



City of Granite Shoals City Hall
2221 N. Phillips Ranch Road
Granite Shoals, TX 78654
Phone (830) 598-2424 Fax (830) 598-6538
www.graniteshoals.org

**NOTICE OF AGENDA
GRANITE SHOALS CITY COUNCIL
REGULAR CALLED CITY COUNCIL MEETING
HELD VIA INTERNET VIDEO CONFERENCE ON ZOOM
AND IN PERSON FROM/AT -CITY HALL, UPSTAIRS COUNCIL CHAMBER,
2221 N. PHILLIPS RANCH RD, GRANITE SHOALS, TX 78654
TUESDAY, FEBRUARY 23, 2021 AT 6:00 PM**

This Notice and Meeting Agenda, and the Agenda Packet, are posted online at www.graniteshoals.org

Notice is hereby given of a meeting of the City Council of Granite Shoals, Texas to be held on the above-mentioned date, in person and over the internet for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in closed session on any agenda item should the need arise and is applicable pursuant to authorization by Title 5, Chapter 551, or the Texas Government Code.

A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code. Telephonic and videoconferencing capabilities will be utilized to allow individuals to address the Council. Emails may also be submitted. To Join via the ZOOM software platform.

Join Zoom Meeting
<https://us02web.zoom.us/j/82564274158>
Meeting ID: 825 6427 4158
Passcode: 614134
877 853 5247 US Toll-free
888 788 0099 US Toll-free
Meeting ID: 825 6427 4158
Passcode: 614134

AGENDA

- 1. Call Meeting To Order**
- 2. Invocation**

3. Pledge of Allegiance to the flag of the United States and to the Texas flag

*Texas Flag: Honor the Texas flag; I pledge allegiance to thee,
Texas, one state under God, one and indivisible.*

4. Public comment and announcements and Items of Interest

At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called. Anyone wishing to speak under this agenda item must complete a Comment Card and submit to the City Secretary prior to addressing the Council. For those wishing to make a citizens comment from the online meeting, please indicate you wish to be recognized using 'chat' feature, or submitting your comments by email in advance to 'citysecretary@graniteshoals.org'. Those desiring to have their comments read into the record should send the email with their remarks no fewer than two hours before the beginning of this meeting.

p. 5-10

5. Presentations, Reports, Proclamations or Recognitions:

p. 11

- a.) Annual Racial Profiling Prevention Report: Police Chief Gary Boshears *p. 12-26*
- b.) Municipal Court Quarterly Report: Presiding Judge Frank Reilly
- c.) City response to Winter Weather crisis event Feb. 12 – Feb 22, 2021: City Manager Jeff Looney

6. Meeting Minutes/Consent Agenda:

p. 27

The items listed are considered to be routine and non-controversial by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which case the item will be removed from the Consent Agenda prior to a motion and vote. The item will be considered in its normal sequence of the regular agenda.

- a) Approve the meeting minutes from the Regular Called Meeting of City Council Tuesday, February 9, 2020. *p. 28-31*
- b) Accept and Approve Certificate of No Opposed Races for the May 1, 2021 City of Granite Shoals General Election from City Secretary Elaine Simpson. *p. 32-33*
- c) Approve and Adopt proposed Order to Cancel the May 1, 2021 City General Election.

p. 34-36

7. Regular Items - items to be considered or upon which action may be taken:

- a) Discuss, consider and possibly take action related to projects, including but not limited to: update on engineering work from TRC, improvements at the water treatment plant, project to install/replace new water lines and fire hydrants, project to construct a new water storage tank at Bluebriar Drive at Phillips Ranch RD, improvements to the groundwater system, and extension of water intake pipe project. (City Manager Jeff Looney/Utility Director/ACM Peggy Smith)

p. 37

- b) Discuss, consider and possibly take action to approve Declaration of Disaster issued by Mayor Skinner on February 19, 2021 regarding Winter Storms Emergency. (City Manager Jeff Looney) *p. 38-39*
- c) Discuss, consider and possibly take action regarding emergency relief related to city utility bills. (City Manager Jeff Looney)
- d) Discuss, consider and possibly take action regarding proposed Ordinance #808 to modify regulations for Special Events and certain Park regulations. (Assistant City Manager Peggy Smith) *p. 40-44*
- e) Consideration, discussion and possible action concerning award of the engineering services contract for the preparation of the City's 2021-2022 Texas Community Development Block Grant (TxCDBG) application and subsequent engineering contract if funded. (Assistant City Manager Peggy Smith)
- f) Accept resignation of Jim Davant; City Council Member, Place #3, as submitted to Mayor Skinner on Friday, February 12, 2021. (Mayor Skinner, City Secretary Simpson)
- g) Appoint Samantha Ortis to fill the vacancy in Place #3, formerly held by Jim Davant. (Mayor Skinner, City Secretary Simpson)

8. Management Reports *p. 45*

City Manager

- a) Ordinance #797-A Animal Control – Chicken and Bee-Keeping *p. 46-49*
- b) Request for flashing / emergency light at FM 1431 in front of the City Fire Department
- c) TML Legislative Update report (with City Attorney Josh Katz) *p. 50-69*
- d) Short Term Rentals Advisory Committee Meeting February 22, 2021 update
- e) Economic Development projects including future grocery store on FM 1431.
- f) Council policy on Social Media – Resolution #478, adopted April 2015 *69.1-69.9*

Assistant City Manager

- g) Quarry Park projects
- h) Equipment Needs

9. Written Department Reports *p. 70*

- a. Animal Control report
- b.) Code Compliance not available
- c. Finance
 - Monthly Finance Investment Report
 - Expenditures and Revenue Report
 - Check Register
 - Sales Tax report

d. Fire *p. 71-72*
g. Streets

e. Parks
h. Utilities

f. Police

To Be Provided

10. Future Agenda Items *p. 73 - 76*

11. Adjournment

CERTIFICATION

I certify that the foregoing agenda has been posted at Granite Shoals City Hall, 2221 N. Phillips Ranch Road, both on the indoor bulletin board and outdoor notice boards of City Hall which are accessible to the public at all times, and the city website at www.graniteshoals.org Saturday, February 20, 2021 on or before 5:00 p.m. and shall remain there continuously from such time until after this meeting is adjourned which begins on Tuesday, February 23, 2021 at 6PM. Requests for accommodations or interpretive services must be made 8 hours prior to this meeting. Please contact the City Secretary at (830) 598-2424 for further information.



Elaine Simpson
Elaine Simpson, TRMC/MMC, City Secretary

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by Texas Government Code Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), and/or 418.183 (homeland security).

V.T.C.A., Penal Code § 42.05, § 42.05. Disrupting Meeting or Procession

(a) A person commits an offense if, with intent to prevent or disrupt a lawful meeting, procession, or gathering, he obstructs or interferes with the meeting, procession, or gathering by physical action or verbal utterance.

(b) An offense under this section is a Class B misdemeanor. Credits: Acts 1973, 63rd Leg., p. 883, ch. 399, § 1, eff. Jan. 1, 1974. Amended by Acts 1993, 73rd Leg., ch. 900, § 1.01, eff. Sept. 1, 1994. V. T. C. A., Penal Code § 42.05, TX PENAL § 42.05 - Current through the end of the 2015 Regular Session of the 84th Legislature.

Pursuant to Section 551.045 of the Texas Government Code, reserves the right of City Council to hear emergency items when there is imminent threat to public health and safety.



**City of Granite Shoals, Texas
City Council Regular Called Meeting
Agenda Item Cover Memo
February 23, 2021**

Agenda Item: Item 4 Public Comment and Staff Announcements

AGENDA CAPTION

- At this time, any person with business before the Council not scheduled on the agenda may speak to the Council.
- No formal action can be taken on these items at this meeting.
- No discussion or deliberation can occur.
- Comments regarding specific items should occur when the item is called on the agenda.
- Anyone wishing to speak under this agenda item should complete a "Comment Card" and submit it to the City Secretary prior to addressing the Council, if possible.
- During video conferenced meetings, public comments are accepted via email to the City Secretary citysecretary@graniteshoals.org up to 2 hours before the meeting begins.

Texas Government Code, Section 551.042. Sec. 551.042. INQUIRY MADE AT MEETING.

(a) If, at a meeting of a governmental body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to:

- (1) a statement of specific factual information given in response to the inquiry; or
- (2) a recitation of existing policy in response to the inquiry.

(b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

V.T.C.A., Penal Code § 42.05, § 42.05. Disrupting Meeting or Procession

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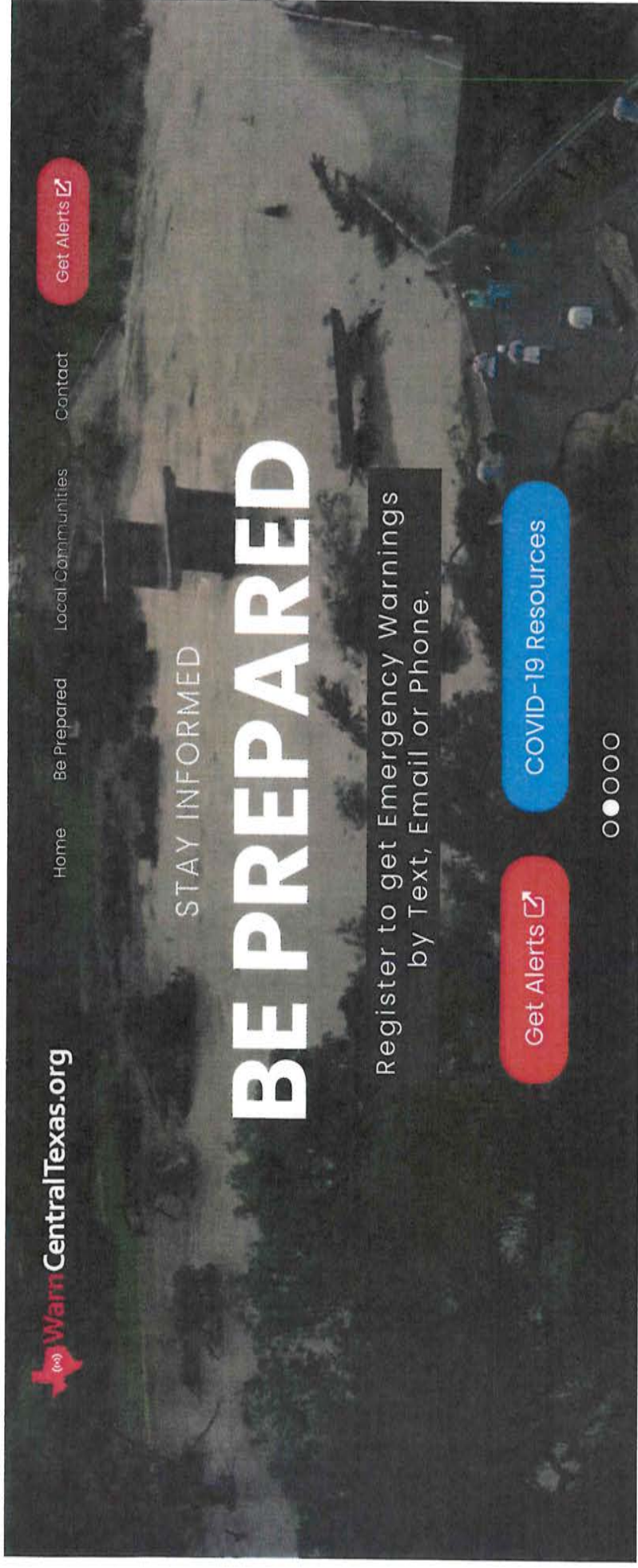
Staff Announcements (announcements of community interest) :

The Texas Open Meetings Act effective September 1, 2009, provides that "a quorum of the city council may receive from municipal staff, and a member of the governing body may make, a report regarding items of community interest during a council meeting without having given notice of the subject of the report, provided no action is taken or discussed."

The law provides that an "item of community interest" includes the following:

- ☐ expressions of thanks, congratulations, or condolence;
- ☐ information regarding holiday schedules;
- ☐ honorary recognitions of city officials, employees, or other citizens;
- ☐ reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by a city official or city employee; and,
- ☐ announcements involving imminent public health and safety threats to the city.

The Open Meetings Act does not allow Council to discuss an item concerning pending City Council business unless it is specifically, appropriately posted on the agenda.



WarnCentralTexas.org

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STAY INFORMED

BE PREPARED

Register to get Emergency Warnings
by Text, Email or Phone.

[Get Alerts](#) [COVID-19 Resources](#)

○○○○○

▲ Provide Your Residential Damage Assessment : use the following link to upload photos and information about damage: www.TDEM.Texas.gov/warning-center if enough damage is recorded for your county FEMA may provide assistance.

The Capital Area Council of Governments and its partners are pleased to offer an emergency notification system to residents of Central Texas. Registering with WarnCentralTexas allows local officials to contact their communities by phone, email and text during times of disasters or public safety events.

6/76

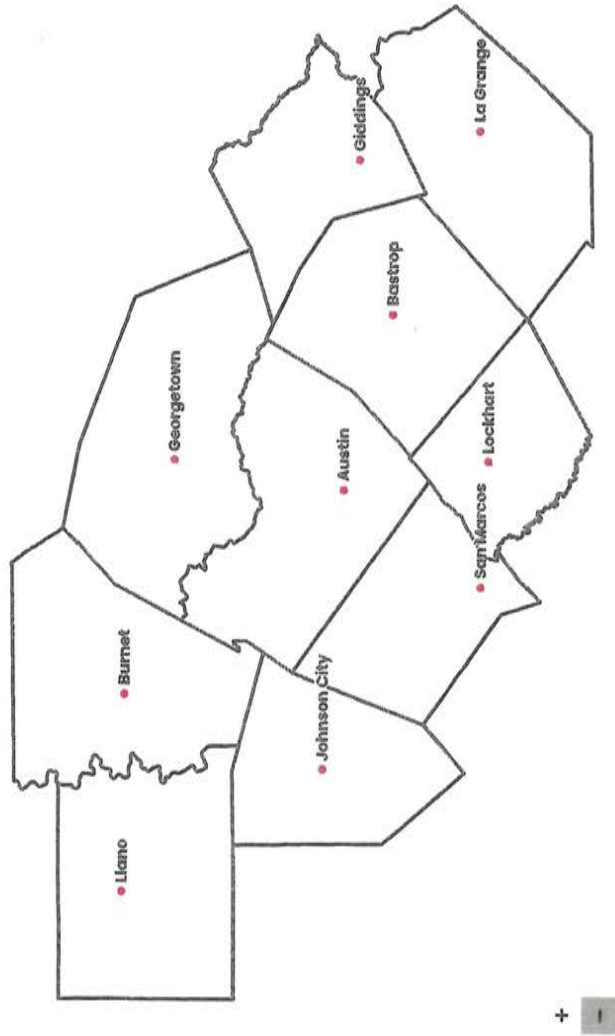
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LOCAL

COMMUNITIES

Select a county below to view emergency information relative to your location.

- Bastrop County
- Blanco County
- Burnet County
- Caldwell County
- Fayette County
- Hays County
- Lee County
- Llano County
- Travis County
- Williamson County



HOW IT

WORKS

Register **NOW** to receive emergency notifications from your local emergency response team. Be among the first to receive critical community alerts regarding natural disasters, weather warnings, evacuation notices, bio-terrorism alerts, boil water notices, and missing child reports.

Home

Be Prepared

Local Communities

Contact

Get Alerts

Select Language

To get started, click the Get Alerts button below. Depending on your preferred delivery, register your cell phone number and/or email address.



STEP TWO

CUSTOMIZE ALERTS

Choose to set up specific, custom alerts for multiple addresses, cell phone numbers, and/or email addresses.

DELIVERY METHODS



Address



Phone Call



Text



Email

STEP THREE

STAY INFORMED

Monitor alerts via your preferred delivery method(s) in the registration process to better protect your family, property, and yourself!



The Capital Area Council of Governments uses a regional notification system (RNS) called Everbridge as a crucial public-safety tool. The web-based tool is available to users throughout the CAPCOG region to alert the public to emergency and non-emergency situations. It's an effective tool for notifying a relatively large number of people in a short period of time.

Messages may include content such as incident-specific information, recommended protective actions or response directives. They can be delivered to various devices that accept voice, email or SMS text content and to alpha or numeric pagers.

The message sender identifies recipients, develops the message and determines which types of devices receive the message. Regional partners that use RNS can send voice messages to landline phones using CAPCOG's 9-1-1 database. However, residents and visitors to the CAPCOG region must register their cell phone numbers and email addresses to receive notifications on mobile devices or computers.

In addition to alerts sent by local jurisdictions, residents may choose to receive automated warnings — tornado, severe thunderstorm or flash flood, for example — from the National Weather Service.

CAPCOG COUNTY PARTNERS



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WarnCentralTexas.org serves as a public portal for residents to register for our Regional Notification System (RNS) and learn about other ways their local communities distribute information in times of emergencies.

WarnCentralTexas.org also is being developed as a regional preparedness resource so residents in the ten-county CAPCOG region can find useful information about how they can prepare themselves for emergencies and disasters.

Get Alerts 

Stay Informed

BE PREPARED

Protect your family, property and self. Sign up for free to get official emergency alerts for your neighborhood by text, email, or phone.



The **Capital Area Council of Governments** and its partners are pleased to offer an emergency notification system to residents of Central Texas. Registering with WarnCentralTexas allows local officials to contact their communities by phone, email and text during times of disasters or public safety events.

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**City of Granite Shoals, Texas
City Council Regular Meeting
Agenda Item Cover Memo
February 23, 2021**

Agenda Item: **ITEM 5. Presentations, Reports, Recognitions and Proclamations**
Prepared by: Elaine Simpson, City Secretary
Department: Administration
Submitted by: Elaine Simpson, City Secretary

BACKGROUND

- a.) Annual Racial Profiling Prevention Report: Police Chief Gary Boshears
- b.) Municipal Court Quarterly Report: Presiding Judge Frank Reilly
- c.) City response to Winter Weather crisis event Feb. 12 – Feb 22, 2021: City Manager Jeff Looney



City of Granite Shoals, Texas
City Council Regular Meeting
Agenda Item Cover Memo
Date: 02/09/2021

Agenda Item: # *Presentation 2020 Racial Profiling Prevention Report*
Prepared/Submitted By: *Gary A. Boshears, M. P. A., LCC Chief of Police.*
Department: *Police*

AGENDA CAPTION

Presentation of the Granite Shoals Police Department 2020 Racial Profiling Prevention Report.

BACKGROUND

The Police Department collects pertinent data on traffic stops and analyzes this data to determine compliance with racial profiling laws and policies. Annually, we compile a report with statistics as well as comparisons to our population. State law requires that this report be submitted to the governing body of a municipality as well as the Texas Commission on Law Enforcement. Our data shows compliance with laws and policies. Additionally, during the year 2020 we had no external or internal complaints on the basis of racial profiling. Chief Gary Boshears will present the report and answer any questions from the council.

OPTIONS

Presentation Only, No Action Required.

RECOMMENDATION

This item is for presentation only, no action is required.

FISCAL NOTES (IF APPROPRIATE)

No Fiscal Impact.

ATTACHMENT(S): (IF APPROPRIATE)

List of the items behind this cover sheet:

- *2020 Racial Profiling report from the 2020 Granite Shoals Police Department Annual Report.*

APPENDIX A – 2020 RACIAL PROFILING PREVENTION REPORT

In 2017, the Sandra Bland Act (S. B. 1849) made a number of changes to Racial Profiling reporting requirements for law enforcement agencies. In response to these changes, this document contains detailed racial profiling information for stops made by the Granite Shoals Police Department from 01/01/2020 to 12/31/2020. This document also contains a visual comparison of the percentage of vehicle stops by race and gender compared to the demographics of our area. This demographic data is from 2010 and obtained from the United States Census Bureau. You will see there are only very minor differences between our percentage of vehicle stops and demographics of the area, this can be largely attributed to officers coming into contact with individuals who do not reside in this area.

This report has been prepared by Chief of Police Gary Boshears. Texas law requires that this report be submitted to the governing body of a municipality as well as the Texas Commission on Law Enforcement. The report has been submitted to the Texas Commission on Law Enforcement as is required by law.

As required by law, the Granite Shoals Police Department has policies and procedures allowing individuals to file complaints on the basis of Racial Profiling. During the time period of 01/01/2020 to 12/31/2020, the Granite Shoals Police Department received **no complaints** based on racial profiling. Additionally, during this year, Granite Shoals Police Department supervisors have randomly reviewed videos to ensure compliance with our racial profiling policy. We have additionally checked the accuracy of information entered into our computer system which collects the racial profiling data.

Included at the end of this document for reference is the Granite Shoals Police Department policy on Racial Profiling. This policy is a model policy from the Texas Police Chief's Association. The Granite Shoals Police Department routinely verifies that data being entered into citations is accurate as to what is being reported in these reports.

Based on all available data, the Granite Shoals Police Department has complied with the law regarding racial profiling.

Racial Profiling Report | Full Report
 GRANITE SHOALS POLICE DEPARTMENT
 1/1/2020 - 12/31/2020

Page 1

Total stops: 2,195

Street address or approximate location of the stop

City street: 897

US highway: 1

State highway: 1171

County road: 5

Private property or other: 181

Was race or ethnicity known prior to stop?

Yes: 14

No: 2,181

Race or ethnicity

Alaska Native/American Indian: 1

Asian/Pacific Islander: 14

Black: 21

White: 1,340

Hispanic/Latino: 259

Gender

Females

Total: 224

Alaska Native/American Indian: 0

Asian/Pacific Islander: 5

Black: 22

White: 460

Hispanic/Latino: 232

Males

Total: 1,471

Alaska Native/American Indian: 1

Asian/Pacific Islander: 2

Black: 49

White: 875

Hispanic/Latino: 532

Racial Profiling Report | Full Report
 GRANITE SHOALS POLICE DEPARTMENT
 1/1/2020 - 12/31/2020

Page 2

Reason for stop?

Violation of law:

Total	251				
Alaska Native/American Indian	0	Asian/Pacific Islander	2	Black	1
White	216	Hispanic/Latino	32		

Preexisting knowledge:

Total	11				
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black	0
White	1	Hispanic/Latino	1		

Moving traffic violations:

Total	1,349				
Alaska Native/American Indian	1	Asian/Pacific Islander	12	Black	47
White	721	Hispanic/Latino	508		

Vehicle traffic violations:

Total	587				
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black	23
White	338	Hispanic/Latino	228		

Was a search conducted?

Yes:

Total	117				
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black	1
White	89	Hispanic/Latino	47		

No:

Total	2,079				
Alaska Native/American Indian	1	Asian/Pacific Islander	18	Black	70
White	1,721	Hispanic/Latino	722		

Reason for Search?

Consent:

Total	88				
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black	1
White	21	Hispanic/Latino	16		

Control/bands:

Total	2				
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black	0
White	2	Hispanic/Latino	0		

Racial Profiling Report | Full Report
 GRANITE SHOALS POLICE DEPARTMENT
 1/1/2020 - 12/31/2020

Page 3

Probable cause:

Total	40			
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black
White	26	Hispanic/Latino	14	

Inventory:

Total	5			
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black
White	2	Hispanic/Latino	3	

Incident to arrest:

Total	17			
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black
White	8	Hispanic/Latino	9	

Was Contraband discovered?

Yes:

Total	40	Did the finding result in arrest (total should equal previous column)?	
Alaska Native/American Indian	0	Yes	0
Asian/Pacific Islander	0	Yes	0
Black	1	Yes	1
White	35	Yes	35
Hispanic/Latino	23	Yes	23

No:

Total	2,135			
Alaska Native/American Indian	1	Asian/Pacific Islander	14	Black
White	1,305	Hispanic/Latino	785	

Description of contraband

Drugs:

Total	35			
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black
White	20	Hispanic/Latino	15	

Currency:

Total	2
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Racial Profiling Report | Full Report
 GRANITE SHOALS POLICE DEPARTMENT
 1/1/2020 - 12/31/2020

Page 4

	Alaska Native/American Indian	.0	Asian/Pacific Islander	.0	Black	.0
	White	.1	Hispanic/Latino	.1		
Weapons:						
Total	.1					
	Alaska Native/American Indian	.0	Asian/Pacific Islander	.0	Black	.0
	White	.1	Hispanic/Latino	.0		
Alcohol:						
Total	.0					
	Alaska Native/American Indian	.0	Asian/Pacific Islander	.0	Black	.0
	White	.5	Hispanic/Latino	.4		
Stolen property:						
Total	.0					
	Alaska Native/American Indian	.0	Asian/Pacific Islander	.0	Black	.0
	White	.0	Hispanic/Latino	.0		
Other:						
Total	.5					
	Alaska Native/American Indian	.0	Asian/Pacific Islander	.0	Black	.0
	White	.2	Hispanic/Latino	.3		

Result of the stop

verbal warnings:

Total	1,452					
	Alaska Native/American Indian	.1	Asian/Pacific Islander	.10	Black	.65
	White	1,017	Hispanic/Latino	.988		

Written warnings:

Total	.55					
	Alaska Native/American Indian	.0	Asian/Pacific Islander	.0	Black	.0
	White	.38	Hispanic/Latino	.20		

Citation:

Total	870					
	Alaska Native/American Indian	.0	Asian/Pacific Islander	.9	Black	.6
	White	282	Hispanic/Latino	186		

Racial Profiling Report | Full Report
 GRANITE SHOALS POLICE DEPARTMENT
 1/1/2020 - 12/31/2020

Page 8

Written warning and arrest:

Total	0				
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black	0
White	0	Hispanic/Latino	0		

Citation and arrest:

Total	1				
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black	0
White	0	Hispanic/Latino	1		

Arrest:

Total	2				
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black	0
White	2	Hispanic/Latino	0		

Arrest based on

Violation of Penal Code:

Total	2				
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black	0
White	2	Hispanic/Latino	0		

Violation of Traffic Law:

Total	2				
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black	0
White	0	Hispanic/Latino	2		

Violation of City Ordinances:

Total	0				
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black	0
White	0	Hispanic/Latino	0		

Outstanding Warrants:

Total	2				
Alaska Native/American Indian	0	Asian/Pacific Islander	0	Black	0
White	2	Hispanic/Latino	0		

Racial Profiling Report | Full Report
 GRANITE SHOALS POLICE DEPARTMENT
 1/1/2020 - 12/31/2020

Page 6

Was physical force resulting in bodily injury used during stop?

Yes:

Total 0

Alaska Native/American Indian 0

Asian/Pacific Islander 0

Black 0

White 0

Hispanic/Latino 0

No:

Total 2,195

Alaska Native/American Indian 1

Asian/Pacific Islander 14

Black 71

White 1,342

Hispanic/Latino 769

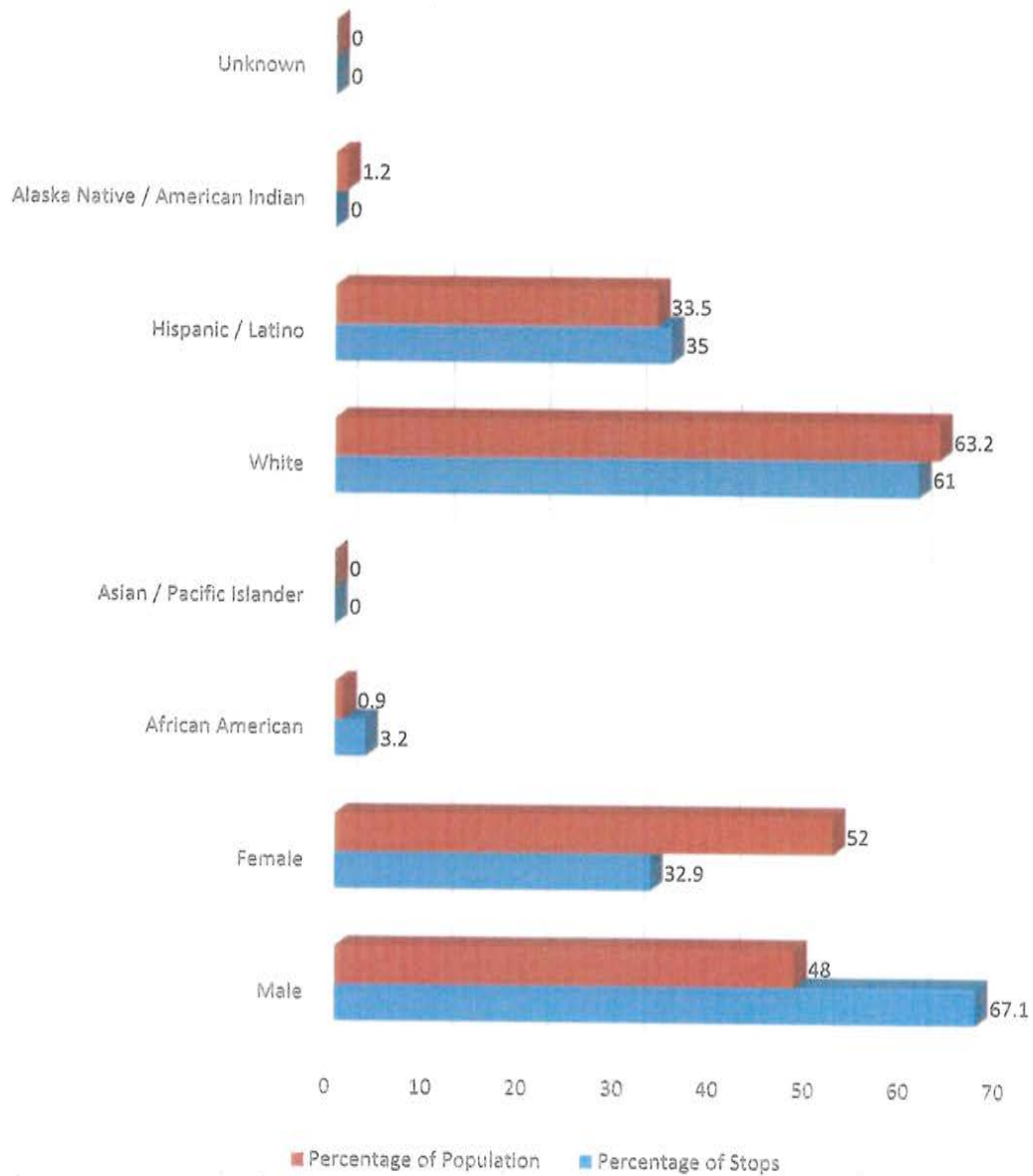
Number of complaints of racial profiling?

Total 0

Resulted in disciplinary action 0

Did not result in disciplinary action 0

Percentage of Stops / Percentage of Population



**GRANITE SHOALS POLICE DEPARTMENT****Policy 2.2 Bias Based Policing****Effective Date: 01/01/2017****Replaces: Previous Version****Approved:** _____

Chief of Police

Reference: TBP 2.01**I. POLICY**

We are committed to a respect for constitutional rights in the performance of our duties. Our success is based on the respect we give to our communities, and the respect members of the community observe toward law enforcement. To this end, we shall exercise our sworn duties, responsibilities, and obligations in a manner that does not discriminate on the basis of race, sex, gender, national origin, ethnicity, age, or religion. All people carry biases: in law enforcement, however, the failure to control our biases can lead to illegal arrests, searches, and detentions, thus thwarting the mission of our department. Most importantly, actions guided by bias destroy the trust and respect essential for our mission to succeed. We live and work in communities very diverse in population: respect for diversity and equitable enforcement of the law are essential to our mission.

All enforcement actions, particularly stops of individuals (for traffic and other purposes), investigative detentions, arrests, searches and seizures of persons or property, shall be based on the standards of reasonable suspicion or probable cause as required by the Fourth Amendment to the U. S. Constitution and statutory authority. In all enforcement decisions, officers shall be able to articulate specific facts, circumstances, and conclusions which support probable cause or reasonable suspicion for arrests, searches, seizures, and stops of individuals. Officers shall not stop, detain, arrest, search, or attempt to search anyone based solely upon the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. Officers shall base all such actions on a reasonable suspicion that the person or an occupant of a vehicle committed an offense.

All departmental orders are informed and guided by this directive. Nothing in this order limits non-enforcement contacts between officers and the public.

II. PURPOSE

The purpose of this order is to provide general guidance on reducing the presence of bias in law enforcement actions, to identify key contexts in which bias may influence these actions, and emphasize the importance of the constitutional guidelines within which we operate.

III. DEFINITIONS

Most of the following terms appear in this order. In any case, these terms appear in the larger public discourse about alleged biased enforcement behavior and in other orders. These definitions are intended to facilitate on-going discussion and analysis of our enforcement practices.

- A. Bias: Prejudice or partiality which may be based on preconceived ideas, a person's upbringing, culture, experience, or education.
- B. Biased policing: Stopping, detaining, searching, or attempting to search, or using force against a person based upon his or her race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.
- C. Ethnicity: A cluster of characteristics which may include race but also cultural characteristics or traits which are shared by a group with a common experience or history.
- D. Gender: Unlike sex, a psychological classification based on cultural characteristics or traits.
- E. Probable cause: Facts or apparent facts and circumstances within an officer's knowledge and of which the officer had reasonable, trustworthy information to lead a reasonable person to believe that an offense has been or is being committed, and that the suspect has committed it.
- F. Race: A category of people of a particular decent, including Caucasian, African, Hispanic, Asian, or Native American descent. As distinct from ethnicity, race only refers to physical characteristics sufficiently distinctive to group people under a classification.

- G. Racial profiling: A law-enforcement initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.
- H. Reasonable suspicion: Articulate, objective facts which lead an experienced officer to suspect that a person has committed, is committing, or may be about to commit a crime. A well-founded suspicion is based on the totality of the circumstances and does not exist unless it can be articulated. Reasonable suspicion supports a stop of a person. Courts require that stops based on reasonable suspicion be "objectively reasonable."
- I. Sex: A biological classification, male or female, based on physical and genetic characteristics.
- J. Stop: The detention of a subject for a brief period of time, based on reasonable suspicion. A stop is an investigative detention.

IV. PROCEDURES

A. General responsibilities

1. Officers are prohibited from engaging in bias based profiling or stopping, detaining, searching, arresting, or taking any enforcement action including seizure or forfeiture activities, against any person based solely on the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. These characteristics, however, may form part of reasonable suspicion or probable cause when officers are seeking a suspect with one or more of these attributes. (TBP: 2.01)
2. Reasonable suspicion or probable cause shall form the basis for any enforcement actions or decisions. Individuals shall only be subjected to stops, seizures, or detention upon reasonable suspicion that they have committed, are committing, or are about to commit an offense. Officers shall document the elements of reasonable suspicion and probable cause in appropriate reports.
3. Officers shall observe all constitutional safeguards and shall respect the constitutional rights of all persons.
 - a. As traffic stops furnish a primary source of bias-related complaints, officers shall have a firm understanding of the warrantless searches allowed by law, particularly the use of consent. How the officer disengages from a traffic stop may be crucial to a person's perception of fairness or discrimination.

- b. Officers shall not use the refusal or lack of cooperation to justify a search of the person or vehicle or a prolonged detention once reasonable suspicion has been dispelled.
- 4. All personnel shall treat everyone with the same courtesy and respect that they would have others observe to department personnel. To this end, personnel are reminded that the exercise of courtesy and respect engenders a future willingness to cooperate with law enforcement.
 - a. Personnel shall facilitate an individual's access to other governmental services whenever possible, and shall actively provide referrals to other appropriate agencies.
 - b. All personnel shall courteously accept, document, and forward to the Chief of Police any complaints made by an individual against the department. Further, officers shall provide information on the complaints process and shall give copies of "How to Make a Complaint" when appropriate.
- 5. When feasible, personnel shall offer explanations of the reasons for enforcement actions or other decisions that bear on individual's well-being unless the explanation would undermine an investigation or jeopardize an officer's safety. When concluding an encounter, personnel shall thank him or her for cooperating.
- 6. When feasible, all personnel shall identify themselves by name. When a person requests the information, personnel shall give their departmental identification number, name of the immediate supervisor, or any other reasonable information.
- 7. All personnel are accountable for their actions. Personnel shall justify their actions when required.

B. Supervisory responsibilities

- 1. Supervisors shall be held accountable for the observance of constitutional safeguards during the performance of their duties. Supervisors shall identify and correct instances of bias in the work of their subordinates.
- 2. Supervisors shall use the disciplinary mechanisms of the department to ensure compliance with this order and the constitutional requirements of law enforcement.

3. Supervisors shall be mindful that in accounting for the actions and performance of subordinates, supervisors are key to maintaining community trust in law enforcement. Supervisors shall continually reinforce the ethic of impartial enforcement of the laws, and shall ensure that personnel, by their actions, maintain the community's trust in law enforcement.
4. Supervisors are reminded that biased enforcement of the laws engenders not only mistrust of law enforcement, but increases safety risks to personnel. Lack of control over bias also exposes the department to liability consequences. Supervisors shall be held accountable for repeated instances of biased enforcement of their subordinates.
5. Supervisors shall ensure that all enforcement actions are duly documented per departmental policy. Supervisors shall ensure that all reports show adequate documentation of reasonable suspicion and probable cause, if applicable.
6. Supervisors shall facilitate the filing of any complaints about law enforcement service.
7. Each quarter, a supervisor shall review a minimum of three (3) dash camera or body camera videos per officer to ensure compliance with this policy.
8. When conducting random, quarterly, supervisory reviews of officer's video supervisors are not required to watch each incident of an 8, 10, or 12 hour shift; however, reviewing the footage in a manner intended to gain an understanding of that officer's performance and adherence to policy and law is required.

C. Disciplinary consequences

Actions prohibited by this order shall be cause for disciplinary action, up to and including dismissal.

D. Training (TBP: 2.01)

1. Officers shall complete all training required by state law regarding bias based profiling.

V. COMPLAINTS

- A. The department shall publish "How to Make a Complaint" folders and make them available at all city facilities and other public locations throughout the city. Whenever possible, the media will be used to inform the public of the department's policy and complaint process.
- B. Complaints alleging incidents of bias based profiling will be fully investigated as described under Policy 2.4.
- C. Complainants will be notified of the results of the investigations when such investigation is completed.

VI. RECORD KEEPING

- A. The department will maintain all required records on traffic stops where a citation is issued or where an arrest is made subsequent to a traffic stop pursuant to state law.
- B. The information collected above will be reported to the city council annually.
- C. The information will also be reported to TCLEOSE in the required format.



City of Granite Shoals, Texas
Regular Called City Council Meeting
Agenda Item Cover Memo
February 23, 2021

Agenda Item: **Item 6 Consent Agenda**
Prepared By: **City Secretary**
Department: **Administration**
Submitted By: **City Secretary**

6. Meeting Minutes/Consent Agenda:

The items listed are considered to be routine and non-controversial by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which case the item will be removed from the Consent Agenda prior to a motion and vote. The item will be considered in its normal sequence of the regular agenda.

- a) Approve the meeting minutes from the Regular Called Meeting of City Council Tuesday, February 9, 2020.
 - b) Accept and Approve Certificate of No Opposed Races for the May 1, 2021 City of Granite Shoals General Election from City Secretary Elaine Simpson.
 - c) Approve and Adopt proposed Order to Cancel the May 1, 2021 City General Election.
-
- a.) Self-explanatory.
 - b.) Mr. Ken Bradshaw submitted his request to withdraw from candidacy in Place #5 on the May 1, 2021 City General election ballot on 2/16/2021. Because he submitted this withdrawal in the morning, the Drawing for Order of Names on the Ballot was canceled for that afternoon. City Secretary Simpson has updated the city's website with the current information at www.graniteshoals.org. Mr. Eddie McCoy is the only candidate in Place #5. This form 'Certificate of No Opposed Races' is submitted by the City Secretary. Acceptance of this allows City Council to consider item c.)
 - c.) This cancellation order cancels the May 1, 2021 City General Officers Election. All four candidates Skinner, Munos and McCoy will be (re)sworn in after May 1, 2021, respectively. Council will have the opportunity later on tonight's agenda to accept Mr. Davant's resignation, and to appoint Samantha Ortis to place #3.



City of Granite Shoals
2221 N. Phillips Ranch Road
Granite Shoals, TX 78654
(830) 598-2424 fax (830) 598-6538
www.graniteshoals.org

MEETING MINUTES
FOR A REGULAR CALLED MEETING OF THE
GRANITE SHOALS CITY COUNCIL,
CONDUCTED VIA ZOOM VIDEO INTERNET TELECONFERENCE FROM
GRANITE SHOALS CITY HALL,
2221 N. PHILLIPS RANCH ROAD, GRANITE SHOALS, TX 78654
TUESDAY, FEBRUARY 9, 2021 6:00 PM

The items are listed in the order they appeared on the agenda, and may have been addressed in different order.

City Council:

Council Member Ron Munos in person
Council Member Jim Davant via ZOOM
Council Member Steve Hougen via ZOOM
Council Member Phil Ort in person

Council Members absent:

Council Member Shirley Martin
Council Member Bruce Jones
Mayor Will Skinner

Mayor Pro Tem Munos moved and Council Member Ort seconded to excuse the absence of Mayor Skinner, which was scheduled in advance, and the Council members notified. Motion carried unanimously by a 4-0 vote.

Mayor Pro Tem Munos moved and Council Member Ort seconded to excuse the absence of Council Member Martin, which was scheduled in advance, and the Council members notified. Motion carried unanimously by a 4-0 vote.

Mayor Pro Tem Munos moved and Council Member Ort seconded to excuse the absence of Council Member Jones, which was scheduled in advance, and the Council members notified. Motion carried unanimously by a 4-0 vote.

Staff:

City Manager Jeff Looney
City Attorney Josh Katz (via Zoom teleconference)
Assistant City Manager Peggy Smith (in Council Chambers)
City Secretary Elaine Simpson (Recording Secretary in Chamber)
Police Chief Gary Boshears in person
Fire Chief Austin Stanphill (Zoom)

Director of Finance Russell Martin (coordinating ZOOM meeting from Council Chamber)

Other participants:

Jennifer Fierro – Picayune News

Nathan Hendrix – Highlander News

Ken and Pat Bradshaw - in person

Michele Landfield – ZOOM

Jeremy Wilkinson – ZOOM

Samantha Ortis – logged on ZOOM at approx. 6:53 PM

AGENDA

1. Call to Order/ Roll Call / Welcome

Mayor Pro Tem Munos called the meeting to order at 6:01 PM.

2. Invocation

Mayor Pro Tem Munos gave the invocation.

3. Pledge of Allegiance to the flag of the United States and to the Texas flag

*Texas Flag: Honor the Texas flag; I pledge allegiance to thee,
Texas, one state under God, one and indivisible.*

4. Public comment and announcements and Items of Interest

City Manager Jeff Looney noted that bad weather is coming and everyone should be prepared.

5. Presentations, Reports, Proclamations or Recognitions:

a.) Annual Racial Profiling Prevention Report: Police Chief Gary Boshears

This item was postponed to the next City Council meeting when more Council members will be present to hear the report.

No formal action was taken on this item.

6. Meeting Minutes/Consent Agenda:

The items listed are considered to be routine and non-controversial by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which case the item will be removed from the Consent Agenda prior to a motion and vote. The item will be considered in its normal sequence of the regular agenda.

a) Approve the meeting minutes from the Regular Called Meeting of City Council Tuesday, January 26, 2020.

Council Member Ort moved and Mayor Pro Tem Munos seconded, to approve, as presented, the item on the consent agenda, being the meeting minutes from the Council Meeting of Jan 26, 2021. Motion carried unanimously by a vote of 4-0.

7. Regular Items - items to be considered or upon which action may be taken:

- a) Discuss, consider and possibly take action related to projects, including but not limited to: update on engineering work from TRC, improvements at the water treatment plant, project to install/replace new water lines and fire hydrants, project to construct a new water storage tank at Bluebriar Drive at Phillips Ranch RD, improvements to the groundwater system, and extension of water intake pipe project. *(City Manager Jeff Looney/Utility Director/ACM Peggy Smith)*

Assistant City Manager Peggy Smith introduced the item and presented the staff report on recent meetings and teleconferences regarding engineering work and presented updates on CDBG grants currently in application process as well as 2018 grant.

No formal action was taken.

- b) Discussion with Mr. Shaun Miller of All Seasons Sports regarding progress at the Quarry Park Multi-Sport Complex. *(City Manager Jeff Looney)*

Mr. Shaun Miller explained that there have been some delays in the progress of installing the court flooring and turf at the Multi-Sport Complex. He estimated that the work will be finished by approximately the week of February 24th. The Covid-19 pandemic has hampered work schedules as well as shipping schedules for the materials that were shipped in from overseas.

Mr. Miller explained that due to a miscommunication, six-millimeter flooring was installed, instead of the ten-millimeter flooring that Mr. Looney desired. The flooring is safe and the company has added another two years to the warranty. The price charged was for the six-millimeter flooring.

Mayor Pro Tem Munos recessed the meeting at 6:28 PM due to technical issues with the ZOOM teleconference software. When the ZOOM meeting went offline the quorum was lost.

Mayor Pro Tem Munos reconvened the meeting at 6:30 PM when the ZOOM meeting connection was re-established.

There was discussion regarding the steps that will be needed to protect the flooring from inappropriate footwear (such as metal cleat sports shoes) or inappropriate uses. Signage will be posted.

No formal action was taken.

- c) Discuss, consider and possibly take action to make appointments to Boards, Committees or Commissions. *(City Secretary Elaine Simpson)*

City Secretary Simpson introduced the item and presented the staff report, Ms. Landfield has applied for the Parks Advisory Committee.

Council Member Hougen moved, and Council Member Ort seconded, to appoint Michele Landfield to the Parks Advisory Committee. Motion carried unanimously by a vote of 4-0.

8. Management Reports

City Manager

- a) request for flashing / emergency light at FM 1431 in front of the City Fire Department
- b) TML Legislative Update report (*with City Attorney Josh Katz*)
- c) Short Term Rentals Advisory Committee Meeting February 8, 2021 update
- d) Economic Development projects including future grocery store on FM 1431.
- e) Council policy on Social Media – Resolution #478, adopted April 2015

Assistant City Manager

- f) Quarry Park projects
- g) Proposed modifications to Special Events Ordinance, Parks Ordinance and General Fee Schedule from Parks Committee.
- h) Equipment Needs
- i) Update on SWAG
- j) Update on Parks Committee activities

City Secretary

- k) Elections Update

Filing to run for re-election so far: Will Skinner for re-election as Mayor. Ron Munos for re-election as Council Member Place #1. Samantha Ortis for election as Council Member Place #3.

The period for filing to run as a candidate on the 5-1-2021 ballot ends at 5 PM on 2/12/2021.

- l) Human Resources update: there remains an opening in the Public Works Department for a Public Works Technician.

Reports heard.

9. Future Agenda Items

Coffee With Council update?

Chicken Keeping Ordinance – Council Member Ort.

Farmers Market Update?

10. Adjournment

CERTIFICATION

With no items remaining on the agenda, and no objections from Council, Mayor Pro Tem Munos adjourned the meeting at 7:55 PM.

Approved by City Council on the 23th of February, 2021.

By: _____
Will Skinner, Mayor

Attest:

Elaine Simpson, City Secretary

**CERTIFICATION OF UNOPPOSED CANDIDATES FOR
OTHER POLITICAL SUBDIVISIONS (NOT COUNTY)
CERTIFICACIÓN DE CANDIDATOS ÚNICOS
PARA OTRAS SUBDIVISIONES POLITICAS (NO EL CONDADO)**

To: Presiding Officer of Governing Body

Al: Presidente de la entidad gobernante

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 1, 2021

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el May 1, 2021 1 de mayo de 2021

List offices and names of candidates:

Lista de cargos y nombres de los candidatos:

Office(s) Cargo(s)	Candidate(s) Candidato(s)
Mayor (Alcalde)	Will Skinner
Council Member, Place #1 Miembro del Ayuntamiento, Lugar #1	Ron Munos
Council Member, Place #3 Miembro del Ayuntamiento, Lugar #3	Samantha Ortis
Council Member, Place #5 Miembro del Ayuntamiento, Lugar #5	Eddie McCoy

Signature (Firma)

Elaine Simpson

Printed name (Nombre en letra de molde)

City Secretary / HR Manager

Title (Puesto)

Date of signing (Fecha de firma)

(Seal) (sello)

**See reverse side for instructions
(Instrucciones en el reverso)**

Instructions for certification of unopposed candidates:

The authority responsible for preparing the ballot must certify the unopposed status to the authority responsible for ordering the election. This document is filed with the presiding officer of the political subdivision. The governing body must meet, accept this certification, and issue an order or ordinance declaring the election cancelled and the unopposed candidates elected. To complete the cancellation process, a copy of the order or ordinance canceling the election must be posted on Election Day at each polling place that would have been used in the election. See sample Order of Cancellation and outlines for additional instructions.

An election* may be cancelled if:

- 1) The election is one in which a declaration of write-in candidacy is required; and
- 2) No opposed at-large race is on the ballot* within that election;*and
- 3) Each candidate whose name is to appear on the ballot* is unopposed, with some exceptions;
This means:
 - In an all at-large election* (with no single-member districts), if there is one or more opposed at-large races, then all the races go on the ballot within that election.*
 - In an election* in which any members of the governing body are elected from single-member districts, an election in a particular district may be cancelled if the candidate is unopposed and the election otherwise meets the above requirements (i.e., there is no at-large opposed race on the ballot).

Note: A general election (for full terms) or a special election (to fill a vacancy in an unexpired term) is considered a *separate election* with a *separate ballot* for purposes of these tests, even if held on the same election date. See our online Cancellation guide for details.

Instrucciones para la certificación de una elección con candidatos únicos:

La autoridad a cargo de preparar la boleta de votación debe certificar los candidatos únicos sin oposición a la autoridad encargada de ordenar la elección. Este documento se debe presentar al presidente de la subdivisión política. La entidad gobernante debe reunirse, aceptar esta certificación y emitir una orden o una ordenanza en la que declara la cancelación de la elección y la elección de los candidatos únicos sin oposición. Para completar el proceso de cancelación, se debe exhibir el Día de la Elección una copia de la orden u ordenanza de cancelación de la elección en todos los sitios de votación que se hubieran utilizado en la elección. Vea el ejemplo Orden de Cancelación y el resumen para más instrucciones.

Una elección* puede ser cancelada si:

- 1) la elección es una en la que se requiere una declaración de candidatos por escrito en la boleta de votación; y,
- 2) no hay oposición para la carrera por acumulación en la boleta* de votación dentro de esa elección* y
- 3) Todos los candidatos cuyos nombres deben aparecer en la boleta* de votación no tienen oposición, con unas excepciones;
Esto significa:
 - En una elección* por acumulación (sin ningún distrito con miembro único), si se encuentra una o más de una carrera por acumulación con oposición, entonces todas las carreras estarán en la boleta dentro de esa elección*.
 - En una elección* en la que cualquiera de los miembros de la entidad gobernante se eligen de distritos con un solo miembro, se puede cancelar una elección en un distrito específico si hay oposición para el candidato y la elección cumple con los requisitos que anteceden (ej. no hay oposición para la carrera por acumulación en la boleta).

Nota: Una elección general (con términos completos) o una elección especial (para llenar una vacante de un término no vencido) es considerada como una elección distinta con una boleta distinta con los propósitos de estas pruebas, aunque se lleven a cabo en la misma fecha electoral. Vea nuestra guía de cancelación en línea para más detalles.

ORDER OF CANCELLATION

The City of Granite Shoals, Texas hereby cancels the election scheduled to be held on May 1, 2021 in accordance with Section 2.053(a) of the Texas Election Code.

The following candidates have been certified as unopposed and are hereby elected as follows:

Mayor (*Alcalde*) Will Skinner

Council Member, Place #1 Miembro del Ayuntamiento, Lugar #1 Ron Munos

Council Member, Place #3 Miembro del Ayuntamiento, Lugar #3 Samantha Ortis

Council Member, Place #5 Miembro del Ayuntamiento, Lugar #5 Eddie McCoy

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

El Ciudad de Granite Shoals, Texas por la presente cancela la elección que, de lo contrario, se hubiera celebrado el 1 de Mayo, 2021 de conformidad con la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado a continuación:

Candidate (Candidato)	Office Sought (Cargo al que presenta candidatura)
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Mayor (<i>Alcalde</i>) Will Skinner	
---------------------------------------	--

Council Member, Place #1 Miembro del Ayuntamiento, Lugar #1 Ron Munos	
---	--

Council Member, Place #3 Miembro del Ayuntamiento, Lugar #3 Samantha Ortis	
--	--

Council Member, Place #5 Miembro del Ayuntamiento, Lugar #5 Eddie McCoy	
---	--

El Día de las Elecciones se exhibirá una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la elección.

Mayor/Alcalde

Secretary de Ciudad (Secretaria) City Secretary

(seal) (sello)

Date of adoption (Fecha de adopción)

Instructions for sample order of cancellation:

To cancel an election, the governing body must first receive and accept the Certification of Unopposed Candidates form (or the authority may create its own form) from the authority responsible for preparing the ballot. The cancellation order/ordinance must be adopted in an open meeting. The candidates are not required to be present. Certificates of election should be prepared for each unopposed candidate; however, the certificates of election should not be issued until after Election Day, as follows. Section 2.053 provides that the certificate of election shall be issued "in the same manner and at the same time" as for a candidate elected at an election. Therefore, the candidates, who have been declared "elected" at the meeting ordering the cancellation, must wait until after the official election day (even though no election is held) and no earlier than the prescribed canvassing period (even though no canvass is held) to be sworn in and assume their duties. Candidates may complete the Statement of Elected Officer prior to Election Day. The Statement should be kept locally; it does not need to be sent to the Secretary of State's Office. Copies of this order/ordinance must be posted on Election Day at each polling place that would have been used had the election not been cancelled.

An election* may be cancelled if:

- 1) The election is one in which a declaration of write-in candidacy is required; and
- 2) No opposed at-large race is on the ballot* within that election;*and
- 3) Each candidate whose name is to appear on the ballot* is unopposed, with some exceptions;
This means:
 - In an all at-large election* (with no single-member districts), if there is one or more opposed at-large races, then all the races go on the ballot within that election.*
 - • In an election* in which any members of the governing body are elected from single-member districts, an election in a particular district may be cancelled if the candidate is unopposed and the election otherwise meets the above requirements (i.e., there is no at-large opposed race on the ballot).

Note: A general election (for full terms) or a special election (to fill a vacancy in an unexpired term) is considered a separate election with a separate ballot for purposes of these tests, even if held on the same election date. See our online Cancellation guide for details.

Instrucciones para el ejemplo de orden de cancelación:

Para cancelar una elección, la entidad gobernante primero debe recibir y aceptar, de la autoridad responsable para preparar la boleta, el formulario de Certificación para Candidatos Sin Oposición (o la autoridad puede crear su propio formulario) de la autoridad responsable para preparar la boleta. La orden/ordenanza de cancelación debe ser adoptada en una reunión abierta. No se requiere que los candidatos estén presentes. Se debe preparar un certificado de elección para cada candidato sin oposición; sin embargo, los certificados de elección no se deben emitir hasta el Día de las Elecciones, así como se detalla a continuación. La sección 2.053 indica que el certificado de elección será publicado "en la misma manera y al mismo tiempo" para un candidato elegido en una elección. Por lo tanto, los candidatos que hayan sido declarados "elegido" en la reunión de la cancelación, deben esperar hasta después del día oficial de elecciones (aunque no se hayan llevado una elección) y no antes del período prescrito de la campaña política (aunque no se lleve a cabo la campaña política) a ser jurados y asumir sus deberes. Los candidatos pueden llenar la Declaración de Funcionario Elegido antes del Día de las Elecciones. Este documento se debe mantener en los archivos locales. No es necesario enviarlo a la Oficina del Secretario de Estado. El Día de las Elecciones se debe exhibir una copia de esta orden/ordenanza en todos los sitios de votación que se hubieran utilizado en la elección si no hubiera sido cancelada.

Una elección* puede ser cancelada si:

- En una elección* por acumulación (sin ningún distrito con miembro único), si se encuentra una o más de una carrera por acumulación con oposición, entonces todas las carreras estarán en la boleta dentro de esa elección*.
- En una elección* en la que cualquiera de los miembros de la entidad gobernante se eligen de distritos con un solo miembro, se puede cancelar una elección en un distrito específico si hay oposición para el candidato y la elección cumple con los requisitos que anteceden (ej. no hay oposición para la carrera por acumulación en la boleta).

Nota: Una elección general (con términos completos) o una elección especial (para llenar una vacante de un término no vencido) es considerada como una elección distinta con una boleta distinta con los propósitos de estas pruebas, aunque se lleven a cabo en la misma fecha electoral. Vea nuestra guía de cancelación en línea para más detalles.



**City of Granite Shoals, Texas
City Council Regular Called Meeting
Agenda Item Cover Memo
Date: February 23, 2021**

**Agenda Item: 7.a.) Water Bonds and Water Infrastructure Projects update(s)
Prepared/Submitted By: *Elaine Simpson for City Manager Jeff Looney***

AGENDA CAPTION

Regular Items - items to be considered or upon which action may be taken:

7.a.) Discuss, consider and possibly take action related to projects, including but not limited to: update on engineering work from TRC, improvements at the water treatment plant, project to install/replace new water lines and fire hydrants, project to construct a new water storage tank at Bluebriar Drive at Phillips Ranch RD, improvements to the groundwater system, and extension of water intake pipe project. (*City Manager Jeff Looney/Utility Director/ACM Peggy Smith*)

BACKGROUND

This is a standing item, requested by the City Council, to discuss and receive updates on the Water Infrastructure Bonds approved November 2019 and all related improvements which are planned as part of the Bond Projects.

**ISSUANCE OF DECLARATION OF DISASTER
MAYOR WILL SKINNER**

“Disaster Declaration – Winter Storm February 2021”

**MAYOR WILL SKINNER ISSUES DISASTER DECLARATION OF THE
CITY OF GRANITE SHOALS**

WHEREAS, as of the 11th day of February 2021, the City of Granite Shoals, Texas (the “City”) has suffered widespread or severe damage, injury, and possible loss of property resulting from a severe snow and ice storm coupled with extremely cold temperatures affecting the entire State of Texas; and

WHEREAS, the State of Texas has made a disaster declaration, which remains in effect, in response to this storm; and

WHEREAS, the Mayor of the City, acting as the City’s Emergency Management Director pursuant to Texas Government Code chapter 418, and Granite Shoals Code of Ordinances Section 14-1, is concerned with the health and safety of the public; and

WHEREAS, the conditions necessitating the state of disaster continue on this date and for the foreseeable future;

A. Disaster Declaration

1. A local state of disaster has been declared for the City of Granite Shoals pursuant to §418.108(a) of the Texas Government Code.
2. The state of disaster shall continue until February 26, 2021 unless withdrawn or extended by the City Council of Granite Shoals as conditions warrant.
3. Pursuant to §418.018(c) of the Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to §418.018(d) of the Government Code, this declaration of a local state of disaster activates the City emergency management plan.
5. This resolution shall take effect immediately from and after its issuance.

B. Penalties

1. These regulations shall have the effect of ordinances when duly filed with the City Secretary.

C. Emergency

1. These regulations shall take effect immediately, and it is accordingly so ordained.

EFFECTIVE DATE. This Declaration shall be in full force and effect from and after its date of issuance, this the 19th day of February, 2021.



Will Skinner, Mayor

ATTEST:



Elaine Simpson, City Secretary

7.d.

ORDINANCE NO. 808

"Alcoholic Beverages At Special Park Events"

AN ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 10, ARTICLE V, "SPECIAL EVENTS," SECTION 10-103 AND CREATING SECTION 10-108; AMENDING CHAPTER 26, "PARKS," ARTICLE I, SECTION 26-14; AND AMENDING APPENDIX B - SCHEDULE OF FEES AND CHARGES, AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council (the "Council") of the City of Granite Shoals, Texas (the "City") seeks to promote the health, public safety and general welfare of the community and its citizens; and

WHEREAS, the Council finds that special events held within the City limits such as farmers' markets, outdoor concerts, exhibitions, and festivals help promote community and create a positive view of the City; and

WHEREAS, the City is known as the "City of Parks;" and

WHEREAS, the City maintains a number of parks for the use and enjoyment of the public; and

WHEREAS, the Council finds that the provisions of this ordinance will serve to promote the health, public safety and general welfare; and

WHEREAS, the Council is authorized by virtue of sections 2.01 and 3.06 of the City Charter to regulate and control the use, for whatever purposes, of the City's streets and other public places; and

WHEREAS, the Council finds it to be in the best interest of the health, public safety, and general welfare to amend its special events permit ordinance that licenses and regulates special events within the City limits, and its parks ordinance, to allow for and regulate the sale, possession, and consumption of alcoholic beverages and special park events, and in accordance with state law undertakes to enact such an ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS:

SECTION I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION II. AMENDMENT

Chapter 10, "Businesses and Business Regulations," Article V, "Special Events," Appendix B, "Schedule of Fees and Charges," Section E, "Permit Fees – Other," and Chapter 26, "Parks and Recreation," Article I, Division 2, "Public Parks Ordinance," of the Code of Ordinances, City of Granite Shoals, Texas, are hereby amended to add the following:

"ARTICLE V. – SPECIAL EVENTS

Sec. 10-103 Permit application; fee.

(a) Application

...

(24) Plan for security, which shall include means for providing safety and security for the site, for the buildings, for users on the site, and for users coming to or leaving the site, including adequate staffing to provide for effective emergency management and assurance that a certified peace officer will be present at every entrance, and if alcohol will be available for sale, possession, or consumption at the event, one security officer for every 75 participants, with the security officer(s) to be approved in advance by the Chief of Police of the City of Granite Shoals Police Department;

...

(b) Fee. The fee for issuance of a special event permit shall be adopted by separate action of the city council. Special events that are permitted to allow the sale, possession, or consumption of alcoholic beverages on premises shall have a separate special event permit fee as specified in Appendix B. As part of its fee schedule, the council may exempt the State of Texas and/or its political subdivisions from permit fee requirements; provided, however, that such entities shall still be required to obtain a permit under [section 10-101](#). This fee shall be a non-refundable fee regardless of whether the permit is granted or denied. Additionally, a cleanup deposit shall be posted with the city, the amount of which shall be adopted by action of the city council. If the site is entirely cleaned up after the special event has taken place, without the city's involvement, the deposit will be refunded. If such site is not entirely cleaned up, the deposit will not be refunded but shall be retained by the city to cover the costs of cleaning the site.

Sec. 10-108 Alcoholic beverage sales, possession, and consumption at special events.

- (a) A special event permit may allow the sale, possession, or consumption of alcoholic beverages within the confines of and during the hours of operation of an event that specifically authorizes such sale, possession, or consumption. The City must approve any special event within the City that permits alcoholic beverage sale, possession, or consumption.
- (b) A condition of a special event permit that allows alcoholic beverage sales, possession, or consumption on premises is the provision of security officers as described in Section 10-103(24) of this Code.
- (c) Alcoholic beverage vendors must hold, in good standing, a permit or authorization from the State of Texas for event alcohol sales. Vendors must supply to the City, in advance of the special event, a copy of this permit or authorization as well as the alcoholic beverage server certifications for each server that the vendor intends to serve alcohol at the event.
- (d) Fees paid to the City for a special event permit allowing alcoholic beverage sales, possession, or consumption on premises are to be dedicated to the City's Parks Restricted Fund.

APPENDIX B – SCHEDULE OF FEES AND CHARGES

...
Section E – Permit Fees - Other

Special events	\$100.00
Special events – alcohol sales, possession, or consumption on premises	\$300.00
Special events deposit – refundable with full event cleanup	\$200.00

CHAPTER 26 – PARKS AND RECREATION

...
Sec. 26-14 Regulations.

- ...
- (b) Prohibited acts. It shall be unlawful for any person in a public park to:

- ...
- (10) Possess or consume alcoholic beverages, unless in attendance at a special event that has obtained a special event permit issued pursuant to Section 10-108 of this Code that specifically authorizes the sale, possession, or consumption of alcoholic beverages. A special event at a City park that allows the sale, possession, or consumption of alcoholic beverages must comply with all requirements of Sections 10-103 and 10-108 of this Code.

...”

SECTION III. SAVINGS

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

SECTION IV. SEVERABILITY

If any provision, section, sentence, clause or phrase of this ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Granite Shoals in adopting, and of the Mayor in approving this ordinance, that no portion thereof or provision or regulation contained herein shall be come inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision or regulation.

SECTION V. REPEALER

The provisions of this ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinance or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

SECTION VI. EFFECTIVE DATE

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

SECTION VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED ON this the 23rd day of February, 2021.

APPROVED:

Will Skinner, Mayor

ATTEST:

Elaine Simpson, City Secretary

APPROVED AS TO FORM:

Joshua Katz, City Attorney



**City of Granite Shoals, Texas
City Council Regular Called Meeting
Agenda Item Cover Memo
February 23, 2021**

Agenda Item:	8. Management Reports
Prepared By:	City Secretary for City Manager
Department:	Administration
Submitted By:	City Secretary

AGENDA CAPTION

8 Management Reports

1. Management Reports

City Manager

- a) Ordinance #797-A Animal Control – Chicken and Bee-Keeping
- b) Request for flashing / emergency light at FM 1431 in front of the City Fire Department
- c) TML Legislative Update report (*with City Attorney Josh Katz*) *2-12-2021 - no*
- d) Short Term Rentals Advisory Committee Meeting February 22, 2021 update *2-19-2021*
- e) Economic Development projects including future grocery store on FM 1431. *issue.*
- f) Council policy on Social Media – Resolution #478, adopted April 2015

Assistant City Manager

- g) Quarry Park projects
- h) Equipment Needs

ORDINANCE NO. 797-A

'Amended Animal Control Ordinance Regarding Poultry and Bees'

AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS, PROVIDING FOR THE AMENDMENT OF CHAPTER 4 (ANIMALS), SECTIONS 4-14 (KEEPING WILD ANIMALS, FOWL, OR LIVESTOCK PROHIBITED) AND 4-16 (BEE KEEPING) OF THE CITY OF GRANITE SHOALS CODE OF ORDINANCES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; SAVINGS; SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Granite Shoals, Burnet County, Texas ("Council") seeks to provide for the public health, safety and welfare of its citizens; and

WHEREAS, the Council seeks to impose reasonable regulations regarding the keeping of animals within the corporate limits of Granite Shoals; and

WHEREAS, the Council finds that instances involving animals running at large within the city limits create a public health and safety hazard, particularly to children; and

WHEREAS, the Council finds that a citizen who harbors an animal has the primary responsibility for its care, safety and behavior; and

WHEREAS, the Council finds that it is in the best interest of the citizens of Granite Shoals to enact reasonable regulations for the care and safe management of bee hives and poultry and fowl within the City;

WHEREAS, the Council is authorized to regulate animal control pursuant to Chapters 822 and 826 of the Texas Health and Safety Code and section 2.01 of the City Charter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS:

SECTION I – FINDINGS OF FACT. All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Granite Shoals and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION II - AMENDMENTS TO ANIMAL CONTROL ORDINANCE. Chapter 4 (Animal Control) of the City of Granite Shoals Code of Ordinances is hereby amended as follows:

"Sec. 4-14 Keeping wild animals, fowl, or livestock..

(a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Fowl.

- (1) The term "fowl" means any of various birds, including chickens, turkeys, geese, ducks, guineas, swans, peafowl or any other free, uncaged bird or fowl.
- (2) The term "fowl" does not include parakeets, canaries, pigeons, doves or other birds of similar size that customarily are kept in cages.

Hen means a female domesticated chicken.

Livestock means cattle, goats, horses, chicken, donkeys, burros, ducks, pigs, sheep and emus.

Rooster means a male domesticated chicken.

Wild means not domesticated.

Wild animal.

- (1) The term "wild animal" means any live monkey or nonhuman primate, opossum, raccoon, skunk, bear, fox, weasel, coatimundi, snake, mink ferret, lizard, alligator, jaguar, jackal, wolf, crocodile, leopard, panther, tiger, bobcat, cheetah, lion, lynx, ocelot, bee hive, or any other animal normally found in the wild state.
- (2) The term "wild animal" does not include a hen or hens or bee hive that complies with all applicable state and local regulations and permit requirements.
- (b) It shall be unlawful for any person to keep, harbor, or permit to be kept on the person's premises any wild or exotic animal.
- (c) It shall be unlawful for any person to keep, harbor, or permit to be kept on the person's premises any livestock or fowl other than hens as provided further in this subsection, except in a zoning district where the keeping of such livestock or fowl is a permitted use.

(1) A maximum of six (6) hens are allowed at a residence.

(2) Hens are prohibited on property located within the Waterfront Overlay District, as described in Section 40-29(b) of this Code.

(3) Raising or keeping roosters is prohibited in the City except in a zoning district where the keeping of such fowl is a permitted use.

(4) Chicken coops must be kept in the back yard of the residence, behind the facade of the house.

(5) A chicken coop and run shall not be located within twenty-five (25) feet from any business or dwelling occupied by any person other than the owner of the coop and run. The coop and run shall be subject to inspection by the City's Animal Control Officer or other designated representative.

(6) Hens may not be kept in a manner that constitutes a public nuisance as defined in Section 4-1 of this Code. Hens are not allowed within City streets or City right of way.

(7) The owner of hens is not required to pay a registration fee or register the hens with the City.

(8) The first violation of this Section will result in a warning, and subsequent violations may result in penalties pursuant to Section 4-2 of this Code.

(d) This section does not apply to the keeping of prohibited animals by a publicly or privately maintained circus, traveling show, or rodeo that does not remain in the city longer than 30 days out of each year.

...

Sec. 4-16 Bee Keeping.

(a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Commercial hive means a home, dwelling, or other property that contains six (6) or more bee hives.

Non-commercial hive means a home, dwelling, or other property that contains five (5) or less bee hives.

(b) It shall be unlawful to keep bees in any area of the city, except in those areas where the bee hives will be located at least one hundred fifty (150) feet or more from the nearest dwelling, other than the dwelling of the owner of the bees. The one hundred fifty (150) foot distance requirement may be waived by the Police Chief with the written consent of the property owner whose dwelling will be within the one hundred fifty (150) foot limits. Such written consent must be granted on an annual basis. It shall further be unlawful to keep bees, regardless of the above limitation, in such a quantity or manner as to interfere with the peaceful occupancy of such other property.

(c) The owner of a bee hive shall register each bee hive on a yearly basis. "Bee Hives" will be counted on a per queen basis. A structure containing multiple queen bees will require multiple registrations. As a part of the annual registration process, each hive shall be "re-queened" on an annual basis, *i.e.*, a new queen will be placed in the hive to ensure the health and vitality of the hive, and proof of "re-queening" shall be required prior to the issuance or renewal of the annual registration. No fee shall be required for the registration of non-commercial bee hives. The annual fee for registration of commercial bee hives shall be set by the city council, and is as shown on the animal services fee schedule under the heading "Commercial animal establishment - permit fee," which is maintained by the city secretary and is set forth in the schedule of fees and charges in Appendix B, Section K (Animal control fees) to this Code."

SECTION III – SAVINGS. The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

SECTION IV – SEVERABILITY. If any provision, section, sentence, clause or phrase of this ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Granite Shoals in adopting, and of the Mayor in approving this ordinance, that no portion thereof or provision or regulation contained herein shall be come inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision or regulation.

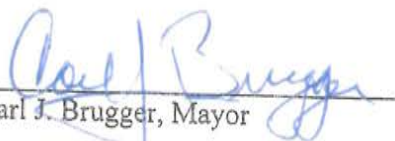
SECTION V – REPEALER. The provisions of this ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinance or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

SECTION VI – EFFECTIVE DATE. This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.


SECTION VII – NOTICE AND MEETING. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

READ, PASSED, AND ADOPTED THIS 25TH DAY OF AUGUST, 2020.
Amended September 8, 2020

By:


Carl J. Brugger, Mayor

ATTEST:


Elaine Simpson, City Secretary

APPROVED AS TO FORM:

Joshua Katz, City Attorney



Legislative UPDATE

February 12, 2021
Number 6

Elected Officials: Do You Have a Local Officials Group?

In addition to formal [TML regions](#) and the [Grassroots Involvement Program](#), some mayors and city councilmembers participate in local elected official groups. For example, the mayors of Fort Bend County meet regularly to network and discuss what is going on in their area. Some of these groups are more formal than others, but all of them can be vital to cities' grassroots efforts to influence legislation at the local level.

However, League staff faces a challenge getting information to them because most do not have dedicated staff or a website. If you are part of such a group, and are interested in receiving information from TML so that you can inform your legislators about how beneficial - or harmful - legislation affects your city and area, please email TML Grassroots and Legislative Services Manager JJ Rocha at jj@tml.org with your contact information, the name of your local group, your meeting schedule, and the email address of whomever disseminates information to the group.

TCEQ Issues Cybersecurity Alert to Public Water Systems

The Texas Commission on Environmental Quality (TCEQ) is asking all public water systems to review their mitigation processes and take any necessary actions to strengthen cyber security. This comes in the wake of an announcement by the Environmental Protection Agency (EPA) of a cybersecurity attack on a municipal water system in Florida.

There are resources regarding water system cyber security on the [EPA website](#). Additional resources can be found on the American Water Works Association (AWWA) website under [Resource Topics](#).

TCEQ asks that you report any security breaches, cyber or physical, to them at PDWS@tceq.texas.gov.

87th Legislative Session Bills to Watch

The Legislature has until March 12 to file bills to be considered during the 140-day legislative session. We will continue to summarize all city-related bills filed and you can find a comprehensive list of those bills [here](#). However, here are a few bills worth noting. We ask all city officials to begin conversations with your state representative and state senator on these important issues.

H.B. 749 (Middleton) – Community Censorship: would: (1) prohibit a political subdivision from spending public funds to: (a) hire an individual required to register as a lobbyist for the purpose of lobbying a member of the Texas legislature; or (b) pay a nonprofit state association or organization that: (i) primarily represents political subdivisions; and (ii) hires or contracts with an individual required to register as a lobbyist; (2) provide that if a political subdivision engages in activity prohibited by (1), above, a taxpayer or resident of the political subdivision is entitled to injunctive relief to prevent any further prohibited activity or any further payments of public funds; and (3) provide that a taxpayer or resident who prevails in an action under (2), above, is entitled to recover reasonable attorney's fees and costs from the political subdivision. (Companion bill is **S.B. 234** by **Hall**.)

H.B. 233 (Murr) – Building Materials and Methods: would provide that the prohibition on city regulation of building products, materials, or methods passed by H.B. 2439 in 2019 does not apply to a city with a population of less than 25,000.

S.B. 154 (Perry) – Broadband Office: would, among other things: (1) establish the broadband office within the Texas Public Utility Commission to: (a) facilitate and coordinate the efforts of state agencies and local units of government, including regional planning commissions, in connection with the planning and deployment of broadband projects; (b) develop broadband investment and deployment strategies for rural communities and other areas of this state that are underserved and unserved with respect to broadband; (c) promote and coordinate public sector and private sector broadband solutions in support of statewide broadband development goals; (d) assist and promote local and regional broadband planning; (e) pursue and obtain federal sources of broadband funding; (f) develop a framework to measure broadband access in and designate areas of this state that are underserved and unserved with respect to broadband; (g) develop statewide goals for broadband deployment in rural communities and other underserved and unserved areas; (h) manage and award funds allocated to the broadband office for broadband projects; and (i) serve as an information clearinghouse in relation to federal programs providing assistance to local entities with respect to broadband; and (2) provide that the broadband office shall establish a

program to provide grants to private sector broadband providers for projects to provide broadband service in an unserved area.

H.B. 1030 (Shaheen) – **Newspaper Notice**: would: (1) allow a political subdivision to satisfy any law that requires notice to be published in a newspaper by publishing the notice in the following locations: (a) social media, free newspapers, school newspapers, a homeowners' association newsletter or magazine, utility bills, direct mailings, or any other form of media authorized by the comptroller; and (b) the internet websites maintained by the political subdivision and the comptroller; (2) provide that before providing notice under (1), a political subdivision must hold a public meeting about the alternative notice under (1)(a) and demonstrate that the circulation will be greater than the circulation of the newspaper with the greatest circulation in the political subdivision; (3) authorize the comptroller to grant a city's request for a waiver from (1)(b) if the city provides sufficient proof that Internet access is limited in the city, and if the comptroller grants the waiver, the city must provide additional notice on a public agenda board within the city; (4) require a city using alternative media described in (1)(a) to submit notice to the comptroller describing the alternative notice method in (1)(a) and certain other information; (5) authorize the comptroller to require a political subdivision to provide notice in a newspaper if the comptroller determines that the means under (1)(a) do not have greater circulation than a newspaper with the greatest circulation in the political subdivision; and (6) require the comptroller to prepare a report identifying and comparing the effectiveness of different methods of notice publication used by political subdivisions and provide the report to the governor, lieutenant governor, and the speaker of the house.

H.B. 1241 (Shine) – **Annexation of Rights-of-Way**: would provide that: (1) a city annexing an area on request of the owners, an area with less than 200 population by petition, an area with at least 200 population by election, or certain special districts may also annex with the area: (a) the right-of-way of a street, highway, alley or other public way or of a railway line spur, or roadbed that is contiguous to the city's boundaries and the area being annexed or a right-of-way described in (b); or (b) the right-of-way of a public road or highway connecting the area being annexed to the city by the most direct route; (2) a city may only annex a right-of-way described under (1) if the city: (a) provides written notice of the annexation to the owner of the right-of-way not later than the 61st day before the date of the proposed annexation; and (b) the owner of the right-of-way does not submit a written objection to the city before the date of the proposed annexation; and (3) certain width requirements do not apply to the annexation of a right-of-way under (1). (Companion bill is **S.B. 374** by **Seliger**.)

S.B. 402 (Johnson) – **Street Maintenance Sales Tax**: would, among other things, provide that: (1) for a city in which a majority of the voters voting in each of the last two consecutive elections concerning the adoption or reauthorization of the street maintenance sales tax favored adoption or reauthorization and in which the tax has not expired since the first of those two consecutive elections, the city may call an election to reauthorize the tax for a period of eight or ten years, instead of four years; and (2) revenue from the street maintenance sales tax may be used to maintain and repair: (a) a city street or sidewalk; and (b) a city water, wastewater, or stormwater system located in the width of a way of a city street. (Companion bill is **H.B. 1538** by **Julie Johnson**.)

H.B. 1446 (Ashby) – Broadband Development Office: would, among other things:

1. establish a broadband development office within the comptroller's office;
2. require the broadband development office to: (a) serve as a resource for information regarding broadband service in the state; and (b) engage in outreach to communities regarding the expansion and adoption of broadband service and the programs administered by the office;
3. require the broadband development office to create, update annually, and publish on the comptroller's website a map designating each census block in the state as: (a) an eligible area, if fewer than 80 percent of the addresses in the block have access to broadband service; or (b) an ineligible area, if 80 percent or more of the addresses in the block have access to broadband service;
4. require the map described in (3), above, to display: (a) the number of broadband service providers that serve each census block; and (b) for each eligible area, an indication of whether the area has access to Internet service that is not broadband service, regardless of the technology used to provide the service;
5. provide that if information available from the Federal Communications Commission is not sufficient for the broadband development office to create or update the map, the office may request the necessary information from a political subdivision or broadband service provider, and the subdivision or provider must report the information to the office;
6. establish a petition process, under which a political subdivision or broadband service provider may petition the broadband development office to re-designate a census block on the map as an eligible area or ineligible area;
7. require the broadband development office to establish a program to award grants, low-interest loans, and other financial incentives to applicants for the purpose of expanding access to, and adoption of, broadband service in census blocks determined to be eligible areas;
8. require the broadband development office to establish and publish eligibility criteria for award recipients under (7), above, limiting grants, loans, and other financial incentives awarded to the program for use on capital expenses, purchase or lease of property, and other expenses, including backhaul and transport that will facilitate the provision or adoption of broadband service;
9. provide that the office may not award a grant, loan, or other financial incentive to a noncommercial provider of broadband service for an eligible area if a commercial provider of broadband service has submitted an application for the eligible area;
10. provide that an award granted under the broadband development program does not affect distributions received by a broadband provider from the state universal service fund; and
11. establish the broadband development account in the state's general revenue fund consisting of: (a) appropriations of money to the account by the legislature; (b) gifts, donations, and grants, including federal grants; and (c) interest earned on the investment of the money in the account.

(Companion is S.B. 506 by Nichols.)

Stay Engaged During the Legislative Session: Grassroots Involvement Program

During the upcoming Texas legislative session, Texas cities will face many challenges and opportunities. TML will need to mobilize our membership at key points during session. The Grassroots Involvement Program (GRIP) is one way to do so. Our GRIP survey focuses on a variety of items including your areas of expertise and involvement with other professional organizations. Most importantly, the GRIP survey asks how well you know various state legislators and if you are willing to communicate with those legislators during the session. With many unknowns on how the capitol will operate during a pandemic, TML's grassroots approach will be crucial to our efforts.

If you have a relationship with your legislator(s) or want to be more involved during session, please take the time to complete the [GRIP survey](#). Past efforts have proven that such participation is a highly effective tool.

We ask that you complete the survey as soon as possible.

Don't Forget: Mandatory Hotel Occupancy Tax Reporting

The 50-day window for reporting local hotel occupancy tax information opened January 1, 2021. The reporting deadline is February 20, 2021.

Tax Code Section 351.009 requires cities to file an annual report with the comptroller that includes the city's hotel occupancy tax rate, the amount of revenue generated by the tax, and the amount and percentage of the revenue spent for each of the following purposes:

- Convention or information centers
- Convention delegates registration
- Advertising to attract tourists
- Arts promotion and improvement
- Historical restoration and preservation projects
- Signage directing the public to sights and attractions

Cities have two reporting options: (1) use the comptroller's online reporting form to submit all required information; or (2) clearly post and maintain all required information on the city's website and provide the comptroller's office with a link to the information. For cities selecting the second option, the comptroller provides an [optional format template](#) to post on the city's website.

For more information and access to the online reporting form, see the comptroller's hotel occupancy tax reporting [webpage](#). City officials with questions about the new requirements can also contact the comptroller's transparency team by email at transparency@cpa.texas.gov or (844) 519-5676.

City Officials Testify

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

The following officials testified in the Senate Special Redistricting Committee hearings held February 2 through February 4:

- Chris Boswell, Mayor, City of Harlingen
- Clara Faulkner, Councilmember, City of Forest Hill
- Barry Gordon, Mayor, City of Duncanville
- Stephen Mason, Mayor, City of Cedar Hill
- Sheila Petta, Mayor, City of Wilmer

City-Related Bills Filed

(Editor's Note: You will find all of this session's city-related bill summaries online at <https://www.tml.org/319/Legislative-Information>.)

Property Tax

H.B. 1567 (Middleton) – Property Tax Appraisal: would, among other things: (1) provide that the chief appraiser has the burden of supporting an increase in the appraised value of property from the preceding tax year; (2) require an appraisal district's plan for the periodic reappraisal of property to provide for the reappraisal of all real and personal property in the district not more often than once every two years; and (3) provide that at any time during a tax year before the date the chief appraiser submits the completed appraisal records to the appraisal review board, an owner of real property is entitled to a reappraisal of the owner's real property for that year on written request delivered to the chief appraiser.

H.B. 1601 (Allison) – Property Tax Exemption: would provide that an eligible peace officer that is employed full-time by the state or a political subdivision of the state is entitled to an exemption from taxation by a taxing unit of all or part of the appraised value of the peace officer's residence homestead if: (1) the exemption is adopted by the governing body of the taxing unit, as either a specified dollar amount or as a percentage of the appraised value of the property, in the manner required by law for official action by the governing body; and (2) the peace officer's residence is located in an area designated as a high-need area by the governing body of the taxing unit. (See **H.J.R. 83**, below.)

H.B. 1628 (Raymond) – Property Tax Appraisal: would, among other things, authorize the appraisal review board, on the motion of the chief appraiser or of a property owner, to direct by written order changes in the appraisal roll or related appraisal records under certain circumstances for the current tax year and for either of the two preceding tax years to correct an inaccuracy in the appraised value of the owner's tangible personal property that is the result of an error or omission in a rendition statement or property report filed for the applicable tax year.

H.J.R. 83 (Allison) – Property Tax Exemption: would amend the Texas Constitution to authorize the governing body of a political subdivision to exempt from property taxation all or part of the appraised value of the residence homestead of an eligible peace officer who resides in a high-need area. (See **H.B. 1601**, above.)

S.B. 611 (Campbell) – Property Tax Exemption: would exempt from property taxes the residence homestead of the surviving spouse of a member of the armed services who is fatally injured in the line of duty. (See **S.J.R. 35**, below.)

S.J.R. 35 (Campbell) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxes the residence homestead of the surviving spouse of a member of the armed services who is fatally injured in the line of duty. (See **S.B. 611**, above.)

Public Safety

H.B. 1519 (Beckley) – Alcohol To-Go: would allow holders of package store permits, wine only package store permits, mixed beverage permits, and consumer delivery permits to deliver alcoholic beverages, within their permits, to a consumer in any destination in Texas.

H.B. 1587 (White) – Firearms Regulation: would, among other things: (1) provide for carrying a handgun by certain persons regardless of whether the person is licensed to carry the handgun; (2) provide that a peace officer acting in the lawful discharge of the officer's official duties may disarm a person who is carrying a handgun if, among other things, the person is not prohibited by law from carrying a handgun; (3) provide that a public or private employer may not prohibit an employee who is not otherwise prohibited by state or federal law from possessing a firearm or ammunition from transporting or storing a firearm or ammunition in the employee's private, locked motor vehicle; and (4) provide that a city may regulate the carrying of an air gun or firearm, other than a handgun carried by a person not prohibited by state or federal law from carrying the handgun, at a public park, meeting, political rally, parade, or certain other events.

H.B. 1609 (Crockett) – Criminal Penalties for Drug Possession: would reduce the criminal penalties for possession of small amounts of marihuana.

H.B. 1642 (Sherman) – Peer Reporting: would provide that: (1) a law enforcement agency shall adopt a detailed written policy requiring peace officers employed by the agency to promptly make a detailed written report of any incident in which the peace officer witnesses another peace officer: (a) using more force against a person suspected of committing an offense than an ordinary, prudent

peace officer would use under the same or similar circumstances; or (b) committing an offense of official oppression; (2) the policy must require the peace officer who makes a report described in (1), above, to deliver the report to the supervisor of: (a) the peace officer making the report; and (b) the peace officer who used the excessive force or committed official oppression; (3) a law enforcement agency shall ensure that each peace officer employed by the agency receives adequate training on the policy described in (1), above; (4) a law enforcement agency may not retaliate or discriminate against an employee of the agency for making a required report; and (5) a peace officer who fails to make and deliver a report under a policy adopted under (1), above, commits a Class A misdemeanor.

H.B. 1643 (Sherman) – Implicit Bias Testing: would: (1) make implicit bias testing an eligibility requirement for obtaining a peace officer or reserve law enforcement officer license; (2) provide that the Texas Commission on Law Enforcement (TCOLE) shall require a person applying for a peace officer license to complete implicit bias testing; (3) provide that TCOLE shall require a law enforcement agency that employs one or more peace officers to conduct implicit bias testing on each peace officer the agency employs at least once every five years; (4) require a law enforcement agency described in (3), above or that is hiring a person for whom a peace officer license is sought to report the implicit bias test results to TCOLE and maintain a copy of the results in the person's personnel file; (5) provide that the test results described in (4), above, are confidential and not subject to disclosure under the Public Information Act; and (6) require a law enforcement agency's training program to include, at least once every 12 months, training on the following topics: (a) civil rights, racial sensitivity, and cultural diversity; (b) de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments; (c) ethics and professionalism; and (d) implicit bias.

H.B. 1654 (Wilson) – Location Information Warrant: would provide, among other things, that: (1) a warrant is required to obtain the disclosure of location information that is held in electronic storage in the possession, care, custody, or control of a provider of an electronic communications service or a provider of a remote computing service; (2) a warrant issued to obtain the disclosure of location information is valid for a period not to exceed 60 days, and may be extended for 60 more days; (3) in each county, the prosecutor may designate in writing one or more peace officers in the county, other than a commissioned officer of the Department of Public Safety (DPS), who are permitted to require, without a warrant, the prompt disclosure of location information by a provider of an electronic communications service or a provider of a remote computing service; and (4) a prosecutor, assistant prosecutor, peace officer designated under (3), above, or a commissioned officer designated by DPS to use interception devices for DPS may require the prompt disclosure of location information without a warrant as described in (3), above, if the person reasonably believes: (a) an immediate life-threatening situation exists that: (i) is within the territorial jurisdiction of the person seeking the disclosure or of a peace officer that the person is assisting; and (ii) necessitates the required disclosure of location information before a warrant can, with due diligence, be obtained; and (b) there are sufficient and substantial facts to establish probable cause for obtaining a warrant for the disclosure of the information.

H.B. 1674 (Holland) – Mandatory Blood Draws: would provide that a peace officer shall require the taking of a specimen of blood from a person arrested for driving while intoxicated if: (1) the person was the operator of a motor vehicle involved in an accident; (2) the officer arrests the person

for an offense in connection with the accident; (3) the person refuses the officer's request to submit to the taking of a specimen voluntarily; (4) the officer reasonably believes that the accident occurred as a result of the offense for which the person is arrested; and (5) at the time of the arrest, the officer reasonably believes that as a direct result of the accident an individual other than the person arrested has died or will die.

H.B. 1686 (Cortez) – Residential Food Production: would, among other things: (1) prohibit a municipality from adopting or enforcing an ordinance that prohibits any of the following activities on a single-family residential lot: (a) the growing of fruits and vegetables; or (b) the raising or keeping of: (i) six or fewer domestic fowls; (ii) six or fewer rabbits; or (iii) three or fewer beehives; (2) allow a municipality, and a property owners' association, to impose reasonable regulations on the raising or keeping of fowls, rabbits, or bees on a single-family residential lot that do not have the effect of prohibiting the raising or keeping of the fowls, rabbits, or bees, including: (a) a limit on the number of animals or beehives that is more than the minimum number allowed by state law; (b) a prohibition on raising or keeping of a rooster; or (c) the minimum distance between an animal shelter or beehive and a residential structure; and (3) provide that an ordinance adopted by a municipality, or a provision within a restrictive covenant, that violates state law is void.

H.B. 1692 (Tinderholt) – Public Safety Funding: would: (1) define "public safety service" to mean fire protection, law enforcement, or emergency medical service; (2) provide that a political subdivision, other than a school district, may not adopt a budget that allocates an amount of money to provide a public safety service that is less than the amount allocated to provide that service in the preceding fiscal year if: (a) the reduction in the amount of money allocated to provide the public safety service is greater than the reduction in the amount of money allocated in that budget to provide other identifiable services; and (b) the percentage difference between the amount of money allocated in the budget to provide the public safety service and the amount allocated to provide that service in the preceding fiscal year is greater than the percentage difference between the amount of money allocated in the budget to provide other identifiable services and the amount allocated to provide other identifiable services in the preceding fiscal year; (3) allow a political subdivision to adopt a budget that does not meet the requirements of (2), above, if the political subdivision will not provide the public safety service in the fiscal year for which the budget is adopted; and (4) provide that the amount allocated in a budget to provide a public safety service includes all maintenance, operations, and debt service costs associated with providing the service.

S.B. 561 (Miles) – Alcoholic Beverage Permit: would require notice of, and provide standing to protest, certain alcoholic beverage permit and license applications within 1,000 feet of any property line of the affected premises, or of any property line of the premises for which the permit is sought.

Sales Tax

H.B. 1538 (Julie Johnson) – Street Maintenance Sales Tax: would, among other things, provide that: (1) for a city in which a majority of the voters voting in each of the last two consecutive elections concerning the adoption or reauthorization of the street maintenance sales tax favored adoption or reauthorization and in which the tax has not expired since the first of those two

consecutive elections, the city may call an election to reauthorize the tax for a period of eight or ten years, instead of four years; and (2) revenue from the street maintenance sales tax may be used to maintain and repair: (a) a city street or sidewalk; and (b) a city water, wastewater, or stormwater system located in the width of a way of a city street. (Companion bill is **S.B. 402** by **Johnson**.)

Community and Economic Development

H.B. 1543 (Parker) – Public Improvement Districts: would, among other things: (1) provide that the resolution adopted by a city council authorizing the creation of a public improvement district (PID) takes effect on the date the resolution is adopted; (2) require a city to file a copy of a PID creation resolution with the county clerk of each county in which all or part of the PID is located not later than the seventh day after the date the city council adopts the resolution; (3) require a city council to approve a PID service plan, or amend or update the plan, only by ordinance; (4) require a city to file a copy of the initially-adopted or amended PID service plan with the county clerk of each county in which all or part of the PID is located not later than the seventh day after the date the city council approves the service plan; (5) revise the language of the mandatory notice of obligations related to a PID used in a real estate transaction to include, among other things, additional information about the PID assessment levied against the property; (6) authorize the city or county that created the PID to provide additional information regarding the district in the PID obligation notice described in (5), above, including whether an assessment has been levied, the amount of the assessment, and the payment schedule for assessments; (7) require the PID obligation notice described in (5), above, to be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract; (8) provide that in the event a contract of purchase and sale is entered into without the seller providing the required notice of PID obligations, the purchaser is entitled to terminate the contract; and (9) provide that it shall be conclusively presumed that the purchaser has waived all rights to terminate the contract under (8), above, or recover damages or other remedies or rights, if the seller furnishes the notice of PID obligations at or before closing the purchase and sale contract and the purchaser elects to close even though the notice was not timely furnished before execution of the contract.

H.B. 1554 (Rogers) – Municipal Development Districts: would authorize a municipal development district to use money in the development project fund to pay the costs of planning, acquiring, establishing, developing, constructing, or renovating one or more development projects located outside the district if: (1) the board determines that the development project will provide an economic benefit to the district; and (2) the following entities, as applicable, approve the development project by resolution: (a) the city that created the district; (b) each city in whose corporate limits or extraterritorial jurisdiction the project is located; and (c) the commissioners court of the county in which the project is located, if the project is not located in the corporate limits or extraterritorial jurisdiction of a city. (Companion bill is **S.B. 565** by **Buckingham**.)

H.B. 1556 (Murphy) – School Property Tax Exemptions: would, among other things, extend the expiration date of the Texas Economic Development Act from December 31, 2022, to December 31, 2032.

H.B. 1604 (Murphy) – Public Facility Corporations: would provide that beneficial tax treatment for a multifamily residential development which is owned by a public facility corporation created by a housing authority and which does not have at least 20 percent of its units reserved for public housing units applies only if, among other factors, the governing body of each governmental unit authorized by law to impose taxes on the property containing the development adopts a resolution approving the development. (Companion bill is **S.B. 591** by **Bettencourt**.)

H.B. 1634 (Lucio) – Call Centers: would, among other things: (1) require a city to give preference to a vendor, bidder, or contractor that does not appear on a list maintained by the Texas Department of Insurance identifying businesses that relocate customer service employee positions; (2) prohibit a city (with some exceptions) from awarding or providing a public subsidy to a business that appears on a certain list identifying businesses that relocate customer service employee positions; and (3) require certain businesses that relocate customer service employee positions to repay any public subsidies awarded after the business is placed on the list of businesses that relocate customer service employee positions maintained by the Texas Department of Insurance.

H.B. 1653 (Craddick) – Disannexation: would: (1) provide for the disannexation of an area that: (a) does not receive full municipal services and was exempt from municipal taxation for more than 20 years under an ordinance that provided that the area was exempt from taxation until full municipal services were provided; or (b) was annexed for limited purposes before certain laws were enacted and has not received at any time full municipal services; and (2) provide that if, after receiving a valid petition, a city fails to disannex property described in (1), the person filing the petition may bring an action against the city to compel disannexation and potentially recover attorney's fees and court costs.

S.B. 565 (Buckingham) – Municipal Development Districts: would authorize a municipal development district to use money in the development project fund to pay the costs of planning, acquiring, establishing, developing, constructing, or renovating one or more development projects located outside the district if: (1) the board determines that the development project will provide an economic benefit to the district; and (2) the following entities, as applicable, approve the development project by resolution: (a) the city that created the district; (b) each city in whose corporate limits or extraterritorial jurisdiction the project is located; and (c) the commissioners court of the county in which the project is located, if the project is not located in the corporate limits or extraterritorial jurisdiction of a city. (Companion bill is **H.B. 1554** by **Rogers**.)

S.B. 579 (Eckhardt) – Major Events Reimbursement Program: would add the Confederation of North, Central America and Caribbean Association Football Gold Cup to the list of events eligible for funding under the Major Events Reimbursement Program. (Companion bill is **H.B. 1472** by **Bucy**.)

S.B. 591 (Bettencourt) – Public Facilities Corporations: would provide that beneficial tax treatment for a multifamily residential development which is owned by a public facility corporation created by a housing authority and which does not have at least 20 percent of its units reserved for public housing units applies only if, among other factors, the governing body of each governmental unit authorized by law to impose taxes on the property containing the development adopts a resolution approving the development. (Companion bill is **H.B. 1604** by **Murphy**.)

S.B. 593 (Hinojosa) – Annexation: would authorize a city by ordinance to annex a colonia without the consent of the residents of, voters of, or owners of land in the colonia.

S.B. 618 (Gutierrez) – Broadband: would, among other things: (1) create the Texas Telecommunications Infrastructure Board, which would be the state agency primarily responsible for telecommunications infrastructure planning and for administering telecommunications infrastructure financing for the state; (2) provide that the board has general jurisdiction over: (a) the development and implementation of a statewide telecommunications infrastructure plan; (b) the administration of the state's various telecommunication assistance and financing programs including those created by the constitution; (c) creating a complete data set of telecommunications infrastructure, including mapping of middle-mile and dark fiber infrastructure; and (d) other areas specifically assigned to the board by statute or other law; and (3) require the board to make biennial reports in writing to the governor and the members of the legislature to include a statement of the activities of the board and its recommendations for necessary and desirable legislation, with the initial report making recommendations concerning: (a) necessary rural broadband infrastructure; (b) an analysis of back-haul or middle-mile issues in rural broadband delivery; (c) a model or map of existing middle-mile infrastructure; (d) an analysis of statewide coordination of telecommunications infrastructure; and (e) a plan to increase rural adoption and utilization of available future broadband service.

Elections

H.B. 1573 (S. Thompson) – Mobile Polling Place: would, among other things, allow movable structures to be used as polling places by the commissioner's court of a county that participates in the countywide polling place program.

H.B. 1622 (Guillen) – Early Voting Reporting: would: (1) allow a person registered to vote in the county where the early voting clerk is conducting early voting to submit a complaint to the secretary of state stating that an early voting clerk has not delivered to the local canvassing authority a report of the early voting votes cast not later than the time of the local canvass; (2) require the secretary of state to create and maintain a system for receiving and recording complaints; and (3) require the secretary of state to maintain a record indicating which counties and early voting clerks have failed to comply with the requirements of early voting reporting.

H.B. 1669 (Thierry) – Return of Mail Ballots: would authorize: (1) a voter to deliver a marked mail ballot in person to the early voting clerk's office or to another designated location while the polls are open on election day or during the early voting period; and (2) the early voting clerk to designate any number of suitable locations for in-person delivery of ballots. (Companion bill is **S.B. 426 by Miles.**)

S.B. 598 (Kolkhorst) – Auditable Voting Systems: would, among other things, provide that: (1) a voting system that consists of direct recording electronic voting machines may not be used in an election unless the system is considered an "auditable voting system" that uses, creates, or displays a paper record that may be read by the voter; (2) an authority that purchased a voting system other

than an auditable voting system after September 1, 2014, and before September 1, 2021, may use available federal funding, and if federal funding is not available, available state funding to convert the purchased voting system into an auditable voting system in accordance with a specific schedule; and (3) the requirement to use an auditable voting system in (1), above, does not apply to an election held before September 1, 2026.

S.B. 605 (Kolkhorst) – Election Bystanders: would: (1) authorize the following people to be lawfully present in a polling place during the time the presiding judge arrives there on election day until the precinct returns have been certified and the election records assembled for distribution following the election: (a) an election judge or clerk; (b) a watcher; (c) a state or federal inspector; (d) a person admitted to vote; (e) a child under 18 years of age accompanying a parent who has been admitted to vote; (f) a person providing authorized assistance to a voter; (g) a special peace officer appointed by the presiding judge; (h) the county chair of a political party conducting a primary election; (i) an authorized voting system technician; or (j) a person whose presence has been authorized by the presiding judge; (2) authorize the following people to be lawfully present in the meeting place of an early voting ballot board during the time of the board's operation: (a) a presiding judge or member of the board; (b) a watcher; (c) an authorized voting system technician; or (d) a person whose presence has been authorized by the presiding judge; and (3) authorize the following people to be lawfully present in the central counting station while ballots are being counted: (a) a counting station manager, tabulation supervisor, assistant to the tabulation supervisor, presiding judge, or clerk; (b) a watcher; (c) an authorized voting system technician; or (d) a person whose presence has been authorized by the counting station manager. (Companion bill is **H.B. 1128** by **Jetton**.)

Emergency Management

H.B. 1532 (Reynolds) – Residential Evictions: would provide that: (1) an officer may not execute a writ of possession relating to the eviction of a residential tenant during the period a pandemic-related state of disaster is in effect; and (2) an action to evict a residential tenant is automatically abated without a court order during the period described in (1), above.

H.B. 1557 (Martinez Fischer) – State of Disaster Extension: would provide that if the governor finds that a state of disaster requires a renewal and the legislature is not convened in regular or special session, the governor by proclamation shall convene the legislature in special session to respond to the state of disaster.

H.B. 1656 (Murphy) – Disaster Orders: would provide that, to the extent of any conflict, an executive order, proclamation, or regulation issued by the governor in response to a disaster prevails over an order, proclamation, or regulation issued by the presiding officer of the governing body of a political subdivision.

H.B. 1690 (Tinderholt) - Weapons: would eliminate the governor's authority: (1) during a state of emergency, to issue directives on the control of: (a) the sale, transportation, and use of weapons; and (b) the storage, use, and transportation of explosives or flammable materials considered

dangerous to public safety; and (2) during a declared state of disaster to suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles.

H.B. 1691 (Tinderholt) – Religious Organizations: would provide that the governor or the presiding officer of the governing body of a political subdivision may not issue an executive order, proclamation, or regulation, as applicable, related to a declared state of disaster or local state of disaster that: (1) restricts the free exercise of religion protected under state or federal law; (2) prohibits or limits a religious service conducted in a house of worship by a religious organization established to support and serve the propagation of a sincerely held religious belief; or (3) limits the operation or operational hours of a religious organization established to support and serve the propagation of a sincerely held religious belief.

Municipal Courts

H.B. 1599 (Jarvis Johnson) – Hypnotically Induced Testimony: would provide that the testimony of a person obtained by hypnotizing the person is not admissible against a defendant in a criminal trial, whether offered in the guilt or innocence phase or the punishment phase of the trial. (Companion bill is S.B. 281 by Hinojosa.)

Open Government

H.B. 1678 (Raymond) – Autopsy Records: would provide that a photograph or x-ray of a body taken during an autopsy may be disclosed to the next of kin or legal representative of the deceased.

Other Finance and Administration

H.B. 1517 (Dutton) – Alcohol Sales: would provide that the Texas Alcoholic Beverage Commission may, on the request of the chief executive officer of a city, extend the hours during which alcoholic beverages may be sold and consumed in a licensed or permitted premises located in a hotel in the city during a special event that is being held in or near the city not to exceed 72 consecutive hours.

H.B. 1547 (Gates) – County Assistance Districts: would provide that: (1) if a proposed county assistance district (CAD) includes any territory of a municipality, the governing body of the municipality may exclude the incorporated territory of the municipality and may not exclude territory in the municipality's extraterritorial jurisdiction from the proposed CAD; and (2) when a municipality requests that a CAD exclude annexed territory from the CAD, the CAD shall exclude from the CAD territory annexed for full purposes by a municipality, if: (a) the CAD has no outstanding bonds payable wholly or partly from sales and use taxes and the exclusion does not impair any outstanding CAD debt or contractual obligation; and (b) the municipality: (i) provides notice to the CAD that full municipal services will be provided to the annexed territory by a specific date; and (ii) requests that the CAD exclude the annexed territory from the territory of the CAD.

H.B. 1580 (Rosenthal) – Office of Community Violence Intervention: would, among other things: (1) create the Office of Community Violence Intervention (Office) for the purposes of, among other things: (a) providing leadership, coordination, and technical assistance to promote effective state and local efforts on reducing preventable injuries and deaths resulting from all forms of physical violence; (b) collaborating with governmental entities, law enforcement agencies, community-based organizations, business leaders, and other appropriate individuals in Texas to develop evidence-based policies, strategies, and interventions to reduce the impacts of violence in Texas; and (c) awarding grants; (2) provide that the Office, with the advice of an advisory committee, shall award grants for community violence intervention and prevention through a competitive process to counties and municipalities that are disproportionately impacted by a high incidence of violence; and (3) provide that a county or municipal recipient of a grant award under (2) must distribute not less than 50 percent of the grant money to one or more of the following: (a) a community-based organization; (b) an Indian tribe or tribal organizations; or (c) a public entity whose primary focus is community safety or gun violence prevention.

H.B. 1591 (Leach) – Funeral Establishments: would provide that the distance requirements for cemeteries or any use of land for the interment of remains from city limits would not apply to a funeral establishment licensed by the Texas Funeral Service Commission.

H.B. 1598 - Office of Independent Oversight Ombudsman: would, among other things, create the Office of Independent Oversight Ombudsman as a state agency for the purpose of monitoring the conditions of confinement and treatment of offenders, investigating, evaluating, and securing the rights of offenders, and assisting the Texas Department of Criminal Justice in improving its operations.

H.B. 1608 (Rosenthal) – Data Collection: would require the Health and Human Services Commission (Commission) to ensure that each local government entity responsible for providing data to the Commission or a health and services agency in connection with a public benefits program administered by the Commission or agency: (1) provide individuals from whom demographic data is sought the option to report certain detailed data regarding the individual's race or ethnic origin and sex or gender; and (2) collect certain data from individuals who receive, or were receiving at the time of the individual's death, benefits under a program.

H.B. 1615 (Cyrier) – Texas Parks and Wildlife Department: would, among other things, continue the functions of the Texas Parks and Wildlife Department until September 1, 2033.

H.B. 1619 (Ramos) – Personal Identification Documents: would, among other things, provide that on request of a person who is a trafficking victim, the state registrar, a local registrar, or a county clerk shall issue without fee a certified copy of the person's birth record.

H.B. 1620 (Ramos) – Abortion Providers: would repeal the law that: (1) provides, with certain exceptions, that a governmental entity may not enter into a taxpayer resource transaction or contract with an abortion provider or an affiliate of an abortion provider; and (2) provides that the attorney general may bring an action in the name of the state to enjoin a violation of (1) and may recover reasonable attorney's fees and costs in bringing that action.

H.B. 1652 (Wilson) – Farmers’ Markets: would: (1) define “food producer” as a person who grew, raised, processed, prepared, manufactured, or otherwise added value to the food product the person is selling; (2) provide that a temporary food establishment permit or permit issued by a public health district to a farmer for the sale of food directly to consumers at a farmers’ market, farm stand, or the farmer’s farm or to a food producer: (a) must be valid for a term of not less than one year; (b) may impose an annual fee not to exceed \$100; and (c) must cover sales at all locations within the jurisdiction of the permitting authority; and (3) provide that a farmer or food producer who is charged an annual fee in excess of (2)(b) or whose permit does not otherwise comply with the bill may bring an action against the governmental entity that charged the fee or issued the permit to recover: (a) the amount the farmer or food producer was charged in excess of the annual fee authorized by (2)(b); and (b) reasonable and necessary attorney’s fees. (Companion bill is **S.B. 617** by **Kolkhorst**.)

H.B. 1666 (Thierry) – Local Health Departments: would provide that the executive commissioner of Health and Human Services Commission shall establish a separate provider type for local health departments, including health service regional offices acting in the capacity of local health departments, for purposes of enrollment as a provider for and reimbursement under the medical assistance program. (Companion bill is **S.B. 73** by **Miles**.)

H.B. 1676 (Goodwin) – Child Water Safety Requirements: would: (1) provide that an organization, including a school, preschool, kindergarten, nursery school, or day camp or youth camp that takes a child in its care or under its supervision to a body of water (including a pool) or otherwise allows a child access to a body of water shall: (a) determine whether the child is able to swim or is at risk when swimming; and (b) if the organization does not own or operate the body of water, provide the owner or operator of the body of water a written or electronic disclosure that clearly identifies each child who is unable to swim or is at risk when swimming; and (2) require the organization, during the time each child who is unable to swim or is at risk when swimming has access to a body of water, to: (a) provide the child an approved personal flotation device; and (b) ensure the child is wearing the appropriate personal flotation device and the device is properly fitted for the child.

H.B. 1683 (Landgraf) – Oil and Gas Operations: would: (1) prohibit an agency of this state or political subdivision from contracting with or providing assistance to a federal agency or official with respect to the enforcement of a federal state, order, rule, or regulation purporting to regulate oil and gas operations if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation that does not exist under the laws of Texas; and (2) provide that the prohibition in (1) may be enforced: (a) by denying state grant funds to the political subdivision; and (b) through court action by the attorney general.

H.J.R. 82 (Craddick) – Infrastructure Funding: would amend the Texas Constitution to create the Grow Texas fund and authorize the appropriation of money from the Grow Texas fund only for use in areas of the state from which oil and gas are produced and only to address infrastructure needs in the manner provided by general law in areas of the state determined by the legislature to be significantly affected by oil and gas production.

S.B. 569 (Springer) – Deceased Resident Report: would, among other things, require the local registrar of deaths to file each abstract with the voter registrar of the decedent's county of residence and the secretary of state as soon as possible, but not later than one day after the abstract is prepared. (Note: current law authorizes the local registrar to file the abstract with the voter registrar not later than the 10th day after the abstract is prepared.) (Companion bill is **H.B. 1264** by **K. Bell**.)

S.B. 616 (Gutierrez) – Casino Gambling: would allow up to 12 casinos in this state pursuant to a county approval election. (See **S.J.R. 36**, below.)

S.B. 617 (Kolkhorst) – Farmers' Markets: would: (1) define "food producer" as a person who grew, raised, processed, prepared, manufactured, or otherwise added value to the food product the person is selling; (2) provide that a temporary food establishment permit or permit issued by a public health district to a farmer for the sale of food directly to consumers at a farmers' market, farm stand, or the farmer's farm or to a food producer: (a) must be valid for a term of not less than one year; (b) may impose an annual fee not to exceed \$100; and (c) must cover sales at all locations within the jurisdiction of the permitting authority; and (3) provide that a farmer or food producer who is charged an annual fee in excess of (2)(b) or whose permit does not otherwise comply with the bill may bring an action against the governmental entity that charged the fee or issued the permit to recover: (a) the amount the farmer or food producer was charged in excess of the annual fee authorized by (2)(b); and (b) reasonable and necessary attorney's fees. (Companion bill is **H.B. 1652** by **Wilson**.)

S.B. 621 (Gutierrez) – Nepotism: would provide that an individual may not be appointed to or hold a position or public office that is to be directly or indirectly compensated from public funds or fees if the individual has been appointed, confirmed for appointment, or voted for appointment in violation of state nepotism law.

S.J.R. 36 (Gutierrez) – Casino Gambling: would amend the Texas Constitution to allow up to 12 casinos in this state pursuant to a county approval election. (See **S.B. 616**, above.)

Personnel

H.B. 1563 (Gervin-Hawkins) – Police/Fire Personnel File: would provide that, in a civil service city: (1) information maintained in a police or fire department personnel file (commonly referred to as the "g" file) is public information subject to disclosure under the Texas Public Information Act unless the information is otherwise confidential; and (2) before the police or fire department responds to a request for information contained in the "g" file, the police or fire department, as applicable, shall provide the fire fighter or police officer with a copy of the request and written notice of the department's intent to comply with the request.

H.B. 1589 (Davis) – Paid Military Leave: would provide that: (1) a person who is an officer or employee of the state, a city, a county, or another political subdivision and who is a member of the Texas military forces, a reserve component of the armed forces, or a member of a state or federally authorized urban search and rescue team is entitled to paid leave of absence for each day the person is called to state active duty by the governor or another appropriate authority in response to a

disaster, not to exceed seven workdays in a fiscal year; and (2) during the leave of absence described in (1), above, the person may not be subjected to loss of time, efficiency rating, personal time, sick leave, or vacation time.

H.B. 1660 (Pacheco) – E-Verify: would, among other things: (1) require a political subdivision to register and participate in the federal electronic verification of employment authorization program in order to verify the information of all new employees; and (2) provide that an employee of a political subdivision who is responsible for verifying information of new employees is subject to immediate termination for failure to comply with the requirement in (1).

H.B. 1687 (Noble) – COVID-19 Vaccine: would, among other things, provide that an employer, including a city, commits an unlawful employment practice if the employer fails or refuses to hire, discharges, or otherwise discriminates against an individual with respect to the compensation or the terms, conditions, or privileges of employment because the individual has not received a COVID-19 vaccine.

S.B. 578 (Eckhardt) – Reproductive Discrimination: would, among other things: (1) provide that an employer commits an unlawful employment practice if the employer discriminates against an employee or a close member of the employee's family or household on the basis of a reproductive decision including: (a) marital status at the time of a pregnancy; (b) use of assisted reproduction to become pregnant; (c) use of contraception or a specific form of pregnancy; or (d) obtainment or use of any other health care drug, device or service relating to reproductive health; (2) require an employer that provides an employee handbook include in the handbook information regarding the prohibition of discrimination based on a reproductive decision; and (3) make a mandatory arbitration agreement between an employer and an employee void and unenforceable to the extent the agreement limits the reproductive decisions of an employee or employee's close family or household members (Companion bill is **H.B. 698** by **Rosenthal**.)

Purchasing

H.B. 1649 (Middleton) – Insurance: would: (1) provide that, regardless of whether the contract is subject to competitive bidding requirements, a city may not enter into an insurance or risk pool contract unless: (a) the city receives at least two bids or proposals from different persons for the contract; and (b) the city files the contract with the Texas Department of Insurance; and (2) except from the requirement in (1) a procurement that is available from only one source.

Transportation

H.B. 1651 (Wilson) – Pavement Consumption Fee: would require the Texas Department of Transportation to conduct a study on the feasibility of: (1) charging a pavement consumption fee for the operation of certain motor vehicles on public highways; and (2) adjusting or eliminating registration or permit fees that are used for the maintenance of highway by a governmental entity and imposed on commercial motor vehicles subject to the pavement consumption fee.

Utilities and Environment

H.B. 1534 (Reynolds) – Greenhouse Gas Emissions: would, among other things: (1) require the Texas Commission on Environmental Quality (TCEQ) to adopt, charge, and collect an annual fee on each permitted electric generating facility that is subject to federal greenhouse gas reporting requirements; (2) provide that the fee in (1) is in the amount of \$5 per ton of carbon dioxide equivalent emitted from the facility each year, unless TCEQ has adopted a rule that provides for an automatic annual increase in the amount of the fee; (3) provide that a facility in (1) shall submit an annual report required by federal greenhouse gas reporting to TCEQ, which TCEQ will use to calculate the total fee in (1) to be imposed on the facility; (4) require TCEQ to establish by rule a grant program through which electric utilities, municipally owned utilities, and electric cooperatives may receive money from the greenhouse gas emissions fee account to assist those utilities with meeting their statutory energy efficiency goals; (5) with some exceptions, require TCEQ to make grant money available to an electric utility, municipally-owned utility, or electric cooperative in proportion to the percentage of electric energy consumed by the retail customers in Texas that are served by the electric utility, municipally-owned utility, or electric cooperative; and (6) provide that a grant received by an unbundled transmission and distribution utility under (4) may be considered as part of the utility's energy efficiency budget for the purposes of determining compliance with the required annual expenditures for the targeted low-income energy efficiency programs required by law.

S.B. 582 (Lucio) – Municipally-Owned Utilities: would provide that a municipality is not required to hold an election to authorize the sale of a municipal retail water or sewer utility system if the governing body of the municipality finds by official action that a condition exists to justify the sale.

S.B. 597 (Zaffirini) – Municipal Drainage Service Charges: would: (1) authorize a city to exempt property from all or a portion of drainage charges if the property is used as a principle residence of an individual who is a disabled veteran, 65 years of age or older, a veteran of the armed forces of the United States, or a member of the armed services of the United States on active deployment; and (2) authorize a city to impose additional eligibility requirements for an exemption under (1). (Companion bill is **H.B. 824** by Bucy.)

Coronavirus (COVID-19) Updates

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

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

The League has prepared a coronavirus clearinghouse [web page](#) to keep cities updated. In addition, everyone who receives the *Legislative Update* should receive an email update each Tuesday with information on new developments. The email updates are our primary means of communication during the pandemic. Those emails are archived [chronologically](#) as well as by [subject matter](#).

TML member cities may use the material herein for any purpose. No other person or entity may reproduce, duplicate, or distribute any part of this document without the written authorization of the Texas Municipal League.

RESOLUTION NO. 478

A RESOLUTION OF THE CITY OF GRANITE SHOALS, TEXAS, ESTABLISHING THE COMMUNICATIONS, MEDIA RELATIONS AND SOCIAL MEDIA POLICY FOR THE CITY OF GRANITE SHOALS.

WHEREAS, the City Council of the City of Granite Shoals, Texas ("Council") seeks to provide for the health, safety and welfare of its citizens; and

WHEREAS, Section 3.06 of the Granite Shoals City Charter provides that the Council shall determine all matters of City policy; and

WHEREAS, the welfare of the citizens is enhanced when the citizens have access to accurate and timely information from the City offices; and

WHEREAS, the City Council wishes to establish that responsibility for speaking to the Media, or disseminating information from the city offices, resides with the City Manager;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS, THAT:

The Council hereby establishes this *Communications, Media Relations and Social Media Policy*, as attached as Exhibit 'A'.

EFFECTIVE DATE. This RESOLUTION shall be in full force and effect from and after its date of approval.

APPROVED: this 14th day of April, 2015.

APPROVED:


Dennis A. Maier, Mayor

ATTEST:


Elaine Simpson, City Secretary



Resolution #478 Exhibit 'A' COMMUNICATIONS, MEDIA RELATIONS and SOCIAL MEDIA POLICY of the City of Granite Shoals, Texas

MEDIA RELATIONS:

GOAL:

The City of Granite Shoals seeks to inform its residents, businesses and visitors by engaging in a proactive communications program. The program recognizes that one of the most effective and quickest ways to communicate City policies and activities to citizens is by working in partnership with the news media, which will encourage accurate media coverage of City programs, events and decisions that could be of interest and impact a significant segment of the community.

POLICY:

Inquiries from the news media are given a high priority by the City Granite Shoals and should be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate.

The City Manager and Assistant City Manager serve as the Communications / Media Relations Officers and are responsible for the City's media relations, with the exception of some public safety issues. All City employees should notify the City Manager about media inquiries. The majority of City media requests are initiated when the media contact the City Manager. Because the media often work on tight deadlines, it is important that all departments respond as soon as possible when the City Manager requests department information or a spokesperson for the media. Specific guidelines for responding to media requests follow.

The City Manager will be responsible for coordinating media interviews with the Mayor and City Council. The City Manager will also work with the Council to promote City programs, events and policies and to coordinate their participation in City activities.

CITY SPOKESPERSONS:

Unless otherwise authorized, the City's spokespersons are:

- Mayor or Mayor Pro Tem acting as Mayor
- City Manager / Assistant City Manager

- Police Department and Fire Department Public Information Officers
- City Secretary/Public Information Officer
- City Attorney
- Department Heads

MEDIA INQUIRIES:

Any media inquiries received by other City staff should be referred immediately to the City Manager and their Department Head/Assistant Department Head. An appropriate response to the media would be, "I'm sorry I don't have the full information regarding that issue. I will give your request to my Department Director (or the City Manager) who will respond to you as soon as he/she is available." Please obtain the reporter's name, phone number (cell too if "in the field"), topic of story and deadline.

Employees are expected to abide by the City of Granite Shoals Personnel Manual regarding all communications with the public or the news media. They are to refer members of the public or the news media to the Department Head or the City Manager if a question is "non-routine, controversial or outside the scope of the employee's normal duties".

SENSITIVE OR CONTROVERSIAL ISSUES:

All television, radio, newspaper or other media inquiries regarding sensitive or controversial issues should always be referred immediately to the City Manager and the employee's Department Head or Assistant Department Head. The City Manager's Office will coordinate a response including designating a spokesperson.

LITIGATION, PERSONNEL AND ELECTION ISSUES:

Generally, the business conducted by the City of Granite Shoals is public, and therefore, is public information. Inquiries regarding pending litigation, matters involving a significant exposure to litigation and certain personnel-related information are exceptions.

Inquiries regarding pending litigation or exposure to litigation should be referred to the City Manager's and City Secretary's offices. Inquiries regarding personnel-related information should be referred to the Human Resources Department.

Inquiries regarding election and campaign issues should be referred to the City Secretary. The City Secretary will contact the City Manager's office and City Attorney's office as appropriate.

PERSONAL POINTS OF VIEW:

It is recognized that all employees have the right to their personal points of view regarding any issue. However, personal points of view may conflict with the City's official policy. Therefore, City employees who write letters to the editor of any newspaper may not use official City stationery. If an employee chooses to identify himself or herself as a City employee in any personal letter or email to the

editor, he or she must include language that states the views set forth in the letter do not represent the views of the City, but rather, are the employee's personally held opinions. Similar disclaimers must be given if an employee addresses a public meeting, participates in a radio talk show, or is interviewed for a radio or television program unless the employee is officially representing the City. Employees who are representing the City in any of the above formats must identify themselves as an official spokesperson for the City.

Employees are required to abide by the City of Granite Shoals Personnel Manual regulations regarding Political Activities. City resources cannot be used to promote or to oppose a candidate, ballot measure, or proposition.

GENERAL OR ROUTINE ISSUES:

Broadcast media: Calls from broadcast media (TV and radio) should always be referred immediately to the City Manager and the employee's Department Head or Assistant Department Head. The City Manager's Office will coordinate a response including designating a spokesperson.

Local print media: Calls from local print media regarding most departmental issues and programs may be handled by each department's Director or by the City Manager. On occasion, the Director may designate an employee in the department to respond to specific questions from print media. The City Manager should be informed of these media requests – including the reporter and topic – either before or immediately following these interviews.

All employees who handle media requests must be familiar with the Public Information Act (formerly the Open Records Act) and its ramifications. For your review, you may find the act at https://www.texasattorneygeneral.gov/open/publications_og.shtml.

Any requests for Public Information must be forwarded immediately to the City Secretary to be processed.

CITY-INITIATED INFORMATION:

Most proactive media contact is initiated through the City Manager or City Secretary. This includes issuing press releases, placing legal ads and media advisories, and personal contacts with reporters and editors for coverage. Departments seeking publicity for events or activities should notify the City Secretary and City Manager as soon as possible to ensure the best media coverage of their activities.

Departments should not initiate news media contacts before notifying the City Manager.

CORRECTING INACCURATE INFORMATION:

The City should clarify or correct any information released by the print or broadcast media that contains inaccuracies regarding a city-related issue:

- a. **Factual Discrepancies.** It is the responsibility of the Department Head to immediately contact the City Manager when a story has been published or aired containing a factual error that significantly impacts the public's perception of the issue being discussed. Depending on the nature of the error, the request for correction will be made by written letter or an information telephone call.

The Department Head will ask the City Manager's office for direction if they feel an official City rebuttal or response is needed.

If there are repeated problems with City officials' being misquoted by a certain reporter or outlet, officials will be directed by the City Manager to respond to that reporter or outlet in writing.

- b. **Letters to the Editor.** When appropriately presented, letters to the editors of newspapers and electronic media can be effective tools in clarifying a misconception of City policy or programs or correcting inaccurate information that has been widely reported by the press.

Those Department Heads who believe, as public officials, that a City rebuttal is warranted should discuss their concerns with the City Manager. The City Manager will determine if a response is appropriate as well as who should prepare and sign the letter. **The City Manager must authorize and review all letters sent to the editor that identify the author as a City employee/official acting in an official capacity.**

PUBLIC SAFETY ISSUES:

Because the Police and Fire Departments operate 24/7 and their work generates a high volume of media calls, those departments have designated sworn personnel as media spokespersons and follow specific guidelines when releasing information. Any media calls to other City staff regarding a Police or Fire issue should be referred immediately to the Police Department or Fire Department, as appropriate. All information released to the media by the Police and Fire Departments should be provided immediately to the City Manager's Office. When appropriate, the City Manager should be contacted at the time of major incidents.

CRISIS OR EMERGENCY ISSUES:

During a crisis or emergency situation, the City of Granite Shoals has an Emergency Management Policy in place. The Emergency Management Officer will act as or designate a main point of contact for the media during a crisis or emergency. The designated point of contact will be assisted by alternates

including the Police and Fire Public Information Officers who prepare and disseminate emergency public information.

PROFESSIONAL PUBLICATIONS

The City encourages all employees to contribute articles to professional publications and journals, both as a means of enhancing personal development and highlighting City achievements.

- a. **Professional Articles.** Managers are encouraged to submit articles promoting City services/programs to the appropriate professional journals.

Copies of all articles identifying the author in that person's official capacity or prepared on-duty shall be forwarded to the Department Head and City Manager's Office for review and comment prior to submittal for publication. The name of the publication and the tentative publications date shall be noted.

- b. **Reviews and Edits.** The City Manager is available to review and edit articles scheduled for publications in professional journals when a request is made within a reasonable time frame.

WEBSITE

All departments are encouraged to provide information for a department presence on the City's website, which is maintained by the City Secretary. Information can include each department's services, projects, events and policies. Information to be posted should be submitted to the City Secretary. All press releases distributed through the City Manager or City Secretary will be considered for the News page on the website.

BULLETIN BOARDS

The City maintains an inside bulletin board and a six-panel Park Information /outside notice bulletin board at the City Hall at 2221 N. Phillips Ranch Road, Granite Shoals, TX. These bulletin boards are used for posting information related to city business, or information related to non-profit or community organizations, as governed by Granite Shoals City Council Resolution # 457 adopted in September of 2014.

CITY NEWSLETTER

The City Manager and the City Council from time to time may issue a newsletter from the city to the residents and customers. This newsletter will also be posted on the city website.

OFFICIAL CITY NEWSPAPER

The City Council has designated an Official City Newspaper for legal notices. Currently this is the *Highlander News*. Election information, Public Hearing Notices, ordinance captions, budget / tax rate information, bid openings and employment ads are regularly placed in the official newspaper.

SOCIAL MEDIA

Given the multitude of concerns (legal, political, technical, and ethical) raised by social networking (Facebook, MySpace, Twitter, etc.) this policy establishes the policy of the City of Granite Shoals, Texas for officials' and employees' (personnel) use of the internet regarding social media.

City personnel shall follow these guidelines in their use of social media, on and off duty. Under this policy, the City disavows, and is not responsible for, any sites, posts, opinions, or content not coordinated through the City Manager and posted in accordance with the procedures of the City Manager's office. If City personnel post content purporting to be on behalf of the City while using a social media site without the approval of the City Manager, the City is not responsible for that content, and such content is not to be construed as reflecting the views or opinions of the Mayor, City Council or City management. **City personnel who post content purporting to be on behalf of the City on a social media platform without the approval of the City Manager shall be subject to discipline, up to and including termination, regardless of the subject matter.**

The absence of explicit reference to a particular site does not limit the extent of the application of this policy.

Specific guidelines for establishment and maintenance of Social Media sites/presence on the internet will be adopted by the City Manager as Administration procedures/Directive and must be followed exactly.

1. Any sanctioned Social Media sites will be operated as only as a complement to, not a substitute for, the official city website.
 - a. Unique stories, calendar events and information may be placed on the website. Information from the City website will be 'cut and pasted' to the city-sanctioned Social Media sites.
 - b. Information that is date-sensitive that is posted on social media – for example, information related to emergency management, water notices or emergency called meetings – will be printed and the records saved according to the appropriate records management schedule.
2. Sites will be one way 'Push' sites only, for dissemination of information.

- a) The city website will remain the only online means of citizens' reporting an issue to the city staff. Citizens may continue to report issues to city staff by "offline" means, including, but not limited to, in person, by telephone, by email, or in writing. The City Council will neither post, nor have the ability to comment, on city issues on official City social media platforms.
 - b) Elected officials shall abide by all the open government laws of the State, as well as policies of the City, when discussing city business on any internet forum.
3. There will be a limited number of official 'coordinators' for the Social media. The City Manager will assign designees with access to the Social Media administration.
 - a) All personnel that engage in social media activities on the City's behalf and all City-sanctioned social media sites shall adhere to applicable federal, state and local laws, regulations and policies, including the Texas Public Information Act, copyright laws, and the city's records retention schedule.
 - b) City sanctioned social media sites must be operated according to the specific platform's user agreement. All content must be managed, stored and retrieved to comply with the user agreement.
 - c) Administrators shall use an abundance of caution when working on-line. Passwords should be strong, and any evidence found of 'hacking' attempts should be reported to the City Manager.
 - d) City employees, officials, and elected officials should remember that they are bound to processes and procedures that govern the use of sensitive, confidential, proprietary and medical information that may come into their custody in the course of conducting city business. There is a risk of personal liability if information is released via personal Social Media activities.
 - e) While on duty, the use of City equipment or internet service by personnel must be limited to work related tasks. City employees have no expectation of privacy while utilizing city networks, equipment or devices. All personnel who engage in social media activities on the City's behalf will adhere strictly to the City of Granite Shoals Employee Personnel Manual and Ord. 635, as codified, the *City Electronics Use Policy*.
4. The Public Safety departments of the City (i.e., Police and Fire) may continue to administer social media pages via procedures as established by the City Manager. The Department Head(s) of each respective department shall be responsible for assuring conformity of the Department's Social Media presence according to the City Manager's directive.
5. Requests to establish new Social Media sites shall be presented to the City Manager, and written approval shall be secured before new sites are created.

6. Advertising displayed on or near any city sanctioned social media site by the social media company is not controlled by the City of Granite Shoals. The City has no ownership, responsibility or control over said advertising.



**City of Granite Shoals, Texas
City Council Regular Called Meeting
Agenda Item Cover Memo
February 23, 2021**

**Agenda Item:
Prepared By:
Department:**

**9. Written Departmental Reports
City Secretary
Administration**

AGENDA CAPTION

9. Written Departmental Reports

a. Animal Control report
c. Finance

- Monthly Finance Investment Report
- Expenditures and Revenue Report
- Check Register
- Sales Tax report

d. Fire
g. Streets

b.) Code Compliance not available

e. Parks
h. Utilities

f. Police

To Be Provided

CITY OF GRANITE SHOALS FIRE DEPARTMENT MONTHLY PROGRESS REPORT.



JANUARY 2021 DEPARTMENT REPORT SUMMARY

BURN BAN HAS BEEN LIFTED

119 Total Calls

Responded to a total of 75 Emergency/Response Calls and 18 Burn Permits Issued.

(Increase of 26 calls from Prior Month)

GSFD had 11 Over-lapping Calls or 8.6 Percent of Over-lapping calls

GSFD had 4 Fires with Pre-incident value of \$382,000 in which

Approx. \$12,500 was lost due to fire

GSFD had an average of 4 firefighters responding to each incident.

(Increase of 1 from Prior Month)

GSFD had an average response time of 5 min 30 seconds per call.

(Decrease of 25 seconds from previous month)

GSFD logged 12 hours of training

(Decrease of 14 hours previous month)

GSFD accepted 1 new applications for membership.

(Decrease of 0 Change from Prior Month)

GSFD had 0 Volunteer Member of the Fire Department Resign.

(No Change from Prior month)

Response Statistics Summary:

Fire/Extrication /Haz-Materials: 10 (No Change from Prior month)

EMS/Rescue/Medical Assist: 44 (Decrease of 15 calls from Prior Month)

Public Service/Good intent: 65 (Increase of 21 calls from Prior Month)

Total 119 Responses for Service

(Increase of 26 calls from prior month)

(Note: Service calls include Controlled burn investigations, false alarms and permit issuances)

Areas

Granite Shoals: 70 Emergency Calls and 18 Permits Issues

Total 98 (Increase of 42 Calls from Prior month)

BCESD#3 Area: 13 Emergency Calls and 0 Permits Issued

Total 13 (Decrease of 18 Calls from Prior month)

Mutual Aid: 4 (Increase of 2 from Prior month)

Lake LBJ Responses 0 (Decrease of 1 from Prior month)

Highland Haven: 3 (No Change from prior month)

Total: 93 Responses for Service

Green- improvement, Red- negative improvement, Blue-No Change

Staff

Staff Levels: 1 Full Time Paid Chief
1 Full Time Asst Chief (Shift Work)
5 Full Time Paid Firefighters (Shift Work)
13 Part Time Fire Fighters (Call in)
12 Volunteer Fire Fighters.

Training:

CPR AED	2 hrs.
Ladders and Vertical Vent	2.5 hrs.
Firefighter Phase 1	7.5 hrs

Apparatus and Equipment:

Squad 5252 Required repairs due to suspension and alignment issues.

Grants ,Major Purchases and Projects

Assistance To Firefighter Grant has opened allowing us to Apply for New Firefighter Radios. The Total Grant I will apply for is \$125,000. We should be notified our status sometime in August.

GSFD wants to Remind Residents to please have your Chimney and Fireplaced serviced and cleaned prior to using them. Also this is a good time to Check you Smoke detector batteries. If you need a Smoke detector or assistance changing batteries, please give us a call, we can help.

ESD News and Fire Contract News

Burnet County ESD Meeting will be held on the 2 Thursday of the Month at the Granite Shoals Fire Station at 2:00pm.

Auxiliary

Thank you, Sincerely

Austin Stanphill

Austin Stanphill Fire Chief, City of Granite Shoals Fire Department



**City of Granite Shoals, Texas
City Council Regular Called Meeting
Agenda Item Cover Memo
February 23, 2021**

**Agenda Item: 10. Future Agenda Items
Prepared By: City Secretary Elaine Simpson
Department: Administration**

This agenda item is a standing item. It is a time when the Agenda Calendar is reviewed, and future agenda items are identified.

Agenda Calendar

This is a planning tool only and all information is tentative until listed on an official agenda notice and posted in accordance with Texas Open Meeting law.

Tuesday, February 23, 2021
Regular Called Council Meeting 6 PM

Action	Subject	Requestor	Staff	Status
	CTO/Welcome			
	Citizens Comments			
Hear	Municipal Court Quarterly Report		Reilly	
Hear	Annual Racial Profiling Prevention Report – Police Department		Boshears	
Consent	Approve Disaster Declaration for City of Granite Shoals related to Snow/Ice storm		Skinner	
Consent	Meeting minutes February 9, 2021		Simpson	
Consent	Accept City Secretary statement of no opposed races.		Simpson	
Consent	Approve Ord. canceling May 1, 2021 General Officers Election		Simpson	
Consider	Water Projects / Water Bonds Update		Looney	Standing Item
Consider	Proposed Ord. 808 for Parks and Special Events Modification		Smith	
Consider	“Consideration, discussion and possible action concerning award of the engineering services contract for the preparation of the City’s 2021-2022 Texas Community Development Block Grant (TxCDBG) application and subsequent engineering contract if funded.”		Smith	With Cindy Metro of Langford and Assoc.
Discuss	Animal Control Ordinance re: Backyard Chickens. Ord. 797-A.	Ort	Looney	
Consider	Accept Resignation of Jim Davant, City Council Place #3		Skinner, Katz, Simpson	
Consider	Discuss, Consider and possibly take action to appoint Samantha Ortis to fill the vacancy in Place #3, City Council		Skinner, Katz, Simpson	
	Management Reports			
	Written Departmental Reports			
	Future Agenda Items / Adjourn			

March 9, 2021
Regular Called City Council Meeting 6 PM

Action	Subject	Requestor	Staff	Status
	CTO/Welcome			
	Citizens Comments			

Public Hearing	Ord. 806 GB1 overlay on N. Phillips Ranch RD		Looney	With recommendation from P&Z
Public Hearing	Ord. 807 - Short Term Rentals Ordinance		Looney	With recommendation from P&Z and STR
Consent	Meeting minutes February 23, 2021		Simpson	
Consider	Water Projects / Water Bonds Update		Looney	Standing Item
	Management Reports			
	Future Agenda Items / Adjourn			

Tuesday, March 23, 2021
Regular Called City Council Meeting 6 PM

Action	Subject	Requestor	Staff	Status
	CTO/Welcome			
	Citizens Comments			
Consent	Meeting minutes March 9, 2021		Simpson	
Consider	Water Projects / Water Bonds Update		Looney	Standing Item
	Management Reports			
	Written Departmental Reports			
	Future Agenda Items / Adjourn			

Future Agenda Items Not Scheduled: (for example – items tabled but not to a date certain)

Requestor	Date Requested	Subject	Status
		Review, Revise and Update Zoning Ordinance	Marvin Townsend, originator , P&Z considering it at their meetings starting October 2013
		Ord. 785 Short Term Rentals	If P&Z has forwarded recommendation
		City Staff requested changes to Personnel Manual – increase in roll-over hours for Vacation, clarification of ADA procedure for accommodations and profession development policy for employees in certain departments.	
	Discuss	Affordable Housing options?	Council member Holland requested this be in June 2018 - Mr. Harrison and Mr. Zbranek
Consider		Adding 'Granite Quarrying' to the list of allowed uses in the I-Industrial Zoning District	As discussed March 26, 2019 by City Council
		Highland Haven Fire Protection Contract	
Discuss		Parks Inventory Survey Report	As requested 4 – 23 – 2019

Discuss		Fishing Piers at Waterfront Parks	Dr. Hougen 1-12-2021 item to be considered first by Parks Cmnte.
Discuss		Amending Special Events Permit Ord.	Parks Committee
Discuss		Joint Meeting with P&Z Commission regarding Chapter 40 – Zoning	

Year-Round Overview Summary

(for example: contacts which must be renewed annually, grant applications which must be made annually, statutory items which are done at a specific time of year, e.g. Election Canvass).

Month	Subject / Item
January	1. Contract with Burnet County to Conduct May General Election – City Sec. 2. Call the City Election – Simpson 3. Quarterly Municipal Court report by Municipal Judge.
February	1. Annual Racial Profiling Prevention Report 2. Audit report of previous budget year
March	1. Proclamation from Mayor naming April as Child Abuse Prevention and Awareness Month. 3. Solid Waste contract (2022)
April	Quarterly Municipal Court of Record Report? Annual Consumer Price Index rate modifications
May	1. Canvass of City General Election 2. Appointment of Mayor Pro Tem. 3. Review of Meeting schedule 4. Council Pictures 5. Calling Runoff Election if needed. 6. Board & Commission Members appointments. 7. Board and Comm. Appreciation Reception
June	1. Proposed Budget Calendar – City Manager.
July	1. Budget Workshop(s)? - City Manager / Finance Director / City Council 2. Personnel evaluation – City Manager, 3. Quarterly Municipal Court report by Municipal Judge. 4. Accept Appraisal Roll from Tax Appraiser. 5.) ESD #3 contract (2023) 6.) MFEMS contract (2021)
August	1. Public Hearings for Tax Rate/Budget – City Manager/ Fin. Dir / City Sec., 2. Budget Workshop(s)- City Manager / Finance Dir. / City Sec. 3. City Managers Annual Review of Personnel Manual – any recommended modifications.
September	1. Adoption of Budget 2. Adoption of Tax Rate
October	1. Official Newspaper of Record Resolution – City Sec. 2. Council Meeting schedule for holiday season 3. Annual Review of Investment Policy, Finance Policy 4.) Juvenile Curfew Ord. (2022) 5.) Quarterly Municipal Court report by Municipal Judge. 6.) Consideration of the nominees for the John Rinehart Award .
November	1. Every 4 years re-authorize sales tax for Streets (2024) prepare for May Election 2. Deer Management – WAC Chairman's Report Conduct Elections Canvass from Special and General Elections held Nov 3, 2020 Simpson, 3.) 2020 Mayor Pro Tem election – as postponed from July 2020
December	