, when changing the may's to shall's, the legislature failed to make any further changes – specifically regarding code enforcement actions; and

WHEREAS, as a result of such drafting, a person or entity, which allows its property to become substandard and unfit for human use and habitation, and thus requiring code enforcement action, is entitled to relocation assistance at the expense of the governmental entities – a result, which was both unintended (as there is no reference in the 2011 bill analysis to code enforcement actions) and against public policy (as persons or entities should not be rewarded for allowing their property to become in such disrepair as to require code enforcement actions); and

WHEREAS, municipalities should have the ability to provide relocation assistance, but not have the obligation to do so, to persons who are displaced as a direct result of code enforcement actions.

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the League support legislation that would eliminate required relocation assistance to persons and entities that allow their property to become substandard and unfit for human use or habitation and allow cities to provide such assistance in order to promote a public purpose with an appropriate use of public funds.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October, 2024, in Houston, Texas.

APPROVED:



Tito Rodriguez,
President

ATTEST:



Bennett Sandlin,
Executive Director

10.

A RESOLUTION A RELATING TO COMPENSATION OF RIGHTS-OF-WAY BY VIDEO SERVICES

WHEREAS, City of Horseshoe desires to submit this resolution at the 2024 TML Annual Conference in Houston to amend state law to provide that both cable and internet providers pay compensation to cities for use of the right of way and that video programming accessed via a service that enables users to access content, information, e-mail, or other services offered over the Internet, including streaming content be included in compensation to be paid to cities for use of the right of way.

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the League support legislation that would: (1) repeal S.B. 1152 (2019), allowing a certificated telecommunications provider to elect to pay compensation for use of the right of way for internet or cable but not both; and (2) amend the definition of “video service” in Chapter 66 of the Utilities Code to mean video programming services provided by a video service provider through wireline facilities located, at least in part, in a public right-of-way without regard to what technology was used to deliver such services, including via internet service.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October 2024, in Houston, Texas.

APPROVED:



Tito Rodriguez,
President

ATTEST:



Bennett Sandlin,
Executive Director

A RESOLUTION RELATING TO REQUIREMENTS FOR CREATION OF MUNICIPAL UTILITY DISTRICTS (MUDs) LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF AN INCORPORATED CITY

WHEREAS, Municipal Utility Districts (MUDs) are primarily established through the Texas Commission on Environmental Quality (TCEQ); and

WHEREAS, MUDs are frequently situated outside of an incorporated city yet within a city's extraterritorial jurisdiction (ETJ); and

WHEREAS, MUDs can be detrimental to adjacent cities by consuming valuable and limited resources, such as water supply, wastewater capacity, emergency services, and utilizing recreational facilities without contributing to city property taxes, thereby creating a scenario where city taxpayers subsidize MUDs; and

WHEREAS, TCEQ's application process does not require confirmation of sufficient water supply and infrastructure from retail and wholesale water suppliers proposed to serve MUDs; and

WHEREAS, TCEQ's application process does not obligate a MUD to participate in funding facilities for available utility providers if such funding would create a financial hardship for the MUD, resulting in petitions to opt out of existing utility CCNs, wasted capital improvement planning efforts and creating a veritable landscape of insufficient wastewater treatment facilities; and

WHEREAS, TCEQ's MUD application process does not mandate that a MUD provide essential services such as police, fire, ambulance, and animal control, thus imposing a financial burden on counties and adjacent cities that have mutual aid agreements with counties; and

WHEREAS, TCEQ's application process does not require MUDs to provide adequate land dedication, or advance funding to school districts to ensure proper educational facility planning, thereby causing financial and logistical burdens for school districts accommodating rapidly growing student populations; and

WHEREAS, only one registered voter residing within a MUD district is required to vote in favor of significant debt issuance to fund a MUD, with no oversight regarding the validity of MUD elections; and

WHEREAS, MUD property owners are permitted to petition for removal from a city's ETJ thus avoiding financial participation for infrastructure and development standards when creating a MUD; and

WHEREAS, Municipal Utility Districts (MUDs) are frequently considered a means to provide affordable housing, the reality is that high and ongoing MUD taxes can undermine this goal,

making housing less affordable over time, while the primary beneficiaries of MUDs are the developers rather than the residents.

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the League seek introduction and passage of legislation that would change the municipal utility district (MUD) application and creation process by supporting the following reforms:

1. removing TCEQ from the creation process transferring all MUD creation powers to the Texas legislature;
2. requiring MUDs to provide sufficient evidence of the availability of water supply, wastewater capacity, and road infrastructure to meet the needs of MUD developments without depleting resources of existing and entitled city and county developments;
3. requiring MUDs obtain city and/or county acceptance of MUD engineering and market data analysis, verified by agreed upon third party reviewer, to protect city and county taxpayers from poorly planned MUDs that may potentially harm existing or planned developments or interfere with planned capital improvements;
4. removing a MUD’s ability to use powers of eminent domain;
5. requiring proposed MUDs to provide adequate notice, land dedication, and advance funding to school districts accommodating a fast-growing student population;
6. setting new criteria limiting the amount of MUD debt issuance and placing caps on ongoing administrative costs to protect future MUD residents from exorbitant ongoing MUD taxes;
7. requiring MUDs to contract for police, fire, ambulance, animal control, and solid waste removal ensuring services are provided to MUD residents at actual cost and not subsidized by other entities;
8. changing the MUD debt issuance election process to increase transparency and oversight;
9. exempting MUDs from the ability to petition out of a city’s ETJ and/or CCN to avoid financial obligations and standards required for responsible land development; and
10. providing for an exception to allow city annexation in lieu of MUD creation if taxes created for proposed MUD financing exceed an adjacent city’s stacked tax and city is able and willing to provide all essential services.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October, 2024, in Houston, Texas.

APPROVED:

Tito Rodriguez

Tito Rodriguez,
President

ATTEST:

Ned Bennett Sandlin

Bennett Sandlin,
Executive Director

12.

A RESOLUTION RELATING TO LAND USE AND ZONING INCLUDING ACCESSORY DWELLING UNITS

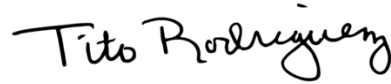
WHEREAS, the Town of Northlake recognizes the need for an active legislative program to ensure that the interest of the Town and its citizens are protected and enhanced; and

WHEREAS, the Town of Northlake will participate in the 89th Texas Legislative Session in 2025 through monitoring and actively advocating for or against legislation to support and safeguard the interest of the Town and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the League oppose legislation that would weaken local control over land use and zoning, including legislation limiting a city's ability to regulate accessory dwelling units.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October, 2024, in Houston, Texas.

APPROVED:



Tito Rodriguez,
President

ATTEST:



Bennett Sandlin,
Executive Director

13.

A RESOLUTION RELATING TO SOLUTIONS FOR THE CHALLENGES OF LAW
ENFORCEMENT IN THE MENTAL HEALTH ARENA

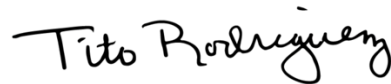
WHEREAS, the Town of Northlake recognizes the need for an active legislative program to ensure that the interest of the Town and its citizens are protected and enhanced; and

WHEREAS, the Town of Northlake will participate in the 89th Texas Legislative Session in 2025 through monitoring and actively advocating for or against legislation to support and safeguard the interest of the Town and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the League support legislation that would provide solutions for funding, processes, and systems to address the growing yet chronic challenges for law enforcement in the mental health arena.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October, 2024, in Houston, Texas.

APPROVED:



Tito Rodriguez,
President

ATTEST:



Bennett Sandlin,
Executive Director

14.

RESOLUTION RELATING TO ADDRESSING THE NEGATIVE IMPACT OF
INSTITUTIONAL INVESTORS ON THE SINGLE-FAMILY HOUSING MARKET IN
TEXAS

WHEREAS, institutional investors are companies, corporations, or limited liability companies (LLCs) as defined by the National Association of Realtors (NAR); and

WHEREAS, institutional investors in some cases are not subject to the same restrictions as individual homebuyers and benefit from tax advantages; and

WHEREAS, cities across Texas have observed a significant increase in the acquisition of single-family homes by institutional investors in recent years; and

WHEREAS, in 2021, nearly 30% of all single-family homes sold in Texas were purchased by these investors, with certain areas experiencing even higher rates, such as Dallas and Rockwall counties where institutional buyers accounted for up to 43% and 45% of home; and

WHEREAS, institutional investors, often outbidding individual homebuyers, can drive up home prices, making it difficult for first-time buyers and lower-income families to afford homes, thus diminishing opportunities for homeownership, which is a primary means of building wealth for families and a key component of the American dream; and

WHEREAS, the dominance of institutional investors in the housing market potentially exacerbates wealth inequality and impacts community stability, as these investors prioritize returns over being good neighbors, leading to potential neglect of property maintenance and reduced civic engagement; and

WHEREAS, although in the short term, institutional investment may increase home prices, in the long term the increased presence of institutional investors negatively impacts home values as the rental properties they acquire may deteriorate quicker, which in turn affects cities' property tax revenues that are crucial for funding local services and infrastructure; and

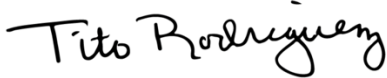
WHEREAS, in March 2024, Governor Abbott called on state lawmakers to limit Wall Street's presence in the Texas housing market, acknowledging the need to address this pressing issue; and

WHEREAS, cities across Texas and the United States have been similarly impacted by the rising numbers of institutional investor-owned homes in their communities, threatening the ability of middle and lower-class families to purchase homes and achieve the American dream of homeownership.

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the League support legislation that would limit or regulate the acquisition of single-family homes by institutional investors.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October, 2024, in Houston, Texas.

APPROVED:



Tito Rodriguez,
President

ATTEST:



Bennett Sandlin,
Executive Director

RESOLUTION RELATING TO PARKLAND DEDICATION ORDINANCES

WHEREAS, the Texas Municipal League (TML) is committed to protecting the interests and authority of municipalities across the state of Texas; and

WHEREAS, parkland dedication ordinances are essential tools for municipalities to ensure the provision of adequate parkland and recreational facilities for their residents; and

WHEREAS, any legislation that undermines municipal authority related to parkland dedication ordinances would negatively impact the ability of municipalities to manage growth and development effectively; and

WHEREAS, the Texas Recreation and Park Society recognizes the importance of maintaining local control over parkland dedication ordinances to meet the unique needs of our community.

NOW, THEREFORE, BE IT RESOLVED by the delegates assembled at this 2024 Annual Conference of the Texas Municipal League that the League oppose legislation that would erode municipal authority related to parkland dedication ordinances.

PASSED AND APPROVED by the membership of the Texas Municipal League this 10th day of October, 2024, in Houston, Texas.

APPROVED:



Tito Rodriguez,
President

ATTEST:



Bennett Sandlin,
Executive Director

A RESOLUTION OF APPRECIATION TO THOSE WHO CONTRIBUTED TO THE
SUCCESS OF THE 2024 TML ANNUAL CONFERENCE AND EXHIBITION

WHEREAS, the Texas Municipal League is holding a conference that is highly informative and enjoyable; and

WHEREAS, the conference attendees wish to express their sincere appreciation to the city officials and citizens of the City of Houston and to others who contributed to the success of the conference;

NOW, THEREFORE, BE IT RESOLVED by the attendees assembled at this 2024 Texas Municipal League Annual Conference and Exhibition that the following officials and organizations be given particular thanks and appreciation for time and services rendered abundantly before and during the event:

1. The Honorable John Whitmire, Mayor of the City of Houston; members of the Houston City Council; and other officials and employees of the host city, all of whom contributed to the success of the 2024 TML Annual Conference and Exhibition.

2. Speakers and program participants who so ably addressed the various sessions and served as discussion leaders, the city officials who presided over sessions of the League and affiliate organizations, sponsors and exhibitors who supported and educated attendees, members of committees and the Board of Directors of the Texas Municipal League, members of the League staff, and all others who participated in the preparation of the conference program.

PASSED AND APPROVED by the membership of the Texas Municipal League on this 10th day of October, 2024, in Houston, Texas.

APPROVED:



Tito Rodriguez,
President

ATTEST:



Bennett Sandlin,
Executive Director