

**HUMBLE CITY COUNCIL
MEETING PACKET
APRIL 11, 2013**

HUMBLE CITY COUNCIL

AGENDA

APRIL 11, 2013 - 6:30 P.M.

1. INVOCATION/PLEDGE OF ALLEGIANCE
2. MINUTES - MARCH 19, 2013
3. FINANCIAL STATEMENT
4. CURRENT INVOICES
5. GILBERT GARCIA, CHAIRMAN, HARRIS COUNTY METROPOLITAN TRANSIT AUTHORITY
6. PUBLIC HEARING - AMENDMENT TO CITY OF HUMBLE SUBDIVISION ORDINANCE TO REDUCE THE MINIMUM RESIDENTIAL LOT WIDTH FROM 70 FEET TO 65 FEET AND TO REDUCE THE MINIMUM LOT SIZE FROM 7,700 TO 7,150 SQUARE FEET
7. ORDINANCE NO. 13-716 AMENDING CHAPTER 38, SUBDIVISIONS, TO REDUCE THE MINIMUM RESIDENTIAL LOT WIDTH FROM 70 FEET TO 65 FEET AND TO REDUCE THE MINIMUM LOT SIZE FROM 7,700 TO 7,150 SQUARE FEET; IMPOSING A PENALTY IN AN AMOUNT NOT TO EXCEED \$500 FOR VIOLATION OF ANY PROVISION HEREOF; REPEALING OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY
8. REQUEST FROM LAKE HOUSTON AREA SHRINER CLUB TO CLOSE OFF TOWNSEN BOULEVARD AT FM 1960 AND SOUTH HOUSTON AVENUE ON JUNE 8, 2013 FROM 8:00 A.M. TO 12:00 NOON FOR 5TH ANNUAL MUDMAXX FUN RUN
9. AUTHORIZATION TO ADVERTISE FOR BIDS - WEST TOWNSEN PROJECT
10. APPROVAL TO PURCHASE/INSTALL *WELCOME TO HUMBLE* SIGN FROM VERNON MASONRY, INC. THE SIGN TO BE LOCATED AT THE NORTH EAST CORNER OF WILL CLAYTON PARKWAY AND U.S. HIGHWAY 59 NORTH
11. AMENDMENTS TO ENGINEERING AGREEMENTS WITH ARKK, L.L.C. - 2013 CONCRETE PAVEMENT IMPROVEMENT PROJECT AND 2013 ASPHALT PAVEMENT IMPROVEMENTS PROJECT BY COMBINING AGREEMENTS INTO AN AGREEMENT FOR 2013 ASPHALT AND CONCRETE PAVING PROJECT WITH ADDITIONAL STREETS
12. ADDENDUM TO INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITIES OF BAYTOWN AND HUMBLE FOR SHORT TERM SHELTER
13. DEPARTMENT REPORTS
14. CORRESPONDENCE: TML LEGISLATIVE UPDATE
15. ADJOURNMENT

COUNCIL MEETING

04-11-2013

AGENDA ITEM #2

MINUTES

SPECIAL MEETING 3-19-2013

HUMBLE CITY COUNCIL

MINUTES

SPECIAL MEETING

MARCH 19, 2013 - 6:30 P.M.

HELD AT CITY HALL, 114 WEST HIGGINS, HUMBLE, TEXAS

MEMBERS PRESENT:

Mayor Donnie McMannes
Mayor Pro Tempore Merle Aaron
Councilmember Ray Calfee
Councilmember Allen Lee
Councilmember Allan Steagall
City Manager Darrell Boeske
City Secretary Sue Daniel

EMPLOYEES PRESENT:

Finance Director Dixie Kellum
Director of Public Works Barry Brock
Chief Gary Outlaw
Teresa Ower, Risk Manager

VISITORS PRESENT:

Juanita Steagall
Linda Aaron
Naomi Curry
Andy Curry
Bill Conner
Jimmy Frye
Keith Smelley, Boy Scout Troop 27

Mayor Donnie McMannes called the special meeting of the Humble City Council to order at 6:30 p.m. with all members present.

1. INVOCATION/PLEDGE OF ALLEGIANCE

Councilmember Merle Aaron gave the invocation and Councilmember Allen Lee led the Pledge of Allegiance.

2. MINUTES: REGULAR MEETING FEBRUARY 14 AND SPECIAL MEETING FEBRUARY 26, 2013

Minutes of the regular meeting of February 14, 2013 and the special meeting of February 26, 2013 were presented to the mayor and councilmembers for approval of payment. Councilmember Lee moved to approve the minutes of February 14th and 28th, 2013 as printed and circulated.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall
Nays: None

Motion Carried.

3. FINANCIAL STATEMENT

The financial statement of February, 2013 was presented to the mayor and councilmember for approval. Councilmember Aaron moved to accept the financial statement.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall
Nays: None
Motion Carried.

4. CURRENT INVOICES

The invoices were presented to the mayor and councilmembers for approval of payment.

Accounts Payable:

General Fund	\$ 88,134.49
W/S Operating Fund	36,440.04
Special Revenue Fund	14,315.08
Red Light Camera Fund	67,471.48
Beautification Committee Fund	<u>300.00</u>
Total	\$ 206,661.09

Purchase Cards - January:

General Fund	\$ 66,560.38
W/S Operating Fund	33,934.81
Special Revenue Fund	561.91
Red Light Camera Fund	556.02
Beautification Committee Fund	<u>812.61</u>
Total	\$ 102,425.73

Purchase Cards - February:

General Fund	\$ 82,337.64
W/S Operating Fund	27,874.76
Red Light Camera Fund	<u>4,636.69</u>
Total	\$ 114,849.09

Councilmember Lee moved to pay the invoices.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall
Nays: None
Motion Carried.

5. APPROVAL OF FIRST UNITED METHODIST CHURCH OF HUMBLE TO PLACE BARRICADES ON SOUTH AVENUE G BETWEEN MAIN STREET AND GRANBERRY STREET FROM 9:30 A.M. TO 12:30 P.M. FOR THE ANNUAL EGGSTRAVAGANZA TO BE HELD MARCH 30, 2013

A request was presented to the mayor and councilmembers from the United Methodist Church of Humble to place barricades on South Avenue G between Main Street and Granberry Street on March 30, 2013 from 9:30 a.m. to 12:30 p.m. for the Annual Eggstravaganza. Councilmember

Allen Steagall moved to approve item #5.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall

Nays: None

Motion Carried.

6. APPROVAL OF ST. MARY MAGDALENE CATHOLIC SCHOOL SPRING FLING 5K RACE AND FAMILY FUN WALK TO BE HELD APRIL 27, 2013 FROM 8:00 A.M. TO 10:30 A.M.

A request had been received for approval from the mayor and councilmembers for the St. Mary Magdalene Catholic School Spring Fling 5K Race and Family Fun Walk to be held April 27, 2013 from 8:00 a.m. to 10:30 a.m. Councilmember Aaron moved to approve the 5K race and fund walk for the Catholic Church.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall

Nays: None

Motion Carried.

7. RESOLUTION NO. 13-726 RENEWING THE CITY OF HUMBLE PUBLIC FUNDS INVESTMENT POLICY

City Manager Boeske presented Resolution No. 13-726 to the mayor and council for approval.

RESOLUTION NO. 13-726

A RESOLUTION OF THE CITY OF HUMBLE RENEWING THE CITY OF HUMBLE PUBLIC FUNDS INVESTMENT POLICY

He stated the resolution would renew the city's Public Funds Investment Policy and recommended approval. Councilmember Lee moved to approve Resolution No. 13-726. Councilmember Aaron commented that he was happy to see that in Article 4 the assistant finance director had been added as a financial officer of the city. Mayor McMannes called for the vote.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall

Nays: None

Motion Carried.

8. APPOINTMENT OF CASSIE STAGGS AND TRACY SHIPLEY AS ALTERNATE ELECTION JUDGE FOR THE CITY OF HUMBLE GENERAL ELECTION TO BE HELD MAY 11, 2013

City Manager Boeske presented a request to appoint Cassie Staggs as Election Judge and Tracy Shipley as the Alternate Election Judge for the City of Humble General Election to be held May 11, 2013. Councilmember Steagall moved to appoint Cassie Staggs as Election Judge and Tracy Shipley as Alternate Election Judge.

Ayes: Aaron, Calfee, Lee, McMannes, Steagall

Nays: None

Motion Carried.

9. MONTHLY DEPARTMENT REPORTS

Mayor McMannes stated the monthly department reports were for information only.

10. CORRESPONDENCE: TML LEGISLATIVE UPDATE

Mayor McMannes stated the correspondence was for information only.

11. ADJOURNMENT

There being no further business to transpire, Mayor McMannes moved to adjourn the meeting.
Meeting Adjourned. 6:37 p.m.

D. G. McMannes
Mayor

ATTEST:

Sue Daniel
City Secretary

COUNCIL MEETING

04-11-2013

AGENDA ITEM #3

FINANCIAL STATEMENT

City of Humble
Balance on Deposit, All Funds
For the Month of March 2013

General Fund:

Cash	\$ 5,629,302.91
Certificate of Deposit	6,545,851.80
Treasury Bills and Other Investments	<u>12,788,798.32</u>
Total	24,963,953.03

Water & Sewer Operating Fund:

Cash	3,710,664.01
Certificate of Deposit	2,212,399.84
Treasury Bills and Other Investments	<u>697,231.40</u>
Total	6,620,295.25

Sewer Plant Construction Fund:

Cash	471,986.59
Treasury Bills and Other Investments	<u>-</u>
Total	471,986.59

Certificates of Obligation, Series 2005 B Construction:

Cash	6,178.33
Treasury Bills and Other Investments	<u>-</u>
Total	6,178.33

Total All Funds:

Cash	9,818,131.84
Certificate of Deposit	8,758,251.64
Treasury Bills and Other Investments	<u>13,486,029.72</u>
Total	<u><u>\$ 32,062,413.20</u></u>

COUNCIL MEETING

04-11-2013

AGENDA ITEM #4

CURRENT INVOICES

ACCOUNTS PAYABLE CHECKS

Date	General Fund	Water & Sewer Operating Fund	Special Revenue	Red Light Camera	2005 A Const	TOTAL
3/21/2013	386,736.93	177,569.14	6,855.99	2,075.00	47,315.94	\$ 620,553.00
4/4/2013	183,249.45	37,540.29	1,374.41	61,324.81		\$ 283,488.96
	569,986.38	215,109.43	8,230.40	63,399.81	47,315.94	904,041.96

apadatecr2 City of Humble paula
 A/P Check Register
 Checks from 03/21/2013 to 03/21/2013

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
Cash Account: 01-1070-00-00					
96438	03/21/13	A-LINE AUTO PARTS #25	566.32	O	Regular
96439	03/21/13	ADT SECURITY SERVICES	1,179.14	O	Regular
96440	03/21/13	AIRTIME AMUSEMENTS	800.00	O	Regular
96441	03/21/13	ALLIED WASTE SERVICES #852	2,475.82	O	Regular
96442	03/21/13	AMERICAN FIDELITY	784.00	O	Regular
96443	03/21/13	AMERICAN FIDELITY ASSURANCE	95.16	O	Regular
96444	03/21/13	AMERICAN TIRE DISTRIBUTORS	851.38	O	Regular
96445	03/21/13	ANDREW WOMACK MINISTRIES	250.00	O	Regular
96446	03/21/13	AQUA-METRIC SALES, CO.	5,795.20	O	Regular
96447	03/21/13	ARAMARK	361.24	O	Regular
96448	03/21/13	ARKK ENGINEERS	26,605.00	O	Regular
96449	03/21/13	AT&T	12.00	O	Regular
96450	03/21/13	BIO-AQUATIC TESTING INC	1,700.00	O	Regular
96451	03/21/13	BLUE BELL CREAMERIES LP	153.60	O	Regular
96452	03/21/13	BPCCA	200.00	O	Regular
96453	03/21/13	BRUMFIELD SANITATION SERVICES	590.00	O	Regular
96454	03/21/13	CALEB CASAS	250.00	O	Regular
96455	03/21/13	CANON SOLUTIONS AMERICA	291.00	O	Regular
96456	03/21/13	CARLOS SALAS JR	50.00	O	Regular
96457	03/21/13	CENTURY ASPHALT	183.80	O	Regular
96458	03/21/13	CHAMPIONSHIP PRINTING INC	1,337.01	O	Regular
96459	03/21/13	CHLORINATOR MAINTENANCE CONST	3,574.00	O	Regular
96460	03/21/13	CIGNA HEALTHCARE	216,954.96	O	Regular
96461	03/21/13	CITY OF HOUSTON	88,702.72	O	Regular
96462	03/21/13	COLONIAL LIFE & ACCIDENT	1,606.54	O	Regular
96463	03/21/13	COMCAST BUSINESS SERVICES	598.73	O	Regular
96464	03/21/13	COMCAST SPOTLIGHT INC	1,031.05	O	Regular
96465	03/21/13	CONROE WELDING SUPPLY	132.55	O	Regular
96466	03/21/13	CSG INTERNATIONAL	2,413.38	O	Regular
96467	03/21/13	DE LAGE LANDEN	1,546.83	O	Regular
96468	03/21/13	DENNIS WILLSON	6.00	O	Regular
96469	03/21/13	DEX ONE	97.50	O	Regular
96470	03/21/13	EASTEX ENVIRONMENTAL LAB, INC.	1,846.00	O	Regular
96471	03/21/13	ELAINE COLUMB	135.00	O	Regular
96472	03/21/13	ELAINE VICTORY	6.00	O	Regular
96473	03/21/13	ELECTRICAL FIELD SERVICES	9,314.98	O	Regular
96474	03/21/13	ELECTRO-MECHANICAL DEVICES	600.00	O	Regular
96475	03/21/13	ELEVATOR SAFETY INSPECTIONS	345.00	O	Regular
96476	03/21/13	ELVIA SANDOVAL	100.00	O	Regular
96477	03/21/13	EMPIRE, INC.	1,973.87	O	Regular
96478	03/21/13	ENVIRONMENTAL IMPROVEMENTS INC	39,957.00	O	Regular
96479	03/21/13	EVENTPRO SOFTWARE	1,130.23	O	Regular
96480	03/21/13	FEDERAL PUBLISHING	278.50	O	Regular
96481	03/21/13	FM 1960 CORP	100.00	O	Regular
96482	03/21/13	G-M SERVICES	2,000.00	O	Regular
96483	03/21/13	GATES IN MOTION INC	190.00	O	Regular

Check Number	Check Date	Vendor Name	Net Check		Check Status	Check Type
			Amount			
96484	03/21/13	GEORGE SMITH	75.00		0	Regular
96485	03/21/13	GILBERT LOPEZ	250.00		0	Regular
96486	03/21/13	GISELA SALINAS	250.00		0	Regular
96487	03/21/13	GRADY'S POOL SERVICE	550.00		0	Regular
96488	03/21/13	GREAT SOUTHERN STABILIZED	355.05		0	Regular
96489	03/21/13	HACH COMPANY	115.95		0	Regular
96490	03/21/13	HARRIS COUNTY TREASURER	167.60		0	Regular
96491	03/21/13	HARRIS COUNTY-HOUSTON	1,425.00		0	Regular
96492	03/21/13	HDR INC	32,498.64		0	Regular
96493	03/21/13	HENDERSON'S ATA	250.00		0	Regular
96494	03/21/13	HENDRICKS POLYGRAPH INC	315.00		0	Regular
96495	03/21/13	HOMICIDE INVESTIGATORS OF	675.00		0	Regular
96496	03/21/13	HUMBLE FIRE FIGHTER DUES	323.50		0	Regular
96497	03/21/13	HUMBLE POLICE ASSOCIATION	232.50		0	Regular
96498	03/21/13	IMMIXTECHNOLOGY INC	2,530.08		0	Regular
96499	03/21/13	ISIGNAFI	2,867.85		0	Regular
96500	03/21/13	J.A. YOUR CLEANING SERVICE	3,531.64		0	Regular
96501	03/21/13	JAMES KAMENICKY	6.00		0	Regular
96502	03/21/13	JERRILYN CHRISTIAN	917.67		0	Regular
96503	03/21/13	JUDITH CASTILLO	100.00		0	Regular
96504	03/21/13	K&S SPORTSWEAR	219.00		0	Regular
96505	03/21/13	KARLA VILLANUEVA	250.00		0	Regular
96506	03/21/13	LANGUAGE LINE SOLUTIONS	44.45		0	Regular
96507	03/21/13	MARSHA SHAW	6.00		0	Regular
96508	03/21/13	MARTIN MARIETTA MATERIALS	1,142.95		0	Regular
96509	03/21/13	MAYRA CHAVEZ	100.00		0	Regular
96510	03/21/13	MELISSA LEGOUDES	37.29		0	Regular
96511	03/21/13	MICHELE GARZA	100.00		0	Regular
96512	03/21/13	MINUTE MAN PRESS OF HUMBLE	294.44		0	Regular
96513	03/21/13	MONITRONICS	234.30		0	Regular
96514	03/21/13	MORPHOTRAK, INC	5,694.00		0	Regular
96515	03/21/13	MUNISERVICES	1,100.00		0	Regular
96516	03/21/13	MYERS TIRE SUPPLY	512.17		0	Regular
96517	03/21/13	NEREYDA GONZALEZ	250.00		0	Regular
96518	03/21/13	NET SALES DIRECT	81,180.64		0	Regular
96519	03/21/13	NEW DIRECTION CHURCH	250.00		0	Regular
96520	03/21/13	NHCAC-EDF	250.00		0	Regular
96521	03/21/13	NICOA WITCHET	250.00		0	Regular
96522	03/21/13	NORA CORTINO	50.00		0	Regular
96523	03/21/13	OFFICE DEPOT	508.61		0	Regular
96524	03/21/13	PLANET FORD	25.37		0	Regular
96525	03/21/13	PLATINUM COFFEE SERVICE INC	690.50		0	Regular
96526	03/21/13	PONCE SERVICES INC	2,950.00		0	Regular
96527	03/21/13	PORTER READY MIX	414.00		0	Regular
96528	03/21/13	FRAMOD PATEL	2,000.00		0	Regular
96529	03/21/13	R&L FIRE CONTROL	430.00		0	Regular
96530	03/21/13	RAINBOW PEST CONTROL	1,709.00		0	Regular

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
96531	03/21/13	RHONDA UPSHAW	6.00	O	Regular
96532	03/21/13	RIOTEC INDUSTRIAL PRODUCTS	180.00	O	Regular
96533	03/21/13	RMAS	1,800.00	O	Regular
96534	03/21/13	SAUL CASTILLEJA	100.00	O	Regular
96535	03/21/13	SEAMLESS SOLUTIONS, INC.	715.45	O	Regular
96536	03/21/13	SERGIO CORRALES	700.00	O	Regular
96537	03/21/13	SHEILA A THORNTON	888.64	O	Regular
96538	03/21/13	SIMPLEXGRINNELL	10,942.66	O	Regular
96539	03/21/13	SMITH MUNICIPAL SUPPLIES	3,978.50	O	Regular
96540	03/21/13	SOUTHWEST SIGNAL SUPPLY	210.00	O	Regular
96541	03/21/13	STW INC	335.00	O	Regular
96542	03/21/13	SUE DANIEL	337.05	O	Regular
96543	03/21/13	SUN BADGE CO	41.00	O	Regular
96544	03/21/13	SUN COAST RESOURCES INC	19,300.39	O	Regular
96545	03/21/13	SUNGARD PUBLIC SECTOR	240.00	O	Regular
96546	03/21/13	TEAM WIRED	120.00	O	Regular
96547	03/21/13	TEXAS DEPT OF TRANSPORTATION	2,000.00	O	Regular
96548	03/21/13	THE POLICE & SHERIFFS PRESS	32.46	O	Regular
96549	03/21/13	THOMAS KRAFT	6.00	O	Regular
96550	03/21/13	TRENICIA OLOTU	250.00	O	Regular
96551	03/21/13	TURN KEY EVENT RENTAL & DESIGN	620.00	O	Regular
96552	03/21/13	TYCO INTEGRATED SECURITY LLC	225.93	O	Regular
96553	03/21/13	US HEALTH WORKS MEDICAL GROUP	315.00	O	Regular
96554	03/21/13	VERIZON WIRELESS	2,253.41	O	Regular
96555	03/21/13	VESTA HAMMONDS	901.27	O	Regular
96556	03/21/13	VIPER PRODUCTS & SERVICES LLC	5,420.00	O	Regular
96557	03/21/13	WAHLBERG-MCCREARY, INC	44.55	O	Regular
96558	03/21/13	WAITS, CHARLES D.	821.94	O	Regular
96559	03/21/13	WANG'S MARTIAL ARTS	250.00	O	Regular
96560	03/21/13	XEROX CORPORATION	217.04	O	Regular
Check totals:			620,553.00		
ACH totals:					
EFTPS totals:					
Wire transfer totals:					
GRAND TOTALS			620,553.00		

Check Register

Check Number	Vendor Number	Vendor Name	Check Amount	Check Date	BW	Check Type
Checks for Cash Account: 01-1070-00-00						
96561	500	A-LINE AUTO PARTS #25	320.32	04/04/13		
96562	320	ADVANCED PETROLEUM SOLUTIONS	1,025.52	04/04/13		
96563	99999	AIMEE PHILLIPS	378.30	04/04/13		
96564	550	ALARM MONITORING SVCS-HOU	241.95	04/04/13		
96565	99999	ALDI	250.00	04/04/13		
96566	99999	ALICE MACEO	450.00	04/04/13		
96567	99999	ALL PRO 3	250.00	04/04/13		
96568	99999	ALLAN STEAGALL	24.00	04/04/13		
96569	2300	ALLIED WASTE SERVICES #852	6,453.69	04/04/13		
96570	88770	ALWAYS IN SEASON INC	204.59	04/04/13		
96571	5345	AMERICAN MESSAGING	292.24	04/04/13		
96572	860	AMERICAN TIRE DISTRIBUTORS	1,122.70	04/04/13		
96573	5350	AMERICAN TRAFFIC SOLUTIONS INC	59,851.20	04/04/13		
96574	99999	AMERIGROUP COST CONTAINMENT	254.62	04/04/13		
96575	6000	APPLIED CONCEPTS, INC.	1,248.61	04/04/13		
96576	880	AT&T MOBILITY	5,752.22	04/04/13		
96577	115	AUTO ZONE	80.22	04/04/13		
96578	15900	BARBARA CELL	180.00	04/04/13		
96579	99999	BARNIER BUILDING SYSTEMS, INC	472.92	04/04/13		
96580	12340	BEST PUBLICATIONS LLP	254.15	04/04/13		
96581	99999	BETTY HOGAN	26.50	04/04/13		
96582	99999	BRYAN, ALFRED	41.08	04/04/13		
96583	99999	CENTURY 21 MELROSE & CO	42.36	04/04/13		
96584	16300	CENTURY ASPHALT	30.00	04/04/13		
96585	41440	CITY OF HOUSTON HEALTH DEPT.	264.00	04/04/13		
96586	20436	COASTAL TANK & TESTING	1,011.79	04/04/13		
96587	18785	COMCAST BUSINESS SERVICES	1,800.06	04/04/13		
96588	19100	CONROE WELDING SUPPLY	48.95	04/04/13		
96589	78001	COPECO INC dba SEAMLESS SOLUTI	696.00	04/04/13		
96590	19355	COX CPA SERVICES INC	850.00	04/04/13		
96591	20625	DE LAGE LANDEN	101.00	04/04/13		
96592	20670	DEPARTMENT OF STATE HEALTH SRV	864.09	04/04/13		
96593	99999	DRESS, STEPHEN	50.05	04/04/13		
96594	26000	ELECTRICAL FIELD SERVICES	6,020.05	04/04/13		
96595	27755	FBI-LEEDA	50.00	04/04/13		
96596	99999	FELL, ERIC	13.70	04/04/13		
96597	28400	FLEET SAFETY EQUIPMENT INC	39,503.53	04/04/13		
96598	28720	FRAZER LTD	31.27	04/04/13		
96599	99999	GONZALES, ANDY	62.89	04/04/13		
96600	71119	GREAT SOUTHERN STABILIZED	787.11	04/04/13		
96601	39301	H.G.S.D. WATER CONSERVATION	3,312.00	04/04/13		
96602	99999	HARLEY, DAMIEN	48.78	04/04/13		
96603	35400	HARRIS COUNTY TREASURER	1,083.75	04/04/13		
96604	99566	HIBU INC - WEST	246.50	04/04/13		
96605	47169	I C JANITORIAL SUPPLY	536.05	04/04/13		

Check Register

Check Number	Vendor Number	Vendor Name	Check Amount	Check Date	BW	Check Type
96606	47200	IOP SERVICES	1,569.68	04/04/13		
96607	50300	JAY STORR PHOTOGRAPHY FILM & V	195.00	04/04/13		
96608	99999	JOSE RODRIGUEZ	200.00	04/04/13		
96609	99999	KREIT, NADIA	85.99	04/04/13		
96610	52900	LAKE HOUSTON FAMILY YMCA	1,440.00	04/04/13		
96611	53200	LAKESIDE PLUMBING CO.	385.00	04/04/13		
96612	99999	LOGO STUFF INC	201.00	04/04/13		
96613	57470	MAGNA FLOW ENVIRONMENTAL INC	5,654.87	04/04/13		
96614	66000	MAILFINANCE	248.86	04/04/13		
96615	99999	MELISSA HERNANDEZ	100.00	04/04/13		
96616	99999	MEMON, JENNIFER	31.11	04/04/13		
96617	58500	MINUTE MAN PRESS OF HUMBLE	610.31	04/04/13		
96618	63000	MYERS TIRE SUPPLY	333.06	04/04/13		
96619	66539	NAPCO CHEMICAL CO INC	715.75	04/04/13		
96620	66550	NES RENTALS	1,683.25	04/04/13		
96621	66500	NET SALES DIRECT	3,672.70	04/04/13		
96622	99999	NULL, THOMAS	33.38	04/04/13		
96623	67800	OLSON & OLSON	3,413.90	04/04/13		
96624	50301	ONLINE PAYMENT SERVICES LLC	3,504.83	04/04/13		
96625	70000	PLANET FORD	39.10	04/04/13		
96626	70015	PLATINUM COFFEE SERVICE INC	458.95	04/04/13		
96627	70017	PLATINUM COPIER SOLUTIONS	441.80	04/04/13		
96628	71120	PORTER READY MIX	539.00	04/04/13		
96629	74220	RED HAWK	251.00	04/04/13		
96630	75850	ROBBINS CHEVROLET	650.20	04/04/13		
96631	99999	ROBERT AND STACY L MCCAFFETY	75.00	04/04/13		
96632	99999	ROCKTEK PAVING	5,465.00	04/04/13		
96633	75900	ROSSONIAN CLEANERS	1,092.00	04/04/13		
96634	77000	SAM'S CLUB DIRECT	1,995.62	04/04/13		
96635	99999	SEAMLESS INDUSTRIES	500.00	04/04/13		
96636	78009	SEAMLESS SOLUTIONS	239.00	04/04/13		
96637	99999	SERGIO CORRALES	420.00	04/04/13		
96638	79600	SHINER CLEANING INC	125.00	04/04/13		
96639	99999	SONYA GIBBS	75.00	04/04/13		
96640	82900	STANDARD INSURANCE COMPANY	4,395.47	04/04/13		
96641	83800	STERICYCLE INC	58.77	04/04/13		
96642	83998	SUPERIOR RENTAL & DESIGN	530.00	04/04/13		
96643	99999	SYRENA GUILLEN	100.00	04/04/13		
96644	99999	TAMMIE SHEETS	1,000.00	04/04/13		
96645	87640	TELEPHONICS UNLIMITED	508.60	04/04/13		
96646	99999	TEXAS SCOOTER TIMES	450.00	04/04/13		
96647	51700	THE KEEP ON TRUCKING CO., INC.	56.84	04/04/13		
96648	91000	THE POLICE & SHERIFFS PRESS	22.46	04/04/13		
96649	99999	THE UNLIMITED GROUP, INC	38.62	04/04/13		
96650	88761	TML INTERGOVERNMENTAL RISK	93,839.25	04/04/13		
96651	92960	TRIPLE D UNIFORM RENTAL	1,913.32	04/04/13		

Check Register

Check Number	Vendor Number	Vendor Name	Check Amount	Check Date	BW	Check Type
96652	95100	VERIZON WIRELESS	7.81	04/04/13		
96653	96450	WASTE MANAGEMENT	5,973.90	04/04/13		
96654	96850	WELLS FARGO FINANCIAL LEASING	315.00	04/04/13		
96655	96880	WEST PAYMENT CENTER	172.00	04/04/13		
96656	99100	WOOD ALTERNATOR & STARTER SVC	225.00	04/04/13		
96657	99500	XEROX CORPORATION	405.45	04/04/13		
96658	901	YP	156.50	04/04/13		
96659	99999	YVONNE B GARY	51.77	04/04/13		
96660	99600	ZEE MEDICAL INC	105.50	04/04/13		
96661	99999	ZT LEASING INC	75.00	04/04/13		
96662	99999	ZUNIGA, MARIA	13.58	04/04/13		

Check totals: 283,488.96
 ACH totals:
 EFTPS totals:
 Wire transfer totals:
 GRAND TOTALS 283,488.96

Check totals: 283,488.96
 ACH totals:
 EFTPS totals:
 Wire transfer totals:
 GRAND TOTALS 283,488.96

COUNCIL MEETING

04-11-2013

AGENDA ITEM #7

ORDINANCE NO. 13-716

AMENDING CHAPTER 38

SUBDIVISIONS

CITY OF HUMBLE

ORDINANCE NO. 13-716

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, AMENDING CHAPTER 38, SUBDIVISIONS, TO REDUCE THE MINIMUM RESIDENTIAL LOT WIDTH FROM 70 FEET TO 65 FEET; IMPOSING A PENALTY IN AN AMOUNT NOT TO EXCEED \$500 FOR VIOLATION OF ANY PROVISION HEREOF; REPEALING OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

Whereas, after a public hearing on the matter, the City Council of the City of Humble has determined that it should amend the City's rules governing plats and subdivisions of land with the City and the City's extraterritorial jurisdiction in order to reduce the minimum residential lot width from 70 feet to 65 feet;

Now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, THAT:

Section 1. The findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Subsection 38-25 (7) b. 5 of the Code of Ordinances of the City of Humble, Texas, is hereby amended to read:

“Chapter 38, SUBDIVISIONS

Sec. 38-25. Lots; general provisions.

(7) *Minimum lot sizes; general provisions.*

b. *Residential uses.*

5. No lot shall be less than ~~70~~ 65 feet in width or 110 feet in depth, nor shall any lot contain less area than 7,700 square feet.”

Section 3. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence, violate any provision of this Ordinance shall be deemed guilty of a

misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00. Each day of violation shall constitute a separate offense.

Section 4. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Humble, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. This Ordinance shall become effective upon final reading and adoption of this Ordinance when the caption hereof is caused to be published once in the official newspaper of the City, by the City Secretary, within ten days after the passage of the ordinance, as required by law and Article II, Section 13 of the City Charter.

PASSED, APPROVED, AND ADOPTED this 11th day of April 2013.

APPROVED:

D. G. McMannes
Mayor

ATTEST:

Sue Daniel
City Secretary

THIS ORDINANCE WAS PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE CITY OF HUMBLE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 13 OF THE CHARTER OF THE CITY OF HUMBLE TEXAS ON: _____.

ATTEST:

Sue Daniel, City Secretary

COUNCIL MEETING

04-11-2013

AGENDA ITEM #8

**REQUEST FROM LAKE HOUSTON AREA
SHRINER CLUB TO CLOSE ROAD FOR 5TH
ANNUAL MUDMAXX FUN RUN**



Lake Houston Area Shrine Club
P.O. Box 1283
Humble, TX 77347

4-2-13

Darrel Boeske
City Manager
114 W. Higgins
Humble, Texas 77338

The Lake Houston Area Shrine Club has been scheduled the 5th annual MudMaxx Fun Run to be held on June 8th 2013 at 20550 Townsen Blvd Humble Texas 77338. Please visit www.mudmaxx.com for more information.

It is respectfully requested that the Townsen Blvd be closed to the traffic at FM 1960 and at Houston Avenue South to begin at 8:00am and end at 12:00 noon.

Also, one of your Fire Department unit and it's Emergency Response vehicle are needed on the date of the Fun Run.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ruben Robles".

Ruben Robles
President
Lake Houston Area Shrine Club
Humble TX 77338

COUNCIL MEETING

04-11-2013

AGENDA ITEM #10

APPROVAL TO PURCHASE/INSTALL

“WELCOME SIGN”

Vernon Masonry, Inc.

PO Box 878

Humble, Texas 77347

Ph 281-441-1934 Fx 281-441-2044

BID PROPOSAL

Re: **City of Humble Marque Sign
Humble, Texas**

Date: 12/06/2012 File: S:\Bids\2012\COH Sign 2

We are submitting the following proposal for the above referenced project. We propose to furnish all required labor, materials, tools, equipment, supervision, insurance and applicable taxes for a complete installation of the following sections of work:

<u>Section</u>	<u>Description</u>	<u>Bid Amount</u>
04	Masonry Arriscraft Stone Veneer Cast Stone Wall Caps 12" CMU Backup Mortar And Grout As Required Anchors, Ties, And Reinforcement As Required Reinforced Concrete Foundation w/ 12/36 Bell Type Piers 8' Deep Rough Grade Site (final grading by others)	Lump Sum \$22,200

Notes: Approximate Duration 20 Working Days
 Price Guarantee 30 Calendar Days

We specifically exclude the following items of work from this proposal:

- * sales tax
- * building permits & fees
- * electrical, plumbing, and landscaping
- * dampproofing, waterproofing, and flashing
- * removing, relocating, or repairing any unforeseen under ground items

This proposal is based on our interpretation of the following documents:

- * Architectural and structural drawings only.
- * Architect: PBK
- * Addenda # 0 through 0

Vernon Masonry, Inc. reserves the right to negotiate contract terms and conditions.

Any increase in labor, material, fuel, and taxes will be quoted 30 days prior to mobilizing to the site.

Please call should you have any questions concerning this proposal.

Respectfully yours,

Rodney Saye

U.S HIGHWAY No. 59 (EASTEX FREEWAY)
(Width Varies)

W. B. ADAMS SURVEY, A-95

Air 59 Commerce Center, Ltd.
Called 30.000 Acres
H.C.C.F. No. 20120494262



Fnd. Power Pole

N19°22'19"W
48.53'

N70°37'41"E
5.00'

N19°22'19"W
25.00'

S19°22'19"E
25.00'

P.O.B.

S70°37'41"W
5.00'

P.O.C.

Fnd. 5/8" I.R. w/Cop

S71°09'54"E
117.55'

Fnd. 5/8" I.R.

5-Foot x 25-Foot Sign Easement
125 Square Feet
0.003 of one Acre

WILL CLAYTON DRIVE
(A. K. A. JETERO BOULEVARD)
(Width Varies)

EXHIBIT "A"

(Page 2 of 2 Pages)



Benchmark Engineering Corporation
Consulting Engineers - Planners - Surveyors

2401 Fountainview Suite 500
Houston, Texas 77057 U.S.A. (713)266-6930
Scale: 1"=60' Date: 3/13/13 Job No. 12090

EXHIBIT "A"
METES AND BOUNDS DESCRIPTION
5-FOOT x 25-FOOT SIGN EASEMENT
125 SQUARE FEET
HARRIS COUNTY, TEXAS
March 13, 2013

All that certain 125 square foot (0.003 of one acre) parcel of land located in the W. B. Adams Survey, Abstract Number 95, Harris County, Texas, being out of and a part of a called 30.000 acre tract of land as described in a conveyance to Air 59 Commerce Center, Ltd. by a Special Warranty Deed recorded under Harris County Clerk's File (H.C.C.F.) Number 20120494262, and being more particularly described by metes and bounds as follows: (All bearings are based on the Texas Coordinate System of 1983, South Central Zone 4204)

COMMENCING FOR REFERENCE at a 5/8-inch iron rod with cap found at the south end of a cutback marking the intersection of the northerly right-of-way (R.O.W.) line of Will Clayton Drive (A. K. A. Jetero Boulevard) (width varies) with the easterly R.O.W. line of U.S Highway No. 59 (Eastex Freeway) (width varies) and being the lower southwest corner of said 30.000 acre tract, and from which a 5/8-inch iron rod found bears South 71° 09' 54" East, a distance of 117.55 feet;

THENCE, North 19° 22' 19" West, along said cutback line, a distance of 48.54 feet to the **POINT OF BEGINNING** and being the southwest corner of the herein described parcel;

THENCE, North 19° 22' 19" West, continuing along said cutback line, a distance of 25.00 feet to the northwest corner of the herein described parcel, and from which a power pole found at the north end of said cutback and being the upper southwest corner of said 30.000 acre tract bears North 19° 22' 19" West, a distance of 48.53 feet;

THENCE, North 70° 37' 41" East, a distance of 5.00 feet to the northeast corner of the herein described parcel;

THENCE, South 19° 22' 19" East, a distance of 25.00 feet to the southeast corner of the herein described parcel;

THENCE, South 70° 37' 41" West, a distance of 5.00 feet to the **POINT OF BEGINNING** and containing a computed area of 125 square feet (0.003 of one acre) of land.

This description is issued in conjunction with an exhibit map entitled "EHIBIT "A", (Page 2 of 2 Pages) prepared by BENCHMARK ENGINEERING CORPORATION, Job Number 12090.



Michael Hoover, R.P.L.S.
Texas Registration No. 5423



COUNCIL MEETING

04-11-2013

AGENDA ITEM #11

**AMENDMENTS TO ENGINEERING
AGREEMENTS WITH ARKK, LLC**

THE STATE OF TEXAS
COUNTY OF HARRIS

AGREEMENT FOR SERVICES

This Agreement entered into as of the _____ day of _____, A.D., 2013, by and between ARKK Engineers, LLC., hereinafter referred to as the "Consultant", and the City of Humble, Texas, hereinafter referred to as the "Client".

WITNESSETH:

WHEREAS, the Client has requested various services of the Consultant with respect to Engineering Services associated with the 2013 Concrete & Asphalt Pavement Improvements Project. (hereinafter referred to as the Project).

NOW, THEREFORE, Client and Consultant hereby agree as follows:

1. Engagement of Consultant - Consultant hereby agrees to perform the services required under the scope of work related to the Project, and to provide Client with copies of the information, opinions, and other such documents made the basis of the scope of services, which is set out in Attachment "A" and made a part of this contract. Consultant agrees to initiate services that are set out in Attachment "A" upon receipt of an executed copy of this Agreement.

2. Availability of Information - Client agrees to provide Consultant with all available information pertinent to the Project. Client will also provide copies of reports, drawings and other data, and will, at Consultant's request, provide written authorization to review Client's files relative to the Project which may be in possession of third parties. Consultant agrees to return all original documents to Client upon completion of the Project, but reserves the right to make and keep reproducible copies of all such material.

3. Access to Facilities - Client will provide access for the Consultant to enter the property and facilities of Client, as necessary for Consultant to perform services as required under the Project.

4. Instruments of Service - All documents prepared in accordance with this contract including exhibits, field notes, laboratory data, original drawings, and specifications are the property of the Client. The Consultant is given the right to use any of this data in connection with future engineering projects. The Consultant may retain copies of reproduces of any information prepared for this Project.

5. Fee - The Consultant's fee for the scope of services as stated in Attachment "A" provided by Consultant under this Agreement as set out in Attachment "A".

6. Payment and Fee Schedule - The Consultant will submit a monthly invoice for services rendered.

7. Terms of Payment - Payment of fees as determined under Paragraph 5 herein above shall be due and payable by Client within thirty (30) days following receipt of Consultant's monthly invoice.

8. Additional Services - Additional services beyond those described in the Scope of Services will be invoiced on the basis of direct labor cost times a factor of 2.99 and direct cost plus 10%.

9. Termination - The Client may terminate this contract at any time by giving notice in writing to the Consultant. In that case, all finished or unfinished documents and other materials produced under this contract, shall become the Client's property. If the contract is terminated by the Client in accordance with this provision, Consultant shall be paid for all work performed to the date of termination.

10. Governing Law - This Agreement shall be deemed to have been made under, and shall be construed and interpreted in accordance with the laws of the State of Texas. The venue of any suit for enforcement or construction of this contract shall be in Harris County, Texas.

ENTERED INTO AND AGREED by the parties hereto as the day and year first written.

ARKK ENGINEERS, LLC.
Consultant

BY: John D. Rudloff, P.E.
Principal

CITY OF HUMBLE, TEXAS
Client

BY: Darrell Boeske
City Manager of Humble, Texas

The logo for ARKK ENGINEERS features the company name in a bold, sans-serif font. The letters 'A', 'R', and 'K' are significantly larger and more prominent than the 'K', 'E', 'N', 'G', 'I', 'N', 'E', 'E', 'R', 'S'. A decorative, dotted circular arc is positioned behind the 'A' and 'R'.

ATTACHMENT "A"

April 8, 2013

Mr. Barry K. Brock
Director of Public Works
City of Humble
102 Granberry
Humble, Texas 77338

Re: Proposal for Engineering Services for the 2013 Concrete & Asphalt Pavement Improvements Project.

Dear Mr. Brock:

ARKK Engineers, LLC (ARKK) is pleased to submit this proposal for performing engineering services for the above referenced project. This proposal is based on our understanding of the project as per our previous meetings and conversations.

This project includes the following concrete paving and utility improvements for the following areas:

- Area north of First Street bounded by Charles St, 7th Street, and Houston Ave
- West Main, US 59 to Rail Road
- West Higgins, US 59 to Rail Road
- Charles Street, Higgins to 1st Street
- Davis Street, South Houston Ave to Main Street
- Windswept, Montgomery to HCFCD Ditch
- South Memorial, Memorial to dead end
- Bender at Township drainage improvements
- Intercontinental Village water line replacement
- Various sidewalks within the commercial and school areas.

This project includes the following concrete paving and utility improvements for the following areas:

- Wilson Road from Will Clayton Parkway to Atascocita Road.
- North Railroad Ave. from Higgins to 1st Street.
- Avenue D south of Staitti.
- Avenue H from Main to Granberry.
- Granberry from Avenue H to Houston Ave.
- Grace Lane
- Anne Ave. from Windswept to Sharon.
- JL Ranchland side streets.

This proposal presents a general overview of the project, scope of services, and proposed fee.

GENERAL OVERVIEW

The concrete paving portion of this project will address paving and utility issues in the area north of First Street. The sewer lines in this area were identified to be replaced as part of the Sanitary Sewer Overflow Plan submitted to the TCEQ in 2008. These lines are located in the middle of the streets and the replacement of the sewer line would leave the streets in a less than desirable condition. The water lines will also be replaced due to the age, size and condition of these lines. West Main Street improvements consist of replacing the two outside lanes with concrete to match the center lanes. New storm sewer will be installed due to the condition on the old storm sewer and issue with the roots from the oak trees over the storm sewer causing blockage in this system. West Higgins St. will be replaced with concrete pavement from US 59 to the Rail Road Right of Way and will include storm sewer from US59 to the Bender intersection. Charles St. from First St. to Higgins St. will be replaced with concrete pavement. Davis St. will be replaced with concrete pavement from South Houston Ave to Main Street and will include replacing the water line. Windswept will be replaced with concrete pavement from Montgomery to HCFCD Ditch and will include new storm sewer and water line. South Memorial will be replaced due to condition of the existing roadway and the replacement of the sanitary sewer within the roadway. Bender at township drainage improvement consist of installing inlets at this intersection and connecting to the existing storm sewer south of the intersection. Intercontinental Village water line replacement improvements consists of replacing the water lines in the Intercontinental Village Subdivision due to their age, pipe material, condition of these lines. The project also includes installing sidewalks in selected commercial and school areas.

The asphalt paving portion of this project will add an additional lane to the east side of Wilson Road and enclose the east roadside ditch. When completed, Wilson Road will have one lane in each direction with a continuous center turn lane, similar to Wilson Road from Will Clayton Parkway to First Street. The existing water line will be replaced and upsized. The sewer line along Wilson Road has recently been rehabilitated in the City's on-going Sewer Rehabilitation Program. The other streets in this project were identified as streets that needed repair and that would have minimal utility (water, sewer, drainage) repair or replacement needed. These streets will not be removed and replaced. This project will remove and repair segments of the road with noticeable base failure and the surface will be milled and overlaid so that the streets will have a new asphalt surface.

The estimated construction cost for all the proposed improvements is \$12,000,000.00. This cost does not include any cost for right of way acquisition, which is not anticipated at this time.

SCOPE OF SERVICES

A. Design Phase

Preliminary Engineering Services

- Research and gather existing data on the project such as existing utility information, pipeline crossings, and drawings on the existing utilities.
- Plot survey data of the proposed alignment and evaluate potential alignment alternatives.
- Examine geotechnical information to determine potential soil conditions and potential impact on construction methodology and costs.
- Compile and review other information such as environmental assessments, right-of-way, easements, traffic requirements, construction scheduling, and construction packaging to help determine impact on construction costs.
- Provide estimated construction costs.
- Coordinate with the City of Humble and apprise the City of ARKK's findings and analysis, and obtain input from the City.
- Prepare Preliminary Engineering Plans and have a meeting with the City at the 30% Design Phase. At the 30% Design Meeting the following Items will be discussed:
 - Synopsis of the Preliminary Engineering Efforts.
 - Construction Cost Estimates.
 - Items which will affect the project cost and time during construction.
 - Information and coordination with other governmental and utility agencies, and data on any required permitting.
- Provide meeting minutes of the 30% Design meeting documenting items discussed and direction given for proceeding with final design.

Final Design Services

- Proceed with final engineering design based on the direction given by the City during the 30% Design Meeting.
- Prepare final engineering design drawings and specifications as two separate bid documents and contracts, one for the concrete paving portion and one for the asphalt paving portion of the project.

- Prepare final cost estimate for the project.
- Complete coordination with other governmental entities or utility agencies in regard to the project. Assist the City in obtaining and/or securing approvals required by all governmental authorities with jurisdiction over the design and/or the operation of the project and all public and private utilities including pipeline transmission companies affected by this project. This assistance will involve the usual expected coordination and approval process. When the process involves work beyond the expected, such as; special submittals, designs, appearances at special meetings, coordination of utility/pipeline excavation efforts, permitting applications, etc., such work would be considered under the Additional Services portion of this proposal.
- Coordinate with the City of Humble during the final design process and provide draft documents for the City to review and comment upon. Incorporate appropriate comments with the final bid documents.
- Furnish three (3) sets of construction documents to the City.

Special Services for Project

Surveying Services

- Obtain topographical survey for the right of way of the streets in the project area. The approximate length of survey for this project is 31,450 feet. Topographical survey will not be performed on the streets where only base repair and mill and overlay is proposed.
- The survey shall locate right-of-way iron rods and property corners at periodic locations to aid in locating the right-of-way. A CAD file showing the apparent right-of-way line on the topographical survey will be provided based on the located right-of-way iron rods.
- Perform “measure downs” and provide vertical elevation information on the existing sanitary sewer, and other utilities in the project area.
- Coordinate with pipeline companies in obtaining horizontal and approximate vertical location of existing pipelines crossing the right-of-way.
- Perform cross sections at approximate intervals of 50'. Such cross sections shall be the full width of the right-of-way and shall provide elevations on the right-of-way, the high bank and flowlines of any roadside ditches, the shoulder of the roadway, the edge of roadway and the centerline of roadway and any other significant grade breaks which may occur within the cross section.

- Also, perform cross sections at appropriate locations within the 50' interval, where significant grade breaks occur or where significant topography data occurs, such as roadways, driveways, drainage ditches or other items that may affect the design of the proposed improvements.
- This scope does not include survey services associated with acquiring right of way.

Geotechnical Investigation Services

- Field Exploration-59 borings are anticipated to be drilled to a combined depth of 742 feet along the alignment of the improvements to evaluate subsurface conditions. The borings will be drilled at an approximate 500 feet spacing.
- Laboratory Testing - Soil mechanics laboratory testing will be performed to measure physical and engineering properties of selected representative soil samples.
- Geotechnical Report - The geotechnical report will provide recommendations and construction criteria for the project area.

Traffic Control & Sequencing

- Prepare traffic control plans and construction sequencing and roadway marking plans for the roadway improvements.

B. Construction Phase Services

This phase will be entered into after the acceptance of the Final Design Phase document by the City of Humble.

- Assist the City in obtaining bids for the project. The City of Humble will advertise the projects and will absorb all related advertising costs. ARKK will coordinate with the City and will assist in developing the wording of the advertisement.
- Dispense construction documents from ARKK's office to potential bidders.
- During the bidding process, provide information to and answer questions from potential bidders concerning the Project's construction documents and prepare addendums as necessary.
- Conduct a pre-bid conference for potential bidders.

- Evaluate the bids and the qualifications of the apparent low bidders and advise the City as to the acceptability of the apparent low bidder.
- Act as the City's Project Representative during the construction phase.
- Review and respond accordingly to all submittals as required by the contract specifications.
- Prepare change orders necessitated by field conditions.
- Review the contractor's pay estimates, evaluate the completion of work, and make payment recommendations to the City.
- Visit the site at intervals appropriate to the various stages of construction to observe the progress and quality of executed work and to determine in general if such work is proceeding in accordance with the Contract Documents. Full time site representation is not included as part of this proposal.
- ARKK will not be responsible for the means, methods, techniques, sequences or procedures of construction selected by the Contractor(s) or the safety precautions and programs incident to the work of the Contractor(s). ARKK's effort will be directed toward providing a greater degree of confidence for the City of Humble that the completed work of Contractor(s) will conform to the Contract Documents, but ARKK will not be responsible for the failure of Contractor(s) to perform the work in accordance with the Contract Documents. During site visits ARKK shall keep the City informed of the progress of the work, shall endeavor to guard the City against defects and deficiencies in such work and may disapprove or reject work failing to conform to the Contract Documents.
- Conduct a final review of the Project and make a recommendation for Final Payment on the Project.
- Engineer shall provide one set of reproducible record plans based on the drawings provided to the Engineer by the Contractor(s).

C. **Additional Services**

Additional services are those services that are beyond the services provided for in the scope portion of this proposal.

Additional services may be required and may be identified as the project progresses. Such

services are to be performed only when authorized by the City. Potential Additional services include:

1. Right-of-way research, deed research, and abstracting.
2. Site Easement and Right of Way Acquisition work such as: preparation of metes and bounds; verification of ownership of property; preparation and submittal of title report or title commitment.
3. Environmental Site Assessments.
4. Extra Construction Phase Services in the event the project extends beyond its designated contract period.
5. Other miscellaneous tasks that the City of Humble desires ARKK to perform.
6. Assist the City as an expert witness or factual witness in any legal proceedings or litigation arising from the development, permitting or construction of the Project.
7. Assist the City in making arrangements for the work to proceed in the event that the construction contractor is declared in default for any reason
8. Prepare supporting data and other services in connection with change orders in the event the scope of services is changed or modified.
9. Assist the City in securing any special licenses, permits or approvals (railroad crossings, County or State permits or approvals, pipelines, etc.) which may be required for the completion of the project, it being understood by the parties of this agreement, that the fees for said special licenses and permits will be paid by the City.
10. Provide any other services related to the project not otherwise indicated in the Basic Services or other Special Services and not customarily furnished in accordance with generally accepted engineering practices.
11. Re-packaging of bid documents to provide multi-bid packages and/or rebidding the project.
12. The provision of a construction site representative and associated supervision and administration services.
13. Coordination with utility pipeline field location efforts and special meetings with pipeline companies.

14. Hydraulic Analysis to determine what impact the proposed improvements may have on the Flood Plain.
15. Prepare Conditional Letter of Map Revision (CLOMR).

FEE

The fee is separated into: Design Phase, and Construction Phase. Due to the nature and magnitude of this project, it is recommended that a miscellaneous services fee amount be authorized to cover additional tasks and costs that may occur during the progress of the work. Such tasks and costs will only be performed upon authorization from the City.

Design Phase Services

Basic Services Fees are:

Engineering Design the lump sum of: \$787,500.00

Special Services Fees are:

*Surveying (Cost plus 10%) \$125,200.00

*Geotechnical (Cost plus 10%) \$ 65,200.00

Traffic Control Plan: The lump sum amount of \$34,500.00

Storm Water Pollution Prevention Plan: The lump sum amount of \$15,000.00

*Reproduction: (Cost plus 10%) \$ 7,000.00

*Miscellaneous: (Hourly and cost plus 10%) \$50,000.00

Total Design Phase Amount \$1,084,400.00

Construction Phase Services

Construction Phase Fees are:

Construction Administration: (Hourly and cost plus 10%) \$ 139,000.00

*Construction Site Visits: (Hourly and cost plus 10%) \$ 123,900.00

Total Construction Phase Amount \$262,900.00

**At this time the magnitude of these tasks are not known. Therefore budgetary amounts are provided. These figures may increase or decrease depending upon actual work required. If an increase becomes necessary it can be accomplished by utilizing available funds from other line items that have under run, or funds from the miscellaneous special services line item or by contract amendment.*

ARKK will submit monthly progress invoices for all work completed to invoice date. The total contract authorization amount is not-to-exceed **\$1,347,300.00**.

Time and materials charges and additional services beyond those described in the Scope of Services will be invoiced on the basis of direct labor costs times a factor of 2.99 and direct cost plus 10%. Mileage will be charged at \$0.55 per mile. No additional services will be performed or invoiced without prior authorization from the City of Humble.

ARKK appreciates the opportunity to submit this proposal and we look forward to continuing our work with the City of Humble.

Sincerely,

ARKK ENGINEERS, LLC.

A handwritten signature in black ink that reads "John D. Rudloff". The signature is written in a cursive style with a large initial "J".

John D. Rudloff, P.E.
Principal/Senior Project Manager

COUNCIL MEETING

04-11-2013

AGENDA ITEM #12

**ADDENDUM TO INTERLOCAL
COOPERATION AGREEMENT BETWEEN
CITIES OF BAYTOWN AND HUMBLE FOR
SHORT TERM SHELTER**

**ADDENDUM TO INTERLOCAL COOPERATION
AGREEMENT BETWEEN THE CITIES OF BAYTOWN AND HUMBLE
FOR SHORT TERM SHELTER**

Addendum:

This addendum to the existing MOU between the Cities of Baytown and Humble will set forth the designated facilities to be used in the event of a mandatory evacuation by the City of Baytown.

- The City of Baytown, in conjunction with the City of Humble, shall have use of the entire Humble Civic Center, hereinafter referred to as "the facility", to shelter all essential employees for a period of no longer than 80 hours.
- The City of Baytown shall provide mass feeding and other support as necessary for Baytown staff during the period of time that it is occupying the facility.
- The City of Baytown shall provide security for the areas of the facility that Baytown uses, for the duration of Baytown's use.
- The Emergency Management Coordinator for Baytown shall be the point of contact and responsible to ensure compliance with this addendum.

Term of Agreement:

This addendum shall be effective on the 12th day of April, 2013, and shall continue thereafter until the Agreement is terminated by either party after providing at least 90 days advance written notice.

Executed this 11th day of April, 2013.

CITY OF BAYTOWN

CITY OF HUMBLE

By:
Title:

By:
Title:

ATTEST:

ATTEST:

By:
Title:

By:
Title:

Date

Date

**INTERLOCAL COOPERATION ACT AGREEMENT BETWEEN
THE CITIES OF BAYTOWN AND HUMBLE FOR SHORT-
TERM SHELTER**

This AGREEMENT is entered into by and between the City of Baytown, Texas and the City of Humble, Texas pursuant to the authority granted and in compliance with the provisions of the Interlocal Cooperation Act, Chapter 791, Texas Government Code (the "Act") and under Chapter 421, Texas Government Code.

WITNESSETH

WHEREAS, the City of Humble ("Humble") has agreed, at the request of the City of Baytown to receive and accommodate essential employees from the City of Baytown, and

WHEREAS, the City of Baytown ("Baytown") desires to have adequate emergency response provisions in place in the event of a declared state of emergency and mandatory evacuation of its essential personnel; and

WHEREAS, in the event of an emergency, it may be necessary for Baytown to evacuate and transport approximately 300 essential employees to short-term shelter at a remote location; and

WHEREAS, in such an event, Humble will provide short-term shelter for these Baytown essential employees subject to the terms and conditions as specified in this Interlocal Agreement; and

WHEREAS, pursuant to the Act, Baytown is authorized to contract with eligible entities to perform government functions and homeland security services; and

WHEREAS, Humble is an eligible entity under the Act and desires to contract with Baytown on the terms described herein; and

WHEREAS, the parties agree that the respective rights, duties, and obligations, regarding this joint project are as specified in this Interlocal Agreement (the "Agreement"); NOW THEREFORE,

For and in consideration of mutual covenants, obligations, and benefits hereunder, the parties do hereby agree as follows:

I. STATEMENT OF RESPONSIBILITIES:

A. CITY OF BAYTOWN:

1. Baytown shall be responsible for providing or securing transportation for approximately 300 essential employees seeking transportation to and from Humble during a mandatory evacuation.
2. Baytown shall be as self-sufficient as possible, providing mass feeding and other appropriate support necessary for the health and well-being of it's staff either directly or through contracted services.

3. Baytown agrees that should there be a need to shelter its essential employees after the termination of an evacuation order and Baytown can open its own local shelters, it will do so as soon as possible and will take back employees sheltered in Humble under this Agreement on a first priority basis.
4. Baytown agrees to cooperate with Humble in the process of seeking FEMA and State direct reimbursement for the services provided under this Agreement.

B. **CITY OF HUMBLE:**

1. Humble shall provide short-term shelter for a period of time, not to exceed seven (7) calendar days, for approximately 300 Baytown essential employees. Humble reserves the right to determine the location(s) of the shelter facility(ies). Humble will operate the designated facility(ies) only so far as providing access to the facility(ies) and providing basic instructions and guidance as to the permitted use of the facility(ies).
2. Humble may provide certain services and resources delineated in this agreement through cooperating entities.

II. **COSTS:**

Baytown and Humble shall be solely responsible for the planning, support, and all aspects of the operations and the services respectively performed by each one and contemplated by this Agreement, including all legal and financial obligations without limitation, including those of their employees and agents. Each Party agrees to cooperate in the process of seeking FEMA and State direct reimbursement for the services provided under this Agreement. In the event neither FEMA nor the State reimburses Baytown or Humble for the operations of the essential employee shelter, the Parties agree that any payment for the performance of services detailed in this Agreement shall be made from current revenues available.

III. **MANAGEMENT OF SERVICES:**

- A. Baytown will use its best efforts to provide Humble sufficient advance notice of Baytown's intent to declare a mandatory evacuation of its essential personnel. The Baytown City Manager or his designee shall be responsible for communicating its intent to implement this Agreement. Baytown will provide Humble notice of the number of buses and individuals being transported and the estimated time of arrival.
- B. In the event that extraordinary or major modifications to the terms of this Agreement are necessary during the performance of this Agreement, direct communications shall be undertaken between the City Managers of each city to establish the modifications, which will be reduced to writing and signed by the parties. Minor or routine modifications shall be accomplished through the designated contract administrators.

IV. **TERM OF AGREEMENT**

Except as otherwise provided herein, this Agreement is effective on the ^{25th} day of ~~September~~ 2007, and shall continue thereafter until this Agreement is terminated by either party after providing at least 90 days' advance written notice.

V. LIABILITY: NO WAIVER OF IMMUNITY

- A. To the extent authorized by the Constitution and laws of the State of Texas, the parties agree that each shall be responsible for its own actions and those of its employees pursuant to and within the scope of this Agreement or amendment thereto. It is expressly understood and agreed by the parties that neither shall be held liable for the actions of the other party or any of the other party's employees while in any manner furnishing services hereunder.
- B. It is expressly understood and agreed that under this Agreement neither party waives, nor shall be deemed to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions.
- C. In providing services under this Agreement, Humble is furnishing homeland security services and shall not be responsible for any civil liability arising from the furnishing of such services if the requisites of Section 421.062 of the Government Code are satisfied.

VI. MUTUAL AGREEMENTS

- A. Entire Agreement. This agreement sets forth the entire agreement between the parties with respect to the subject matter hereof, and all prior discussions, representations, proposals, offers, and oral or written communications of any nature are entirely superseded hereby and extinguished by the execution of this Agreement. No modification of, or waiver of any right under, this Agreement will be effective unless it is evidenced in a writing executed by authorized representative of each party to this Agreement.
- B. Severability. The phrases, clauses, sentences, paragraphs or section of this Agreement are severable and, if any phrase, clause, sentence, paragraph, or section of this Agreement should be declared invalid by the final decree or judgment of any court of competent jurisdictions, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Agreement.
- C. Notice. Any notice required to be given hereunder shall be in writing and delivered to the addresses and titles set forth below by certified mail (return receipt requested), a recorded delivery service, or by other means of delivery requiring a signed receipt. All notices shall be effective upon receipt. The addresses provided herein may be changed at any time on prior written notice.

Baytown: City Manager
 City of Baytown
 2401 Market Street
 P. O. Box 424
 Baytown, TX 77522-0424

Humble: City Manager
 City of Humble
 114 W. Higgins
 Humble, TX 77338

- D. Assignment: Neither party may assign this Agreement without the prior written consent of the other party.
- E. Administration. This Agreement shall be administered by the appropriate persons, on behalf of Baytown and Humble, as appointed by them to perform such duties. Each party paying for the performance of governmental functions or services under this Agreement, agrees that it will make those payments from current revenues available to the paying party and represents that there are sufficient current revenues to make such payments. The Parties mutually agree to seek Federal Emergency Management Agency (FEMA) and State direct reimbursement for the transportation and shelter operations.

THE PARTIES UNDERSTAND THAT THE AGREEMENTS MADE HEREIN WILL BE UNDERTAKEN DURING A TIME OF GRAVE PUBLIC EMERGENCY, THAT THE PARTIES' OBLIGATIONS ARE EXPRESSLY SUBJECT TO ALL ORDERS ISSUED BY LAWFUL AUTHORITY, THAT VEHICLES AND SHELTERS MAY BE DIVERTED OR DELAYED DEPENDING ON THE CONDITIONS AT THE TIME, AND THAT THE PARTIES CAN ONLY AGREE TO USE THEIR BEST EFFORTS TO FULFILL THIS AGREEMENT.

The UNDERSIGNED PARTIES do hereby certify that, (1) the responsibilities specified above are properly within the statutory functions and programs of the parties to this Agreement, (2) the parties hereto are legally authorized to perform the required duties of the Agreement and, (3) this Agreement has been duly authorized by the governing bodies of Humble and Baytown.

EXECUTED this 25th day of September, 2007.

CITY OF BAYTOWN

CITY OF HUMBLE

By: [Signature]
Title: City Manager

Title:

By: [Signature]
By: DARRELL BOESKE
CITY MANAGER

September 25, 2007
(Date)

9/14/2007
(Date)

ATTEST:
[Signature]
By: LORRI COODY
Title: City Clerk

ATTEST:
[Signature]
By: SUE DANIEL
Title: CITY SECRETARY

September 25, 2007
(Date)

9/14/07
(Date)



COUNCIL MEETING

04-11-2013

AGENDA ITEM #13

MONTHLY DEPARTMENT REPORTS

OFFICE OF COURT ADMINISTRATION

TEXAS JUDICIAL COUNCIL



OFFICIAL MUNICIPAL COURT MONTHLY REPORT

Month February

Year 2013

Municipal Court for the City Humble Municipal Court

Presiding Judge Vic Pecorino

If new, date assumed office

Court Mailing Address 315 N Bender Ave

City Humble

, TX Zip 77338-0000

Phone Number (281) 446-6574

Fax Number (281) 446-3748

Courts Public Email COURT@CityofHumble.net

Court's Website www.cityofhumble.com

THE ATTACHED IS A TRUE AND ACCURATE REFLECTION OF THE RECORDS OF THIS COURT

Prepared by Sandra Elliott

Date Mar 22, 2013

Phone Number (281) 446-6574

PLEASE RETURN THIS FORM NO LATER THAN 20 DAYS FOLLOWING THE END OF THE MONTH REPORTED TO:

OFFICE OF COURT ADMINISTRATION

P O BOX 12066

AUSTIN, TX

78711-2066

PHONE: (512) 463-1625

FAX: (512) 936-2423

CRIMINAL SECTION

City of Humble Municipal Court

Month February Year 2013

	Traffic Misdemeanors			Non-Traffic Misdemeanors		
	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
1. Total Cases Pending First of Month:	4,887	85	0	1,710	11,485	0
a. Active Cases	1,081	39	0	632	1,618	0
b. Inactive Cases	3,806	46	0	1,078	9,867	0
2. New Cases Filed (1427) total=	902	8	0	152	365	0
3. Cases Reactivated	278	2	0	123	162	0
4. All Other Cases Added	0	0	0	0	0	0
5. Total Cases on Docket	2,261	49	0	907	2,145	0
6. Dispositions Prior to Court Appearance or Trial						
a. Uncontested Dispositions	271	3	0	48	114	0
b. Dismissed by Prosecution	70	9	0	26	56	0
7. Dispositions at Trial:						
a: Convictions						
1) Guilty Plea or Nolo Contendere	225	5	0	53	98	0
2) By the Court	5	0	0	2	2	0
3) By the Jury	0	0	0	0	0	0
b: Acquittals:						
1) By the Court	0	0	0	0	0	0
2) By the Jury	0	0	0	0	0	0
c. Dismissed by Prosecution	1	0	0	0	0	0
8. Compliance Dismissals:						
a: After Driver Safety Course	86					
b: After Deferred Disposition	35	0	0	28	3	0
c: After Teen Court	0	0	0	0	0	0
d: After Tobacco Awareness Course					0	
e: After Treatment for Chemical Dependency				0	0	
f: After Proof of Financial Responsibility	68					
g: All Other Transportation Code Dismissals	173	0	0	0	112	0
9. All Other Dispositions	13	3	0	1	2	0
10. Total Cases Disposed	947	20	0	158	387	0
11. Cases Placed On Inactive Status	98	1	0	46	46	0
12. Total Cases Pending End of Month:	4,842	73	0	1,704	11,463	0
a: Active Cases	1,216	28	0	703	1,712	0
b: Inactive Cases	3,626	45	0	1,001	9,751	0
13. Show Cause Hearings Held	27	0	0	22	0	0
14. Cases Appealed:						
a: After Trial	0	0	0	0	0	0
b: Without Trial	0	0	0	0	0	0

JUVENILE / MINOR ACTIVITY

Court	Humble Municipal Court	TOTAL
Month	February	Year
	2013	
1. Transportation Code Cases Filed		1
2. Non-Driving Alcoholic Beverage Code Cases Filed		5
3. Driving Under the Influence of Alcohol Cases Filed		0
4. Drug Paraphernalia Cases Filed		0
5. Tobacco Cases Filed		1
6. Failure to Attend School Cases Filed		0
7. Education Code (Except Failure to Attend) Cases Filed		0
8. Violation of Local Daytime Curfew Ordinance Cases Filed		1
9. All Other Non-Traffic Fine-Only Filed		13
10. Transfer to Juvenile Court:		0
a. Mandatory Transfer		0
b. Discretionary Transfer		0
11. Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct)		0
12. Held in Contempt by Criminal Court (Fined and/or Denied Driving Privileges)		0
13. Juvenile Statement Magistrate Warning:		0
a. Warnings Administered		0
b. Statements Certified		0
14. Detention Hearings Held		0
15. Orders for Non-Secure Custody Issued		0
16. Parent Contributing to Nonattendance Cases Filed		0

ADDITIONAL ACTIVITY

Court Humble Municipal Court	Number Given	Number Requests For Counsel
Month February Year 2013		
1. Magistrate Warnings:		
a. Class C Misdemeanors	0	
b. Class A and B Misdemeanors	0	
c. Felonies	0	
		TOTAL
2. Arrest Warrants Issued:		
a. Class C Misdemeanors		192
b. Class A and B Misdemeanors		0
c. Felonies		0
3. Capiases Pro Fine Issued		37
4. Search Warrants Issued		0
5. Warrants for Fire, Health and Code Inspections Filed		0
6. Examining Trials Conducted		0
7. Emergency Mental Health Hearings Held		0
8. Magistrate's Orders for Emergency Protection Issued		0
9. Magistrate's Orders for Ignition Interlock Device Issued		0
10. All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond		0
11. Driver's License Denial, Revocation or Suspension Hearings Held		30
12. Disposition of Stolen Property Hearings Held		0
13. Peace Bond Hearings Held		0
14. Cases in Which Fine and Court Costs Satisfied by Community Service:		
a. Partial Satisfaction		0
b. Full Satisfaction		0
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit		128
16. Cases in Which Fine and Court Costs Waived for Indigency		0
17. Amount of Fines and Court Costs Waived for Indigency		\$0.00
18. Fines, Court Costs and Other Amounts Collected:		
a. Kept by City		\$151,881.48
b. Remitted to State		\$50,107.34
c. Total		\$201,988.82

Humble Fire Department Emergency Medical Services



March, 2013
Monthly Report

Mike Legoudes, Asst. Fire Chief/EMS Operations

Trip Count by Diagnosis/Call Type

Date IS BETWEEN 03/01/2013 AND 03/31/2013

	ALS	Total
<None>	27	27
Abdominal Pain Epigastri.	1	1
Abdominal Pain General	5	5
Abdominal Pain L Lower	3	3
Abdominal Pain L Upper	1	1
Alcohol Poisoning-Acute	1	1
Alcohol Withdrawal	1	1
Allergic Reaction-Medicat	2	2
Allergic Reaction-Unspeci	1	1
Altered Awareness, Transi	7	7
Ankle Pain	1	1
Anxiety Attack	7	7
Arm Pain	3	3
Assault	4	4
Assault Cut/Stab	1	1
Back Pain-Non Traumatic	1	1
Back Injury	1	1
Back Pain Low	4	4
Burning sensation	1	1
Burns-Hand 1st Degree	1	1
Cardiac Arrhythmia/Dysr	1	1
Cardiac Tachycardia	1	1
Cerebral Vascular Acciden	1	1
Chest Pain	9	9
Chest Wall Pain-Non Cara	1	1
Chest-Pressure	1	1
Choking Food/Foreign Ob	1	1
Death Unattended	4	4
Diabetes IDDM	1	1
Diabetic Uncontrolled	2	2
Difficulty Breathing	1	1
Dizziness	2	2
Elbow pain	1	1
Fall	3	3
Fall from Chair	1	1
Fever	1	1
FX Ankle	1	1
FX Femur Shaft Closed	1	1
Gastric Disorder Unspecif	1	1
Hand Pain	1	1
Head Injury w/LOC	2	2
Head Injury w/o LOC	6	6
Headache/Migraine	3	3
Hemorrhage, Unspecified	1	1

Trip Count by Diagnosis/Call Type

Date IS BETWEEN 03/01/2013 AND 03/31/2013

	ALS	Total
Hemorrhage-Vaginal	1	1
Hypertension Unspecified	4	4
Hyperventilation	2	2
Injuries Mult. Site	1	1
Knee Pain	5	5
Laceration - Thumb	1	1
Laceration-Foot (Superficial)	1	1
Laceration-Lower Arm	1	1
Leg Pain	1	1
MVA-Car vs Car	7	7
MVA-Car vs Object	1	1
MVA-Single	1	1
Nausea w/vomiting	3	3
Neck Pain	3	3
Nosebleed	1	1
Other	4	4
Overdose/Illegal Drugs	2	2
Overdose/Poisoning-Drug	3	3
Overdose/RX	3	3
Pain - Flank	1	1
Pain - Generalized	3	3
Pain Extremity(lower)(upper)	2	2
Respiration Painful	1	1
Respiratory Dist (Acute)	10	10
Seizure Grand Mal	2	2
Seizure Non Epileptic	1	1
Seizure Post-Ictal	1	1
Shortness of Breath	4	4
Shoulder Pain	1	1
Suicide-Threat	1	1
Syncope	13	13
Tingling Sensation	1	1
Toothache	1	1
Trauma/Inj unsp	1	1
Unconscious	5	5
Unknown Problem	3	3
Unresponsive	1	1
Vomiting Blood	1	1
Weakness	3	3
Total	221	221

Trip Count by Destination Facility

Date IS BETWEEN 03/01/2013 AND 03/31/2013; AND Status IS NOT Canceled Assigned OR Canceled Assigned/Confirmed OR Canceled Billed OR Canceled Closed OR Canceled Complete OR Canceled NetTransit New Call OR Canceled NetTransit New Will Call OR C...

	<u>ALS</u>	<u>Total</u>
<i>1 - Ben Taub</i>	4	4
<i>1 - Hermann Hospital</i>	1	1
<i>1 - Kingwood Medical Center</i>	18	18
<i>1 - LBJ Hospital</i>	4	4
<i>1 - Memorial Hermann NE</i>	106	106
<i>1 - ST Luke's Episcopal Hospital</i>	1	1
<i>1 - St. Anthony's</i>	1	1
<i>1 - Texas Children Hospital</i>	1	1
<i>Herman LIFEFLIGHT</i>	3	3
Total	139	139

Trip Count by Outcome

Trip Date IS BETWEEN 03/01/2013 AND 03/31/2013

CITY OF HUMBLE EMS

	ALS	Total
ALS Transport	101	101
ALS Transport - Level 2	4	4
BLS Transport	32	32
Cancelled - By Dispatch	6	6
Cancelled - Enroute	1	1
Dead at Scene	4	4
Life Flight	2	2
No Patients Found	11	11
Refusal - Transport	35	35
Refusal - Treatment & Tra	20	20
Stand By	5	5
Total	221	221

Trip Count by Vehicle and Call Type

Trip Date IS BETWEEN 03/01/2013 AND 03/31/2013

CITY OF HUMBLE EMS

	ALS	Total
C3	1	1
M 1	117	117
M 2	100	100
M 3	3	3
Total	221	221

CITY OF HUMBLE FIRE DEPARTMENT
EMERGENCY MEDICAL SERVICES
OVERTIME FOR THE MONTH OF MARCH, 2013

OVERTIME FOR PAY PERIOD ENDING: MARCH 12, 2013

03/03/13	Hoyt, G	1
03/06/13	Hoyt, G	2
03/06/13	Hoyt, G	1
03/01/13	May, B	1
	<i>Subtotal EMS</i>	<i>5</i>

OVERTIME FOR PAY PERIOD ENDING: MARCH 25, 2013

03/20/13	Hoyt, G	1
03/15/13	Watkins, W	6.5
03/19/13	Watkins, W	1
03/21/13	Watkins, W	4
03/22/13	Watkins, W	6
	<i>Subtotal EMS</i>	<i>18.5</i>

TOTAL EMS OT 23.5

Humble Fire Department

**Fire Suppression
Division**



**March, 2013
Monthly Report**

**Gary Outlaw
Fire Chief**



City of Humble Fire Department

108 W. Main Street • Humble, Texas 77338 • (281) 446-2212 • Fax: (281) 446-3126

Gary W. Outlaw
Fire Chief
goutlaw@cityofhumble.net

City of Humble Fire Department Overtime / March, 2013

Overtime for Pay Period Ending: March 12, 2013

2/25/13	S. Blake	1 hour
2/25/13	S. Cantu	1 hour
2/26/13	B. Fleming	¾ hour
3/4/13	T. Wagers	1 hour
Total		3.3/4 Hours

Overtime for Pay Period Ending: March 25, 2013

3/13/13	E. Niemeyer	20.5 hours
3/14/13	D. Johnson	1 hour
3/22/13	D. Johnson	24 hours
Total		45.5 Hours

City of Humble Fire Department

HFD Monthly Report

Alarm Date Between {03/01/2013} And {03/31/2013}

Inc# -Exp#	Alm Date	Time	Incident Type	Address	Est Loss
0184-0	03/01/2013	00:03	322 Motor vehicle accident with	19555 MCKAY DR	
0185-0	03/01/2013	08:22	735 Alarm system sounded due to	9767 W FM 1960 BYP	
0186-0	03/01/2013	13:52	311 Medical assist, assist EMS	9451 W FM 1960 BYP	
0187-0	03/01/2013	17:32	322 Motor vehicle accident with	10000-BL W FM 1960 BYP	
0188-0	03/01/2013	22:16	320 Emergency medical service,	8450 WILL CLAYTON PKWY	
Total Incident Count for 03/01/2013			5	Total Est Loss for 03/01/2013	
0189-0	03/02/2013	16:02	710 Malicious, mischievous false	20755 N US 59	
0190-0	03/02/2013	16:22	323 Motor vehicle/pedestrian	9500 W FM 1960 BYP	
0191-0	03/02/2013	17:20	611 Dispatched & cancelled en	20410 N US 59	
0192-0	03/02/2013	18:41	322 Motor vehicle accident with	21100 N US 59 HWY	
0193-0	03/02/2013	20:02	322 Motor vehicle accident with	19300 N US 59 HWY	
Total Incident Count for 03/02/2013			5	Total Est Loss for 03/02/2013	
0195-0	03/03/2013	12:17	621 Wrong location	1020 E FM 1960 BYP	
0196-0	03/03/2013	20:50	322 Motor vehicle accident with	N US 59 HWY & WILL CLAYTON	
Total Incident Count for 03/03/2013			2	Total Est Loss for 03/03/2013	
0197-0	03/04/2013	01:17	621 Wrong location	19424 MCKAY DR	
0198-0	03/04/2013	09:55	321 EMS call, excluding vehicle	19424 MCKAY DR	
0199-0	03/04/2013	14:00	743 Smoke detector activation,	1131 WILSON RD	
Total Incident Count for 03/04/2013			3	Total Est Loss for 03/04/2013	
0200-0	03/05/2013	11:58	322 Motor vehicle accident with	9450 W FM 1960 BYP	
0201-0	03/05/2013	16:25	141 Forest, woods or wildland	9000 WILL CLAYTON PKWY	
0203-0	03/05/2013	16:48	141 Forest, woods or wildland	9200 WILL CLAYTON PKWY	
Total Incident Count for 03/05/2013			3	Total Est Loss for 03/05/2013	
0204-0	03/06/2013	06:20	154 Dumpster or other outside	411 S BENDER AVE	
0205-0	03/06/2013	07:30	733 Smoke detector activation	18955 N MEMORIAL BLVD	
0206-0	03/06/2013	20:18	311 Medical assist, assist EMS	8450 WILL CLAYTON PKWY	
0207-0	03/06/2013	20:42	652 Steam, vapor, fog or dust	310 S BENDER AVE	
Total Incident Count for 03/06/2013			4	Total Est Loss for 03/06/2013	
0208-0	03/07/2013	02:01	411 Gasoline or other flammable	17102 N US 59	
0210-0	03/07/2013	04:29	735 Alarm system sounded due to	327 WILSON RD	
0211-0	03/07/2013	06:42	321 EMS call, excluding vehicle	20145 EASTWAY VILLAGE DR	
0212-0	03/07/2013	16:12	745 Alarm system activation, no	18951 N MEMORIAL BLVD	
Total Incident Count for 03/07/2013			4	Total Est Loss for 03/07/2013	
0213-0	03/08/2013	06:10	321 EMS call, excluding vehicle	8450 WILL CLAYTON PKWY	
0214-0	03/08/2013	16:34	321 EMS call, excluding vehicle	21003 N US 59	
Total Incident Count for 03/08/2013			2	Total Est Loss for 03/08/2013	
0215-0	03/09/2013	09:29	311 Medical assist, assist EMS	1702 PECAN LN	
0216-0	03/09/2013	10:05	733 Smoke detector activation	18951 N MEMORIAL BLVD	
0217-0	03/09/2013	15:25	311 Medical assist, assist EMS	19214 N US 59	
0218-0	03/09/2013	16:04	311 Medical assist, assist EMS	19002 MCKAY DR	
Total Incident Count for 03/09/2013			4	Total Est Loss for 03/09/2013	
0220-0	03/11/2013	08:17	400 Hazardous condition, Other	3000 S HOUSTON AVE	
0221-0	03/11/2013	09:07	154 Dumpster or other outside	411 S BENDER AVE	

City of Humble Fire Department

HFD Monthly Report

Alarm Date Between {03/01/2013} And {03/31/2013}

Inc#	Alm Date	Time	Incident Type	Address	Est Loss
0222-0	03/11/2013	15:38	154 Dumpster or other outside	312 HIGGINS ST	\$200
0223-0	03/11/2013	15:45	322 Motor vehicle accident with	7900 WILL CLAYTON PKWY	\$6,000
0225-0	03/11/2013	17:06	611 Dispatched & cancelled en	615 WILSON RD	
0226-0	03/11/2013	18:13	321 EMS call, excluding vehicle	2119 S HOUSTON AVE	
0227-0	03/11/2013	19:09	323 Motor vehicle/pedestrian	2710 WILSON RD	
0228-0	03/11/2013	21:19	321 EMS call, excluding vehicle	2903 EAGLE NEST LN	
0229-0	03/11/2013	21:34	321 EMS call, excluding vehicle	MEMORIAL GLEN DR	
Total Incident Count for 03/11/2013			9	Total Est Loss for 03/11/2013	
					\$6,200
0230-0	03/12/2013	05:02	321 EMS call, excluding vehicle	93 ISAACKS RD	
0231-0	03/12/2013	13:56	311 Medical assist, assist EMS	93 ISAACKS RD	
Total Incident Count for 03/12/2013			2	Total Est Loss for 03/12/2013	
0232-0	03/13/2013	10:48	735 Alarm system sounded due to	9450 W FM 1960 BYP	
0235-0	03/13/2013	10:54	444 Power line down	10000-BL W FM 1960 BYP	
0236-0	03/13/2013	17:26	311 Medical assist, assist EMS	1608 N HOUSTON AVE	
0237-0	03/13/2013	21:26	311 Medical assist, assist EMS	19775 N US 59	
0238-0	03/13/2013	22:47	322 Motor vehicle accident with	S HOUSTON AVE & WILL	
Total Incident Count for 03/13/2013			5	Total Est Loss for 03/13/2013	
0240-0	03/14/2013	08:14	700 False alarm or false call,	3006 EAGLE NEST LN	
0241-0	03/14/2013	10:13	322 Motor vehicle accident with	19800 N US 59 HWY	
0242-0	03/14/2013	15:44	322 Motor vehicle accident with	RANKIN RD & S HOUSTON AVE	
Total Incident Count for 03/14/2013			3	Total Est Loss for 03/14/2013	
0243-0	03/15/2013	04:54	321 EMS call, excluding vehicle	2710 WILSON RD	
0244-0	03/15/2013	06:07	510 Person in distress, Other	9842 WINDEMERE CT	
0245-0	03/15/2013	14:28	322 Motor vehicle accident with	1010 E FM 1960 BYP	
0246-0	03/15/2013	15:41	611 Dispatched & cancelled en	8455 WILL CLAYTON PKWY	
0247-0	03/15/2013	22:22	324 Motor Vehicle Accident with	N US 59 HWY & TOWNSEN BLVD	
Total Incident Count for 03/15/2013			5	Total Est Loss for 03/15/2013	
0248-0	03/16/2013	11:10	322 Motor vehicle accident with	9637 W FM 1960 BYP	
0250-0	03/16/2013	14:41	412 Gas leak (natural gas or	444 E FM 1960 BYP	
0251-0	03/16/2013	16:08	322 Motor vehicle accident with	9500 W FM 1960 BYP	
0252-0	03/16/2013	19:23	611 Dispatched & cancelled en	18951 N MEMORIAL BLVD	
Total Incident Count for 03/16/2013			4	Total Est Loss for 03/16/2013	
0253-0	03/17/2013	06:25	311 Medical assist, assist EMS	93 ISAACKS RD	
0254-0	03/17/2013	22:37	321 EMS call, excluding vehicle	412 S BENDER AVE	
Total Incident Count for 03/17/2013			2	Total Est Loss for 03/17/2013	
0255-0	03/19/2013	00:30	611 Dispatched & cancelled en	1118 THOMAS DR	
0256-0	03/19/2013	06:57	311 Medical assist, assist EMS	8103 RANKIN RD	
0257-0	03/19/2013	09:34	311 Medical assist, assist EMS	98 ISAACKS RD	
0258-0	03/19/2013	11:08	611 Dispatched & cancelled en	9814 W FM 1960 BYP	
Total Incident Count for 03/19/2013			4	Total Est Loss for 03/19/2013	
0259-0	03/20/2013	15:07	131 Passenger vehicle fire	1310 BRENDA LN	\$3,500
0259-1	03/20/2013	15:07	131 Passenger vehicle fire	1310 BRENDA LN	\$100
0260-0	03/20/2013	21:03	111 Building fire	2710 WILSON RD	\$3,000

City of Humble Fire Department

HFD Monthly Report

Alarm Date Between {03/01/2013} And {03/31/2013}

Inc# -Exp#	Alm Date	Time	Incident Type	Address	Est Loss	
Total Incident Count for 03/20/2013			3	Total Est Loss for 03/20/2013		\$6,600
0261-0	03/21/2013	03:16	551 Assist police or other	1327 BRENDA LN		
Total Incident Count for 03/21/2013			1	Total Est Loss for 03/21/2013		
0263-0	03/22/2013	13:29	321 EMS call, excluding vehicle	530 FERGUSON ST		
0264-0	03/22/2013	14:06	320 Emergency medical service,	20131 N US 59		
0265-0	03/22/2013	15:42	322 Motor vehicle accident with	19707 N US 59		
0266-0	03/22/2013	17:57	733 Smoke detector activation	20430 N US 59		
0267-0	03/22/2013	18:06	154 Dumpster or other outside	515 S BENDER AVE		
0268-0	03/22/2013	23:00	322 Motor vehicle accident with	140 E FM 1960 BYP		
Total Incident Count for 03/22/2013			6	Total Est Loss for 03/22/2013		
0269-0	03/23/2013	00:14	745 Alarm system activation, no	18951 N MEMORIAL BLVD		
0270-0	03/23/2013	13:18	322 Motor vehicle accident with	9663 W FM 1960 BYP		
0271-0	03/23/2013	13:52	511 Lock-out	20131 N US 59		
0272-0	03/23/2013	19:21	154 Dumpster or other outside	1502 E 1st ST	\$400	
Total Incident Count for 03/23/2013			4	Total Est Loss for 03/23/2013		\$400
0274-0	03/24/2013	11:52	142 Brush or brush-and-grass	2800 WILSON RD		
Total Incident Count for 03/24/2013			1	Total Est Loss for 03/24/2013		
0275-0	03/25/2013	11:09	322 Motor vehicle accident with	7900 WILL CLAYTON PKWY		
0276-0	03/25/2013	11:10	150 Outside rubbish fire, Other	2200 S HOUSTON AVE		
0277-0	03/25/2013	14:07	611 Dispatched & cancelled en	9816 MEMORIAL BLVD		
0278-0	03/25/2013	15:25	322 Motor vehicle accident with	TOWNSEN BLVD & E FM 1960		
0279-0	03/25/2013	19:45	143 Grass fire	1826 PECAN LN		
Total Incident Count for 03/25/2013			5	Total Est Loss for 03/25/2013		
0280-0	03/26/2013	15:12	324 Motor Vehicle Accident with	18000-BL N US 59 HWY		
0282-0	03/26/2013	19:23	154 Dumpster or other outside	401 S BENDER AVE		
Total Incident Count for 03/26/2013			2	Total Est Loss for 03/26/2013		
0283-0	03/27/2013	06:43	154 Dumpster or other outside	401 S BENDER AVE		
0284-0	03/27/2013	13:31	440 Electrical wiring/equipment	19502 MCKAY DR		
0286-0	03/27/2013	13:38	700 False alarm or false call,	18648 MCKAY DR		
0287-0	03/27/2013	16:29	322 Motor vehicle accident with	9553 W FM 1960 BYP		
Total Incident Count for 03/27/2013			4	Total Est Loss for 03/27/2013		
0288-0	03/28/2013	06:41	111 Building fire	330 E 1st ST	\$2,000	
0289-0	03/28/2013	09:05	321 EMS call, excluding vehicle	8450 WILL CLAYTON PKWY		
0291-0	03/28/2013	11:32	322 Motor vehicle accident with	20700 N US 59 HWY		
0292-0	03/28/2013	13:56	321 EMS call, excluding vehicle	424 S BENDER AVE		
0293-0	03/28/2013	17:15	151 Outside rubbish, trash or	LANDSHIRE DR & CANTERTROT		
0294-0	03/28/2013	17:32	322 Motor vehicle accident with	N US 59 HWY & W FM 1960 BYP		
Total Incident Count for 03/28/2013			6	Total Est Loss for 03/28/2013		\$2,000
0295-0	03/29/2013	13:57	743 Smoke detector activation,	18960 N MEMORIAL BLVD		
0296-0	03/29/2013	16:40	600 Good intent call, Other	20131 N US 59		
0297-0	03/29/2013	18:26	733 Smoke detector activation	18951 N MEMORIAL BLVD		
Total Incident Count for 03/29/2013			3	Total Est Loss for 03/29/2013		
0298-0	03/30/2013	13:01	745 Alarm system activation, no	1219 CARPENTER RD		

City of Humble Fire Department

HFD Monthly Report

Alarm Date Between {03/01/2013} And {03/31/2013}

Inc# -Exp#	Alm Date	Time	Incident Type	Address	Est Loss
0299-0	03/30/2013	15:29	131 Passenger vehicle fire	8910 WILL CLAYTON PKWY	\$100
0301-0	03/30/2013	15:41	154 Dumpster or other outside	401 S BENDER AVE	
0303-0	03/30/2013	16:42	111 Building fire	7827 ROYAL ST	\$4,000
0304-0	03/30/2013	18:28	711 Municipal alarm system,	20755 N US 59	
0305-0	03/30/2013	20:35	311 Medical assist, assist EMS	20203 SALZBURG LN	
0306-0	03/30/2013	20:46	311 Medical assist, assist EMS	20606 LANDSHIRE DR	
Total Incident Count for 03/30/2013			7	Total Est Loss for 03/30/2013	\$4,100
0308-0	03/31/2013	13:47	311 Medical assist, assist EMS	98 ISAACKS RD	
0309-0	03/31/2013	14:06	321 EMS call, excluding vehicle	19424 MCKAY DR	
0310-0	03/31/2013	20:08	321 EMS call, excluding vehicle	19002 MCKAY DR	
Total Incident Count for 03/31/2013			3	Total Est Loss for 03/31/2013	

Total Incident Count	111	Total Est Loss	\$19,300
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City of Humble Fire Department

HFD Monthly Report

Alarm Date Between {03/01/2013} And {03/31/2013}

Incident Type	Description	Count	Aid Given	Aid Received
111	Building fire	3	0	1
131	Passenger vehicle fire	3	0	0
141	Forest, woods or wildland fire	2	0	0
142	Brush or brush-and-grass mixture fire	1	0	1
143	Grass fire	1	0	0
150	Outside rubbish fire, Other	1	0	0
151	Outside rubbish, trash or waste fire	1	0	0
154	Dumpster or other outside trash receptacle fire	8	0	0
311	Medical assist, assist EMS crew	14	0	0
320	Emergency medical service, other	2	0	0
321	EMS call, excluding vehicle accident with injury	15	0	0
322	Motor vehicle accident with injuries	21	0	0
323	Motor vehicle/pedestrian accident (MV Ped)	2	0	0
324	Motor Vehicle Accident with no injuries	2	0	0
400	Hazardous condition, Other	1	0	0
411	Gasoline or other flammable liquid spill	1	0	0
412	Gas leak (natural gas or LPG)	1	0	0
440	Electrical wiring/equipment problem, Other	1	0	0
444	Power line down	1	0	0
510	Person in distress, Other	1	0	0
511	Lock-out	1	0	0
551	Assist police or other governmental agency	1	0	0
600	Good intent call, Other	1	0	0
611	Dispatched & cancelled en route	7	0	0
621	Wrong location	2	0	0
652	Steam, vapor, fog or dust thought to be smoke	1	0	0
700	False alarm or false call, Other	2	0	0
710	Malicious, mischievous false call, Other	1	0	0
711	Municipal alarm system, malicious false alarm	1	0	0
733	Smoke detector activation due to malfunction	4	0	0
735	Alarm system sounded due to malfunction	3	0	0
743	Smoke detector activation, no fire - unintentional	2	0	0
745	Alarm system activation, no fire - unintentional	3	0	0

City of Humble Fire Department

HFD Monthly Report

Alarm Date Between {03/01/2013} And {03/31/2013}

Census Tract	Count	Pct of Incidents	Est Losses	Pct of Losses
001 . North of First Street	43	38.73 %	\$2,400	12.44 %
002 . South of First Street	68	61.26 %	\$16,900	87.56 %
Total Incident Count: 111			Total Est Losses: \$19,300	

City of Humble Fire Department

HFD Monthly Report

Date Between {03/01/2013} And {03/31/2013}

Count	Description
1	10 Attic Ladder
1	Aerial ladder
1	Air Bags - High pressure
1	Auto Pulse
1	Backboard
1	Blue Bag
250	Booster Line
1	C-Collar Bag
1	C02 Extinguisher
25	Cones/Flares/Stobes
4	Dispersant
1	Dry Chemical Extinguisher
4	EMS Drugs
223	EMS Gloves
1	Extension Ladder
4	Fire Broom
29	Flash Light
5	Foam
1	Gas Detector
4	Generator
3	Water Extinguisher
3	Haligan Bar
8	Hand Tools
278	Handheld 800 Radio
704	1.75 inch Hose
1	2.5 inch Hose
75	3 inch Hose
15	4 inch Hose
750	Forestry Hose
2	Hydraulic Tools
3	Light Tower
1	Lucas Device
5	Pike Pole
1	PPV Fan
5	Red Bag
15	SCBA
4	Shovel
1	Suction Unit
4	Thermal Imager
80	Traffic Vest
12,575	Water Used
2	Zoll Monitor

City of Humble Fire Department

Unit Response Time Analysis

Alarm Date Between {03/01/2013} And {03/31/2013}

Response		Count	Percentage
Hrs	Mins		
	< 01	16	8.6%
	01	14	7.6%
	02	25	13.5%
	03	35	19.0%
	04	24	13.0%
	05	26	14.1%
	06	17	9.2%
	07	9	4.8%
	08	5	2.7%
	09	5	2.7%
	10	3	1.6%
	11	3	1.6%
	13	2	1.0%

Overall Average Response Time: 00:04:27

FIREMARSHAL MONTHLY REPORT

March 2013

Commercial Fire Prevention Inspections: 53

Notices of Violations: 21

Citations: 0

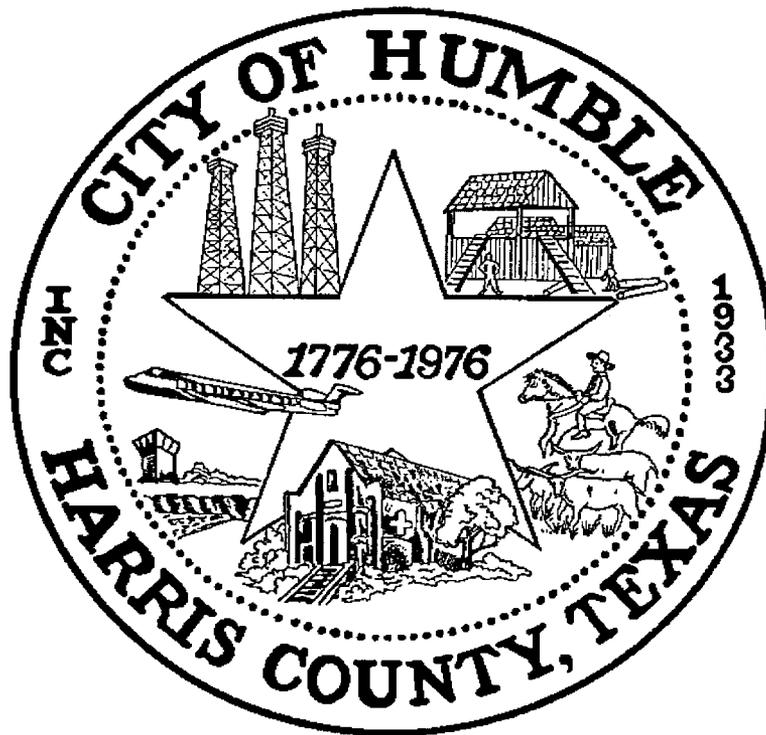
Plan Reviews: 18

Fire Cause Determinations: 2

Emergency Management Activities:

1. Attended Humble Area Assistance Ministries Media event
2. Monthly maintenance and radio checks with ARIES HAM RADIO volunteers
3. Completed the first half of the Spring Community Response Task Force training session with 40 students in attendance.
4. Participated in weekly County EM agencies radio test.

CITY OF HUMBLE
PUBLIC WORKS DEPARTMENT
MARCH 2013
MONTHLY REPORT



BARRY K. BROCK
DIRECTOR OF PUBLIC WORKS
APRIL 5, 2013

PUBLIC WORKS DEPARTMENT

MARCH 2013

MONTHLY PROJECT REPORTS

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Street & Drainage Projects

Townsen West Improvements page 3

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Water Projects

Water Plant #6 Elevated and Ground Storage Tanks Rehab page 7

Wastewater Projects

Sanitary Sewer Rehabilitation - Phase IV page 8

Miscellaneous Projects

Miscellaneous page 9

PROJECT SUMMARY

<i>Project</i>	<i>Engineer</i>	<i>Contractor</i>	<i>Cost</i>	<i>Date Completion</i>
Townsen West Improvements	AARK Engineers		\$ 1,100,000.00 Est. \$ 173,700.00 Eng. \$ 1,273,700.00 Est. Tot.	Advertise – 4/2013 Award – 5/2013
Willow Street & Jordan's Gully Improvements	HDR - Claunch & Miller, Inc		\$ 1,588,100.00 Est. \$ 273,035.00 Eng. \$ 1,861,135.00 Est. Tot.	Advertise – 6/2013 Award- 7/2013
2013 Asphalt Pavement Improvements	AARK Engineers		\$ 5,100,000.00 Est. 566,200.00 Eng. \$ 5,666,200.00 Est. Tot.	
2013 Concrete Pavement Improvements	AARK Engineers		\$ 5,700,000.00 Est. 653,100.00 Eng. \$ 6,353,100.00 Est. Tot.	
Water Plant #6 Elevated and Ground Storage Tank rehab	AARK Engineers	MK Painting	\$ 629,000.00 Bid \$ 108,500.00 Eng. \$ 737,500.00 Tot.	Awarded – 1/2013 Completed – 11/2013
Sanitary Sewer Rehabilitation - Phase IV	AARK Engineers	Lopez Utilities	\$ 831,226.00 Bid \$ 137,300.00 Eng. \$ 968,526.00 Tot.	Awarded – 12/2012 Completed – 7/2013

Under Construction	\$1,706,026.00
Under Design	\$15,154,135.00
Total	\$16,860,161.00

STREET PROJECT

Townsen West Improvements

Project Description -

This project will add an additional two lanes to complete the Boulevard section west of Target shopping center to the north-south section of West Townsen Blvd.

Engineers – AARK Engineer, L.L.C.

Project Cost - \$ 1,100,000 Est.
 \$ 173,000 Eng.
 \$ 1,273,700 Est. Tot.

Status –

Council approved the engineering firm of AARK Engineers for the design of this project at the October 11, 2012 Council Meeting. The design phase is completed and we will ask Council for authorization to advertise for bids at the April 11th Council meeting.

Townsen East Bound



Townsen West Bound



STREET PROJECT

Willow Street & Jordan's Gully Improvements

Project Description -

This project will include the paving, utilities and drainage improvements on Willow Street and the re-grading and improvements to Jordan's Gully from South Houston Avenue eastward for approx. 1,500 feet including the removal of the two existing driveways and replacing one of the existing driveways with larger culverts. Also west of South Houston Avenue for approx. 1,200 feet, the existing enclosed storm sewer will be removed and replaced with a open channel system along with a detention pond.

Willow Street



Engineers – AARK Engineer, L.L.C.

Jordan's Gully West

Project Cost -
\$ 1,588,100 Est.
\$ 273,035 Eng
\$ 1,861,135 est. Tot



Status –

Council approved the engineering firm of HDR Engineers Inc. for the design of this project at the November 20, 2012 Council Meeting. Engineering has submitted the 60% design phase for review and comments. We should be ready to advertise for bids in June of 2013.

STREET PROJECT
2013 Asphalt Pavement Improvements

Project Description -

This Project includes the asphalt pavement improvements to Wilson Rd. from Will Clayton to Atascocita Rd. along with the replacement of the existing water line. This Project also includes asphalt pavement improvements to Railroad Avenue from Higgins to First St., Ave. D south of Staitti St., Ave. H from Main St. to Granberry, Granberry from Ave. H to Houston Ave., Anne Ave., from Windswept to Sharon and JL Ranchland side streets.

Engineers – AARK Engineer, L.L.C.

<u>Project Cost -</u>	\$5,100,000.00 Est
	<u>566,200.00 Eng</u>
	\$5,666,200.00 Est.Tot

Status –

The Council awarded the Engineering design to AARK Engineers, LLC at the February 14th, 2013 Council meeting. The Engineer has ordered the survey for the Project which should take approximately 30-60 days. Designs will go parallel with the survey.

STREET PROJECT
2013 Concrete Pavement Improvement

Project Description -

This Project includes the Concrete Pavement Improvements to the area north of First St., bounded by Charles St., 7th St., and Houston Avenue, Higgins between Railroad Ave. and Hwy 59, Charles St. from Higgins to First St., South Memorial from Memorial to dead end, Bender and Township, Main St. from Railroad Ave. to Hwy. 59. Water & sewer line replacement will also be included in this Project.

Engineers – AARK Engineer, L.L.C.

<u>Project Cost -</u>	\$ 5,700,000 Est
	<u>566,200 Eng</u>
	\$ 6,266,200 Est.Tot.

Status –

The Council awarded the Engineering design to AARK Engineers, LLC at the February 14th, 2013 Council meeting. The Engineer has ordered the survey for the Project which should take approximately 60 -90 days to complete. Designs will go parallel with the survey.

WATER PROJECTS

Water Plant #6 Elevated and Ground Storage Tank Rehabilitation

Project Description -

This project involves the removal and repainting the exterior coating of the 500,000 gallons elevated storage tank and the 750,000 gallon ground storage tanks located at Water Well Site #6 on Rankin Road.

Engineers – AARK Engineer, L.L.C.

Project Cost - \$ 629,000.00 Bid
 108,500.00 Eng
 \$ 737,500.00 Est. Tot.

Status –

The Council awarded the Contract to MK Painting at the January 3, 2013 Council meeting in the amount of \$629,000. The Contractor moved in and started on March 6th, 2013. They have completed the welding and repairs to the interior of the Elevated Storage Tank and started preparing the interior surface for painting. This project has 270 calendar days to be completed.

500,000 Gallons



750,000 Gallons



WASTEWATER PROJECTS

Sanitary Sewer Rehabilitation – Phase IV

Project Description –

This project consists of the replacement and rehabilitation of several deteriorated sanitary sewer lines throughout the City. This Phase is our continuing efforts to meet our Administrative Order from the TCEQ for SSO sanitary sewer overflows. The Council approved the engineering firm of AARK Engineers for the design of this project at the April 4, 2012 Council Meeting.

Engineers – AARK Engineer, L.L.C.

Project Cost - \$ 831,226.00 BID
 \$ 137,300.00 Eng.
 \$ 968,526.00 Total

Status – The Council awarded the bid to Lopez Utilities in the amount of \$831,226 at the December 13, 2012 Council meeting. The Contractor has pipe burst 5,363 feet of 8” pipe, 1,231 feet of 10” pipe, 1,175 feet of 12” pipe and 783 feet of 16” pipe. He has also replaced 103 sewer services along with 2 manholes. This project has 180 calendar days to be completed.

Burdom



Willow



VEHICLE MAINTENANCE DEPARTMENT

Repairs on Vehicles: (174)

Scheduled Service: (23)

Number of Vehicles Serviced: (85)

WATER & WASTEWATER OPERATION & TREATMENT DEPARTMENT

Miscellaneous Water Operations: (6)

- ◆ Monthly Maintenance
- ◆ Replaced aircraft bulb on EST# 1
- ◆ Replaced all yard lighting at Well #1
- ◆ Repaired water leak on booster pump #4 at Well# 7
- ◆ Replaced all cooling lines on booster pumps at Well# 7
- ◆ Contractor working on painting EST #6 at Well# 6

Miscellaneous Wastewater Operations: (7)

- ◆ Monthly Maintenance
- ◆ Cleaned out sand and rags at Northshire liftstation
- ◆ Repaired broken conduit at Dennis St storage facility
- ◆ Replaced conduit to liftpumps at Southwest Treatment plant liftstation
- ◆ Installed automatic valves on sand filters inlet channels at Treatment plant
- ◆ Pulled #4 lift pump at Treatment plant due to being ragged up
- ◆ Cleaned out rags at Meeks, Wilson, Pheasant Run liftstations

Generators: (3)

- ◆ Monthly Maintenance
- ◆ W/P came out to repair Fire Station# 1 generator
- ◆ Filled up generator at Treatment plant and fuel trailer

Confined Space Entries: (0)

- ◆ No confined entries performed in the month of February

PUBLIC WORKS DEPARTMENT

MARCH 2013

OVERTIME / COMPTIME

MONTHLY REPORT

**Monthly Overtime / Comptime Report
City of Humble Public Works Department
March 2013**

Employee	Emergency Call	Weekend Duty	After Hour Maint	Rec Hall Duty	Total O.T.	Total Comp
Jason Campbell					31	15
Steve Filmore						
Tommy Hosler					20	
Louis Johnson						
Mark Knight					8	6
Mike Schultz						
Clint Staggs					16	12
Total:					75	33

Employee	Emergency Call	Weekend Duty	After Hour Maint	Rec Hall Duty	Total O.T.	Total Comp
Billy Baucam					7	3
Angel Cuellar					24.5	8.25
Ray Davis						
Ray Flores					19	6
Kevin Gunn					22	
Gordon Meadows					10	
Leroy Naquin					38	
Mike Richard					63.5	12.75
Total:					177	27

Employee	Emergency Call	Weekend Duty	After Hour Maint	Rec Hall Duty	Total O.T.	Total Comp
Clint Coombs					13	
Kevin Emerson					10	4.5
Chancey Kellar						7.5
Jack Lemoine					20	
Mike Pizzitola					7	
Gary Poindexter					6.5	
Dusty Tullos					13	3
Joel Villa						3
Stacy Williams					8	
Total:					77.5	18

Employee	Emergency Call	Weekend Duty	After Hour Maint	Rec Hall Duty	Total O.T.	Total Comp
Frank Alexander						
Ryan Killion						
Bill Neeley						2.25
Total:					0	2.25

**Monthly Overtime / Comptime Report
City of Humble Public Works Department
March 2013**

Employee	Emergency Call	Weekend Duty	After Hour Maint	Rec Hall Duty	Total O.T.	Total Comp
George McCaa						
Fred Hawkins						
Total:					0	0
Employee	Emergency Call	Weekend Duty	After Hour Maint	Rec Hall Duty	Total O.T.	Total Comp
Randy Scott					22	
Total:					22	0

CITY OF HUMBLE

MARCH 2013

MONTHLY GASOLINE REPORT

CITY OF HUMBLE
MONTHLY GASOLINE REPORT
March-13

DEPARTMENT	UNLEADED	DIESEL	TOTAL	UNLEADED	DIESEL
ADMINISTRATION	171.5	0	171.5	1.94%	0.00%
STREET	443.4	547.5	990.9	5.01%	40.89%
FIRE	112.1	276.8	388.9	1.27%	20.67%
EMS	468.5	109.8	578.3	5.29%	8.20%
POLICE	5929.7	0	5929.7	66.98%	0.00%
PARK	312.3	72.5	384.8	3.53%	5.41%
ANIMAL CONTROL	83.5	0	83.5	0.94%	0.00%
INSPECTIONS	211.7	0	211.7	2.39%	0.00%
VEH MAINT	25.7	0	25.7	0.29%	0.00%
FIRE MARSHAL	116.1	0	116.1	1.31%	0.00%
BLD MAINT	69	0	69	0.78%	0.00%
WATER	261	168.2	429.2	2.95%	12.56%
SEWER	279.8	164.2	444	3.16%	12.26%
SENIOR ACTIVITY	219.8	0	219.8	2.48%	0.00%
CIVIC CENTER	148.5	0	148.5	1.68%	0.00%
TOTAL	8852.6	1339	10191.6	100.00%	100.00%

CITY OF HUMBLE
 114 WEST HIGGINS ST.
 HUMBLE, TX 77338



Summary - Account

Report Range: 03/01/2013 to 03/31/2013

Summary for Account: 1 ADMINISTRATION

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
9	10.28	UNLEADED	171.50	\$0.00
		TOTAL	171.50	\$0.00

Summary for Account: 2 STREET DEPARTMENT

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
55	1.61	DIESEL	547.50	\$0.00
		UNLEADED	443.40	\$0.00
		TOTAL	990.90	\$0.00

Summary for Account: 3 FIRE DEPT.

Summary - Account

Report Range: 03/01/2013 to 03/31/2013

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
24	0.68	DIESEL	276.80	\$0.00
		UNLEADED	112.10	\$0.00
		TOTAL	388.90	\$0.00

Summary for Account: 4 POLICE DEPT.

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
516	7.60	UNLEADED	5,929.70	\$0.00
		TOTAL	5,929.70	\$0.00

Summary for Account: 6 PARK DEPT.

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
19	2.16	DIESEL	72.50	\$0.00
		UNLEADED	312.30	\$0.00
		TOTAL	384.80	\$0.00

Summary for Account: 7 ANIMAL CONTROL DEPT.

Summary - Account

Report Range: 03/01/2013 to 03/31/2013

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
3	0.00	UNLEADED	83.50	\$0.00
		TOTAL	83.50	\$0.00

Summary for Account: 9 INSPECTION DEPT.

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
11	0.00	UNLEADED	211.70	\$0.00
		TOTAL	211.70	\$0.00

Summary for Account: 11 VEHICLE MAINTENANCE

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
1	0.00	UNLEADED	25.70	\$0.00
		TOTAL	25.70	\$0.00

Summary for Account: 12 FIRE MARSHAL

Summary - Account

Report Range: 03/01/2013 to 03/31/2013

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
6	6.13	UNLEADED	116.10	\$0.00
		TOTAL	116.10	\$0.00

Summary for Account: 13 BUILDING MAINTENANCE

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
3	0.00	UNLEADED	69.00	\$0.00
		TOTAL	69.00	\$0.00

Summary for Account: 15 CIVIC CENTER

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
8	12.49	UNLEADED	148.50	\$0.00
		TOTAL	148.50	\$0.00

Summary for Account: 20 WATER DEPT.

Summary - Account

Report Range: 03/01/2013 to 03/31/2013

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
19	0.53	DIESEL	168.20	\$0.00
		UNLEADED	261.00	\$0.00
		TOTAL	429.20	\$0.00

Summary for Account: 30 SEWER DEPT.

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
18	2.45	DIESEL	164.20	\$0.00
		UNLEADED	279.80	\$0.00
		TOTAL	444.00	\$0.00

Summary for Account: 31 EMS

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
55	1.17	DIESEL	109.80	\$0.00
		UNLEADED	468.50	\$0.00
		TOTAL	578.30	\$0.00

Summary for Account: 1502 SENIOR ACTIVITY CENT

JOHNNY SCROGGINS
1401 S HOUSTON AVE
HUMBLE, TX 77338

Summary - Account

Report Range: 03/01/2013 to 03/31/2013

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
11	23.55	UNLEADED	219.80	\$0.00
		TOTAL	219.80	\$0.00
<hr/>				
REPORT TOTALS		TOTAL TRANSACTIONS	758	AVG MPG 6.17
		TOTAL QTY	10,191.60	TOTAL AMT \$0.00

WATER DEPARTMENT

MARCH 2013

MONTHLY REPORT

TCEQ MONTHLY REPORT
Water Works Operation for
Ground Water Supplies

SEND REPORT TO: TCEQ
P.O. BOX 13087
Austin, Tx. 78711-3087

(1) Name of System: CITY OF HUMBLE County: HARRIS

(1a) System I.D. No.: 1010014 Month of: March-13

Day	PUMPAGE TO DISTRIBUTION SYSTEM IN THOUSAND GALS.					(6) PURCHASED	(7) SOLD
	(2) DIRECT	(3) FROM GND.	(4) TOTAL	(5) DISINFECTION		FROM C/O	TO C/O
	FROM WELLS	STORAGE	PUMPAGE	Cl2 Lbs.	NH3N Gal.	HOUSTON	HOUSTON
1	92	1541	2830	34	15	1197	194
2	529	963	2701	32	14	1209	118
3	496	817	2553	34	35	1240	123
4	421	1233	2879	30	15	1225	318
5	1226	1556	3006	65	14	224	175
6	1552	1529	3081	75	17	0	207
7	1507	1476	2983	71	14	0	175
8	1554	1469	3023	74	16	0	208
9	1351	1314	2665	63	14	0	175
10	1456	1445	2901	68	13	0	171
11	1611	1086	2697	67	14	0	206
12	1503	1423	2926	71	13	0	154
13	840	1256	2923	48	15	827	206
14	810	1378	3011	55	14	823	150
15	952	1324	3098	54	16	822	235
16	837	1450	3106	56	17	819	153
17	887	1357	3066	54	15	822	173
18	817	1335	2975	53	13	823	246
19	1479	1853	3332	81	17	0	186
20	913	1330	3070	56	17	827	211
21	336	1187	2459	37	8	936	153
22	1101	1471	3282	51	17	710	162
23	916	1450	3185	58	15	819	169
24	918	1049	2789	49	16	822	164
25	874	1371	3075	53	15	830	246
26	824	1272	2922	49	14	826	137
27	893	1528	3239	59	14	818	211
28	765	1421	3006	47	16	820	164
29	912	1482	3218	53	16	824	210
30	1518	1822	3340	70	18	0	190
31	1525	1639	3164	72	15	0	187
TOTAL	31415	42827	92505	1739	482	18263	5777
AVG.	1013	1382	2984	56	16	589	186
MAX.	1611	1853	3340	81	35	1240	318
MIN.	92	817	2459	30	8	0	118

(10) No. of active water services: 3844

(11) Chemical analysis: July-12

(12) Dates and results of distribution bacteriological analyses: _____

15 Samples, 15 Good Samples.

(13) Dates and results of raw unchlorinated well water samples: _____

(14) Reservoirs or tanks cleaned: July-12

(15) Dead ends flush: 03/15/13

(16) Over-flow Site / Amount: Well #6 EST 500,000 Gallons

(17) Submitted by / Cert.#: MARK J. KNIGHT / WG0001625

(18) Total Monthly Combined Over-flows: 500,000

Water Department Monthly Report
March 2013

Rec Date	Problem Description	Address	Street	Activity Description	Comp Date
03/01/2013	CHECK FOR A WATER LEAK		FIRST ST EAST	LEAK REPAIRED	03/05/2013
03/01/2013	LOW WATER PRESSURE	17031	ATLANTA	WATER MISCELLANEOUS	03/01/2013
03/07/2013	NO WATER (WATER IS OFF)	17315	HIGHWAY 59 EASTEX FRWY	WATER MISCELLANEOUS	03/07/2013
03/07/2013	FIRE HYDRANT REPAIR		HIGHWAY 59 EASTEX FRWY	HYDRANT HIT BY VEHICLE	03/07/2013
03/08/2013	WATER VALVE	716	FOURTH ST	WATER TURN OFF	03/08/2013
03/08/2013	CHECK FOR A WATER LEAK	9850	HESTER ST	PRIVATE LEAK	03/08/2013
03/11/2013	WATER TURN OFF FOR REPAIR	408	GRANBERRY	CURB STOP HARD TO OPERATE	03/11/2013
03/14/2013	WATER MISC	213	AVE G NORTH	WATER MISCELLANEOUS	03/14/2013
03/18/2013	NO WATER (WATER IS OFF)	8840	WILL CLAYTON PKWY	WATER TURN ON	03/18/2013
03/18/2013	WATER TURN OFF FOR REPAIR	7506	PIN OAK DR	WATER TURN OFF	03/18/2013
03/20/2013	TURN SERVICE OFF	706	GRANBERRY	WATER TURN ON	03/20/2013
03/20/2013	CHECK FOR A WATER LEAK		SHARON	WATER MISCELLANEOUS	03/20/2013
03/21/2013	METER NEEDS REPAIRED	3115	KINGFISHER DR	METER BOX REPAIR	03/21/2013
03/21/2013	WATER TURN OFF FOR REPAIR	706	GRANBERRY	WATER TURN OFF	03/21/2013

WASTEWATER DEPARTMENT

MARCH 2013

MONTHLY REPORT

**City of Humble
Wastewater Pumpage Report 2013**

Month	Total Monthly Treated	Peak Daily Treated	Low Daily Treated	Average Daily Treated
January	57,663	2,993	1,659	1,922
February	50,181	2,192	1,637	1,858
March	53,905	1,909	1,650	1,796
April				
May				
June				
July				
August				
September				
October				
November				
December				
Total	161,749	7,094	4,946	5,576
Maximum	57,663	2,993	1,659	1,922
Minimum	50,181	1,909	1,637	1,796
Average	53,916	2,365	1,649	1,859

**Difference Between
Water Pumped vs.
Wastewater Treated**

Total Water Pumped	Wastewater Treated	Pumped vs. Treated	Percent Treated
78,499	57,663	20,836	73.46%
73,857	50,181	23,676	67.94%
92,505	53,905	38,600	58.27%
244,861	161,749	83,112	66.06%

EPA- TX0034401
TCEQ-0010763-0

City Of Humble
Southwest Wastewater Treatment Facility
Month: March-13

Date	Temp.	Rain	Flow Meter	Total Flow	Effluent						Sample Flow	Non Potable Water	Lbs Cl2
					CBOD	T.S.S.	NH3N	pH	DO	Temp.			
LROPM			4,235,728										
1-Mar	53		4,237,517	1,789,000			52				1.71	111,000	2
2-Mar	49		4,239,367	1,850,000			10				1.05	108,000	1
3-Mar	46		4,241,068	1,701,000			<10				0.51	58,000	2
4-Mar	61		4,242,788	1,720,000			<10				2	75,000	1
5-Mar	63		4,244,635	1,847,000			<10				2.13	105,000	2
6-Mar	53		4,246,376	1,741,000	2	1.3	0.6	75	7.25	21	1.54	101,000	2
7-Mar	41		4,248,109	1,733,000	2	1.9	0.8	10	7.59	22	1.85	120,000	1
8-Mar	57		4,249,953	1,844,000			<10				1.77	132,000	3
9-Mar	64		4,251,645	1,692,000			<10				0.9	201,000	1
10-Mar	68		4,253,363	1,718,000			<10				0.8	207,000	7
11-Mar	47		4,255,272	1,909,000			<10				1.37	140,000	6
12-Mar	42		4,257,111	1,839,000			0				1.58	160,000	4
13-Mar	48		4,258,966	1,855,000	3.2	1.5	0.2	0	7.43	22	1.68	176,000	3
14-Mar	43		4,260,822	1,856,000	2	1.7	0.1	0	7.58	22	2.25	102,000	1
15-Mar	52		4,262,648	1,826,000			0				1.58	86,000	2
16-Mar	64		4,264,520	1,872,000			31				1	85,000	1
17-Mar	64		4,266,306	1,786,000			0				0.83	47,000	2
18-Mar	70		4,267,956	1,650,000			0				1.64	44,000	1
19-Mar	55		4,269,734	1,778,000			0				0	125,000	2
20-Mar	61	0.2	4,271,485	1,751,000			0	7.6	8.27	24	0	106,000	2
21-Mar	52		4,273,305	1,820,000			0	7.67	8.69	24	0	136,000	2
22-Mar	71		4,275,096	1,791,000			0				0	134,000	2
23-Mar	63	0	4,276,963	1,867,000			0				0	130,000	0
24-Mar	54	0	4,278,735	1,772,000			0				0	80,000	0
25-Mar	39	0	4,280,477	1,742,000			0				0	83,000	0
26-Mar	39	0	4,282,361	1,884,000			0				0	156,000	0
27-Mar	46	0	4,284,126	1,765,000			0	7.58	8.83	22	0	162,000	10
28-Mar	59	0	4,285,929	1,803,000			0	7.2	8.87	23	0	136,000	5
29-Mar	59	0	4,287,745	1,816,000			0				0	103,000	2
30-Mar	79	0	4,289,654	1,909,000			0				0	108,000	2
31-Mar	77	0	4,291,422	1,768,000			0				0	105,000	2
Total	1686	0.2		53,905,000	9.2	6.4	1.7	126	60.24	180	24.48	3,622,000	71
Avg	56	0		1,796,833	2	2	0	5	7.53	23	1	116,839	2.29
Min.	39	0		1,650,000	2	1.3	0.1	0	7.20	21	0	44,000	0
Max.	79	0.2		1,909,000	3.2	1.9	0.8	75	7.67	24	2.25	207,000	10

Sewer Department Monthly Report
 March 2013

Rec Date	Problem	Problem Description	Address	Street	Activity	Activity Description	Comp Date
03/06/2013	SU	UNSTOP SEWER	1321	MAIN EAST	SPB	PRIVATE BLOCKAGE	03/06/2013
03/13/2013	SBU	SEWER BACK UP	2802	QUAIL RUN	SSBC	SEWER BLOCKAGE (CITY)	03/13/2013
03/14/2013	SU	UNSTOP SEWER	10047	FIRST ST EAST	SPB	PRIVATE BLOCKAGE	03/14/2013

STREET DEPARTMENT

MARCH 2013

MONTHLY REPORT

Street Department Monthly Report

March 2013

Rec Date	Problem Description	Address	Street	Cross Street	Activity Description	Comp Date
03/04/2013	REPAIR TRAFFIC SIGNAL		FM 1960 EAST		NOTIFIED TRAFFIC SIGNAL DIVISION	03/04/2013
03/06/2013	MISCELLANEOUS	9441	FM 1960 EAST		PAVING MISCELLANEOUS	03/06/2013
03/06/2013	CONCRETE STREET REPAIR	175	ISAACKS RD		REPAIRED CONCRETE	03/06/2013
03/07/2013	TRASH PICK-UP	611	HIGGINS EAST		PAVING MISCELLANEOUS	03/07/2013
03/11/2013	GRAFFITI REMOVAL		GRANBERRY	AVE E SOUTH	REPLACE STOP SIGN	03/15/2013
03/12/2013	REPLACE SIGN		AVE C NORTH	FIRST ST EAST	REPLACE STOP SIGN	03/12/2013
03/12/2013	REPLACE SIGN		AVE C NORTH	FIRST ST EAST	REPLACE STOP SIGN	03/12/2013
03/12/2013	REPLACE SIGN		AVE H NORTH	HERMAN	REPLACE STOP SIGN	03/12/2013
03/12/2013	REPLACE SIGN		AVE H NORTH	HERMAN	REPLACE STOP SIGN	03/12/2013
03/12/2013	REPLACE SIGN		AVE F NORTH	HERMAN	REPLACE STOP SIGN	03/12/2013
03/12/2013	REPLACE SIGN		AVE F NORTH	HERMAN	REPLACE STOP SIGN	03/12/2013
03/12/2013	REPLACE SIGN		AVE D NORTH	HERMAN	REPLACE STOP SIGN	03/12/2013
03/12/2013	REPLACE SIGN		AVE D SOUTH	GRANBERRY	REPLACE STOP SIGN	03/12/2013
03/12/2013	REPLACE SIGN		AVE D SOUTH	GRANBERRY	REPLACE STOP SIGN	03/12/2013
03/12/2013	REPLACE SIGN		AVE D SOUTH	GRANBERRY	REPLACE STOP SIGN	03/12/2013
03/12/2013	REPLACE SIGN		AVE D SOUTH	GRANBERRY	REPLACE STOP SIGN	03/12/2013
03/12/2013	REPLACE SIGN		MAIN EAST	RAILROAD AVE	REPLACE STOP SIGN	03/12/2013
03/12/2013	REPLACE SIGN		HIGGINS EAST	RAILROAD AVE	REPLACE STOP SIGN	03/12/2013
03/12/2013	REPLACE SIGN		BENDER AVE	FM 1960 EAST	REPLACE STOP SIGN	03/12/2013
03/12/2013	REPLACE SIGN		CAROLYN ST		REPLACE STOP SIGN	03/12/2013
03/11/2013	REPLACE SIGN		AVE E NORTH	THIRD ST	REPLACE YIELD SIGN	03/11/2013
03/11/2013	REPLACE SIGN		AVE E NORTH	THIRD ST	REPLACE YIELD SIGN	03/11/2013
03/11/2013	REPLACE SIGN		AVE D NORTH	THIRD ST	REPLACE STOP SIGN	03/11/2013
03/11/2013	REPLACE SIGN		AVE C NORTH	THIRD ST	REPLACE STOP SIGN	03/11/2013
03/11/2013	REPLACE SIGN		AVE F NORTH	SECOND ST	REPLACE YIELD SIGN	03/11/2013
03/11/2013	REPLACE SIGN		AVE F NORTH	SECOND ST	REPLACE YIELD SIGN	03/11/2013
03/11/2013	REPLACE SIGN		AVE H NORTH	SECOND ST	REPLACE STOP SIGN	03/11/2013
03/11/2013	REPLACE SIGN		AVE F NORTH	THIRD ST	REPLACE STOP SIGN	03/11/2013
03/11/2013	REPLACE SIGN		AVE F NORTH	FOURTH ST	REPLACE YIELD SIGN	03/11/2013
03/11/2013	REPLACE SIGN		AVE F NORTH	FOURTH ST	REPLACE YIELD SIGN	03/11/2013
03/13/2013	BARRICADE		FM 1960 BYPASS EAST	HIGHWAY 59 E116	CONSTRUCTED NEW BARRICADE	03/13/2013
03/13/2013	TRIM LIMBS		HIGGINS EAST		TRIM LOW HANGING LIMBS	03/13/2013
03/14/2013	REPAIR TRAFFIC SIGNAL		BENDER AVE	FIRST ST EAST	NOTIFIED TRAFFIC SIGNAL DIVISION	03/14/2013

Street Department Monthly Report
March 2013

03/18/2013	TRASH PICK-UP		HIGHWAY 59 EASTEX FRWY	BURDON DR	PICK UP TRASH ON ROADWAY	03/18/2013
03/18/2013	REPAIR SIGN		UPWOOD DR		REPAIRED DOWNED SIGN	03/18/2013
03/19/2013	REPLACE SIGN		AVE E SOUTH	GRANBERRY	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		AVE E SOUTH	GRANBERRY	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		GRANBERRY	AVE G SOUTH	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		GRANBERRY	AVE G SOUTH	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		AVE G SOUTH	GRANBERRY	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		AVE G SOUTH	GRANBERRY	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		AVE H SOUTH	GRANBERRY	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		AVE H SOUTH	GRANBERRY	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		STAITTI ST	AVE G SOUTH	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		STAITTI ST	AVE G SOUTH	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		AVE G SOUTH	STAITTI ST	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		AVE F SOUTH	STAITTI ST	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		STAITTI ST	AVE E SOUTH	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		STAITTI ST	AVE E SOUTH	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		AVE D SOUTH	STAITTI ST	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		AVE D SOUTH	STAITTI ST	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		STAITTI ST	AVE D SOUTH	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		STAITTI ST	AVE D SOUTH	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		STAITTI ST	AVE C SOUTH	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		STAITTI ST	AVE C SOUTH	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		GLEN VALLEY DR.	GLEN HOLLOW DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		REBECCA LN	GLEN HOLLOW DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		LYNN LN	GLEN HOLLOW DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		THOMAS DR	GLEN HOLLOW DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		WINDSWPT DR	THOMAS DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		THOMAS DR	GLEN HOLLOW DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		MEMORIAL GLEN DR	GLEN HOLLOW DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		BRENDA LN	MEMORIAL GLEN DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		BRENDA LN	MEMORIAL GLEN DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		FERGUSON	MEMORIAL GLEN DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		ROUGH NECK	NANCY LN	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		ROUGH NECK	HUMBLE PLACE	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		ROUGH NECK	ROTARY	REPLACE STOP SIGN	03/19/2013

Street Department Monthly Report
March 2013

03/19/2013	REPLACE SIGN		ROTARY	HUMBLE PLACE	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		ROTARY	HUMBLE PLACE	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		ROTARY	HUMBLE PLACE	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		ROTARY	WILSON RD	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		ROTARY	DERRICK DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		HUMBLE PLACE	WILSON RD	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		HUMBLE PLACE	FIRST ST EAST	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		WILSON CT	WILSON RD	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		TREBLE DR	WILSON RD	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		VALLECITO	SPEARS DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		VALLECITO	SPEARS DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		ROYAL	SPEARS DR	REPLACE YIELD SIGN	03/19/2013
03/19/2013	REPLACE SIGN		BILTMORE	SPEARS DR	REPLACE YIELD SIGN	03/19/2013
03/19/2013	REPLACE SIGN		VEGAS	SPEARS DR	REPLACE YIELD SIGN	03/19/2013
03/19/2013	REPLACE SIGN		YORK	SPEARS DR	REPLACE YIELD SIGN	03/19/2013
03/19/2013	REPLACE SIGN		BRIAN	SPEARS DR	REPLACE YIELD SIGN	03/19/2013
03/19/2013	REPLACE SIGN		RANKIN RD	SPEARS DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		RANKIN RD	CARDINAL LN	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		RANKIN RD	EAGLE NEST LN	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		RANKIN RD	QUAIL RUN	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		RANKIN RD	HUMMINGBIRD LN	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		RANKIN RD	KINGFISHER DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		LARK LN	KINGFISHER DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		GOLDFINCH DR	KINGFISHER DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		GOLDFINCH DR	KILLDEER LN	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		GOLDFINCH DR	QUAIL RUN	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		GOLDFINCH DR	EAGLE NEST LN	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		GOLDFINCH DR	EAGLE NEST LN	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		BLUEJAY CIRCLE	EAGLE NEST LN	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		BLUEJAY CIRCLE	EAGLE NEST LN	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		PHEASANT RUN	DOVE COVE CIRCLE	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		QUAIL RUN	GOLDFINCH DR	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		QUAIL RUN	ROADRUNNER LN	REPLACE STOP SIGN	03/19/2013
03/19/2013	REPLACE SIGN		QUAIL RUN	ROADRUNNER LN	REPLACE STOP SIGN	03/19/2013

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03/21/2013	REMOVE FALLEN TREE	9910	INVERLOCH WAY		PAVING MISCELLANEOUS	03/21/2013
03/22/2013	BARRICADE		AVE G NORTH		CONSTRUCTED NEW BARRICADE	03/30/2013
03/22/2013	REPLACE SIGN		HOUSTON AVE NORTH	FM 1960 BYPASS EAST	REPAIRED DOWNED SIGN	03/28/2013
03/25/2013	BARRICADE		AVE C SOUTH	MAIN EAST	CONSTRUCTED NEW BARRICADE	03/30/2013
03/27/2013	REPAIR SIGN		PHEASANT RUN		REPAIRED DOWNED SIGN	03/27/2013
03/28/2013	REPLACE SIGN		KILLDEER LN	RANKIN RD		

ANIMAL CONTROL

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Rec Date	Problem Description	Address	Street	Cross Street	Activity Description	Comp Date
03/01/2013	STRAY		FIRST ST EAST	AVE C NORTH	ANIMAL GONE ON ARRIVAL	03/01/2013
03/04/2013	P/UP DOG	102	GRANBERRY		PICKED UP STRAY DOG	03/04/2013
03/04/2013	WILDLIFE PICK-UP	1903	HOUSTON AVE NORTH		PICKED UP TRAPPED WILDLIFE & RELOCATED	03/04/2013
03/04/2013	DEAD ANIMAL PICK-UP	20118	EASTWAY VILLAGE DR		DEAD ANIMAL PUT IN FREEZER	03/04/2013
03/05/2013	STRAY		HIGHWAY 59	RANKIN RD	ANIMAL GONE ON ARRIVAL	03/05/2013
03/05/2013	STRAY		RANKIN RD		ANIMAL GONE ON ARRIVAL	03/05/2013
03/05/2013	STRAY	3109	EAGLE NEST LN		PUBLIC SERVICED OWNER	03/05/2013
03/05/2013	STRAY		HOUSTON AVE SOUTH	WILL CLAYTON	ANIMAL GONE ON ARRIVAL	03/05/2013
03/05/2013	PICK-UP CAT	9839	WESTMINSTER DR		PICKED UP STRAY CAT	03/05/2013
03/06/2013	STRAY	3203	QUAIL RUN		ANIMAL GONE ON ARRIVAL	03/06/2013
03/06/2013	P/UP DOG	1715	HOUSTON AVE NORTH		PICKED UP STRAY DOG	03/06/2013
03/06/2013	PICK-UP CAT	711	HOUSTON AVE SOUTH		PICKED UP STRAY CAT	03/06/2013
03/07/2013	STRAY		QUAIL RUN	DOVE COVE CIRCLE	PICKED UP STRAY DOG	03/07/2013
03/07/2013	STRAY	2327	SPEARS DR		ANIMAL GONE ON ARRIVAL	03/07/2013
03/08/2013	STRAY	7828	ROYAL		PUBLIC SERVICED OWNER	03/08/2013
03/11/2013	DEAD ANIMAL PICK-UP		TOWNSEN RD		ANIMAL GONE ON ARRIVAL	03/11/2013
03/12/2013	STRAY	2602	HOUSTON AVE SOUTH		PICKED UP STRAY DOG	03/12/2013
03/12/2013	STRAY	1100 BLK	MEMORIAL GLEN DR		ANIMAL GONE ON ARRIVAL	03/12/2013
03/13/2013	STRAY		WINDSWEPT DR		ANIMAL GONE ON ARRIVAL	03/13/2013
03/14/2013	STRAY		RANKIN RD		ANIMAL GONE ON ARRIVAL	03/14/2013
03/14/2013	PICK-UP CAT	822	GRACE LN		PICKED UP STRAY CAT	03/14/2013
03/14/2013	STRAY	1118	THOMAS DR		ANIMAL GONE ON ARRIVAL	03/14/2013
03/14/2013	STRAY		BLUEJAY CIRCLE		ANIMAL GONE ON ARRIVAL	03/14/2013
03/15/2013	BEEES	1015	HOUSTON AVE NORTH		PUBLIC SERVICED OWNER	03/15/2013
03/16/2013	DOG BITE	7600 BLOCK	PINE HOLLOW DR		FILLED OUT BITE REPORT	03/16/2013
03/18/2013	ANIMAL CRUELTY		SEVENTH ST	AVE D NORTH	ANIMAL CONTROL MISC	03/18/2013
03/18/2013	PICK-UP CAT	822	GRACE LN		PICKED UP STRAY CAT	03/18/2013
03/18/2013	STRAY	606	FERGUSON		PICKED UP STRAY DOG	03/18/2013
03/18/2013	STRAY	606	FERGUSON		FILLED OUT BITE REPORT	03/18/2013
03/19/2013	WILDLIFE PICK-UP	9839	WESTMINSTER DR		PICKED UP TRAPPED WILDLIFE & RELOCATED	03/19/2013
03/19/2013	STRAY	620	HOUSTON AVE NORTH		ANIMAL CONTROL MISC	03/19/2013
03/20/2013	P/UP DOG	3020	HOUSTON AVE SOUTH		PICKED UP STRAY DOG	03/20/2013
03/20/2013	P/UP DOG	402	FOURTH ST		PICKED UP STRAY DOG	03/20/2013
03/21/2013	STRAY	1023	MEEK ROAD		PUBLIC SERVICED OWNER	03/21/2013
03/21/2013	DEAD ANIMAL PICK-UP	401	BENDER AVE		DEAD ANIMAL PUT IN FREEZER	03/21/2013
03/21/2013	STRAY		LARK LN		ANIMAL GONE ON ARRIVAL	03/21/2013

03/21/2013	STRAY					ANIMAL GONE ON ARRIVAL	03/21/2013
03/21/2013	STRAY	19000	HIGHWAY 59			PICKED UP STRAY DOG	03/21/2013
03/22/2013	P/UP DOG		ROTARY		HUMBLE PLACE	PICKED UP STRAY DOG	03/22/2013
03/25/2013	STRAY	525	FERGUSON			ANIMAL GONE ON ARRIVAL	03/25/2013
03/25/2013	WILDLIFE PICK-UP	20441	FIELDTREE DR			PICKED UP TRAPPED WILDLIFE & RELOCATED	03/25/2013
03/26/2013	STRAY	521	FERGUSON			ANIMAL GONE ON ARRIVAL	03/26/2013
03/26/2013	P/UP DOG		WILSON RD			PICKED UP STRAY DOG	03/26/2013
03/26/2013	STRAY		HIGHWAY 59		TOWNSEN RD	PICKED UP STRAY DOG	03/26/2013
03/27/2013	WILDLIFE PICK-UP	10206	CANTERTROT DR			PICKED UP TRAPPED WILDLIFE & RELOCATED	03/27/2013
03/28/2013	STRAY	521	FERGUSON				
03/27/2013	STRAY	20441	FIELDTREE DR			PUBLIC SERVICED OWNER	03/27/2013
03/27/2013	P/UP DOG	7602	PHEASANT RUN			PICKED UP STRAY DOG	03/27/2013
03/28/2013	P/UP DOG	1828	HOUSTON AVE NORTH				
03/29/2013	DEAD ANIMAL PICK-UP		BENDER AVE		FIRST ST EAST	DEAD ANIMAL PUT IN FREEZER	03/29/2013
03/31/2013	STRAY	3135	QUAIL RUN			PUBLIC SERVICED OWNER	03/31/2013

BUILDING MAINTANCE

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Rec Date	Problem	Problem Description	Address	Street	Activity	Activity Description	Comp Date
03/04/2013	BM	MAINTENANCE		BENDER AVE	BM	BUILDING MAINTENANCE	03/04/2013
03/05/2013	BM	MAINTENANCE	114	HIGGINS WEST	BM	BUILDING MAINTENANCE	03/05/2013
03/05/2013	BM	MAINTENANCE		MAIN EAST	BM	BUILDING MAINTENANCE	03/05/2013
03/07/2013	BM	MAINTENANCE		BENDER AVE	BM	BUILDING MAINTENANCE	03/07/2013
03/07/2013	BM	MAINTENANCE		MAIN EAST	BM	BUILDING MAINTENANCE	03/07/2013
03/11/2013	BM	MAINTENANCE		BENDER AVE	BM	BUILDING MAINTENANCE	03/11/2013
03/13/2013	BM	MAINTENANCE		HIGGINS EAST	BM	BUILDING MAINTENANCE	03/13/2013
03/13/2013	BM	MAINTENANCE		HIGGINS EAST	BM	BUILDING MAINTENANCE	03/13/2013
03/14/2013	BM	MAINTENANCE		HIGGINS WEST	BM	BUILDING MAINTENANCE	03/14/2013
03/25/2013	BM	MAINTENANCE		BENDER AVE	BM	BUILDING MAINTENANCE	03/25/2013
03/27/2013	BM	MAINTENANCE		BENDER AVE	BM	BUILDING MAINTENANCE	03/27/2013

VEHICLE MAINTENANCE

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Vehicle Maintenance Monthly Report

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W/O Date	Unit #	Activity	Activity Description	Comp Date	Problem	Problem Description
03/01/2013	1102	VLNG	VEHICLE - LIGHTING	03/01/2013	VLNG	VEHICLE - LIGHTING
03/01/2013	3002	VTREN	VEHICLE - TIRES , NEW	03/01/2013	VTREN	VEHICLE - NEW TIRES
03/01/2013	301	VINS	VEHICLE - INSPECTION STICKER	03/01/2013	VINS	VEHICLE - INSPECTION STICKER
03/01/2013	301	VAC	VEHICLE- AC REPAIR	03/01/2013	VINS	VEHICLE - INSPECTION STICKER
03/01/2013	327	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/01/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
03/01/2013	607	VOIL	VEHICLE - OIL LUBE & FILTER	03/01/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/01/2013	607	VFUEL	VEHICLE - FUEL FILTER	03/01/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/01/2013	607	VAF	VEHICLE- AIR FILTER	03/01/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/01/2013	607	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/01/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/01/2013	607	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/01/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/01/2013	607	VSUSP	VEHICLE - SUSPENSION REPAIR	03/01/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/01/2013	607	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/01/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/01/2013	607	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/01/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/01/2013	607	VBAT	VEHICLE - BATTERIES	03/01/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/01/2013	607	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/01/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/01/2013	607	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/01/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/01/2013	607	VER	VEHICLE - ELECTRIC REPAIR	03/01/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/01/2013	607	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/01/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/01/2013	607	VSUSP	VEHICLE - SUSPENSION REPAIR	03/01/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/04/2013	439	VER	VEHICLE - ELECTRIC REPAIR	03/04/2013	VER	VEHICLE - ELECTRIC REPAIR
03/04/2013	439	VAAR	VEHICLE - AFTERMARKET ACCESORY REPAIR	03/04/2013	VER	VEHICLE - ELECTRIC REPAIR
03/04/2013	439	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/04/2013	VER	VEHICLE - ELECTRIC REPAIR
03/04/2013	456	VENGC	VEHICLE - ENGINE COOLANT SYSTEM REPAIR	03/04/2013	VENGC	VEHICLE - ENGINE COOLING SYSTEM REPAIR
03/04/2013	327	VOIL	VEHICLE - OIL LUBE & FILTER	03/04/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/04/2013	327	VEX	VEHICLE - EXHAUST REPAIR	03/04/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/04/2013	327	VOIL	VEHICLE - OIL LUBE & FILTER	03/04/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/04/2013	327	VAF	VEHICLE- AIR FILTER	03/04/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/04/2013	327	VFUEL	VEHICLE - FUEL FILTER	03/04/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/05/2013	231	VOIL	VEHICLE - OIL LUBE & FILTER	03/05/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/05/2013	231	VAF	VEHICLE- AIR FILTER	03/05/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/05/2013	232	VOIL	VEHICLE - OIL LUBE & FILTER	03/05/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/05/2013	232	VAF	VEHICLE- AIR FILTER	03/05/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/05/2013	331	VLNG	VEHICLE - LIGHTING	03/05/2013	VLNG	VEHICLE - LIGHTING

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03/05/2013	331	VLNG	VEHICLE - LIGHTING		03/05/2013	VLNG	VEHICLE - LIGHTING
03/05/2013	331	VEMGL	VEHICLE - EMERGENCY LIGHTING		03/05/2013	VLNG	VEHICLE - LIGHTING
03/05/2013	436	VEP	VEHICLE - ENGINE PERFORMANCE		03/05/2013	VEP	VEHICLE - ENGINE PERFORMANCE
03/06/2013	3004	VOIL	VEHICLE - OIL LUBE & FILTER		03/06/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/06/2013	3004	VTIRER	VEHICLE - TIRES, ROTATE		03/06/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/06/2013	497	VINS	VEHICLE - INSPECTION STICKER		03/06/2013	VINS	VEHICLE - INSPECTION STICKER
03/06/2013	497	VEMGL	VEHICLE - EMERGENCY LIGHTING		03/06/2013	VINS	VEHICLE - INSPECTION STICKER
03/06/2013	1213	VEP	VEHICLE - ENGINE PERFORMANCE		03/06/2013	VEP	VEHICLE - ENGINE PERFORMANCE
03/06/2013	1213	VOIL	VEHICLE - OIL LUBE & FILTER		03/06/2013	VEP	VEHICLE - ENGINE PERFORMANCE
03/06/2013	235	VOIL	VEHICLE - OIL LUBE & FILTER		03/06/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/06/2013	235	VAF	VEHICLE - AIR FILTER		03/06/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/06/2013	235	VWIPE	VEHICLE - WIPERS		03/06/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/06/2013	331	VEMGL	VEHICLE - EMERGENCY LIGHTING		03/06/2013	VEMGL	VEHICLE - EMERGENCY LIGHTING
03/06/2013	470	VINS	VEHICLE - INSPECTION STICKER		03/06/2013	VINS	VEHICLE - INSPECTION STICKER
03/06/2013	3004	VDMG	VEHICLE - VEHICLE DAMAGE		03/06/2013	VDMG	VEHICLE - VEHICLE DAMAGE
03/07/2013	498	VER	VEHICLE - ELECTRIC REPAIR		03/07/2013	VER	VEHICLE - ELECTRIC REPAIR
03/07/2013	328	VEP	VEHICLE - ENGINE PERFORMANCE		03/07/2013	VEP	VEHICLE - ENGINE PERFORMANCE
03/08/2013	201	VER	VEHICLE - ELECTRIC REPAIR		03/08/2013	VER	VEHICLE - ELECTRIC REPAIR
03/08/2013	229	VLNG	VEHICLE - LIGHTING		03/08/2013	VLNG	VEHICLE - LIGHTING
03/11/2013	327	VSUSP	VEHICLE - SUSPENSION REPAIR		03/11/2013	VSUSP	VEHICLE - SUSPENSION REPAIR
03/11/2013	327	VSUSP	VEHICLE - SUSPENSION REPAIR		03/11/2013	VSUSP	VEHICLE - SUSPENSION REPAIR
03/11/2013	417	VINS	VEHICLE - INSPECTION STICKER		03/11/2013	VINS	VEHICLE - INSPECTION STICKER
03/11/2013	417	VTIREN	VEHICLE - TIRES, NEW		03/11/2013	VINS	VEHICLE - INSPECTION STICKER
03/11/2013	439	VRC	VEHICLE - RADIO INSTALL		03/11/2013	VINS	VEHICLE - INSPECTION STICKER
03/11/2013	439	VAAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR		03/11/2013	VRC	VEHICLE - RADIO INSTALL
03/11/2013	493	VLNG	VEHICLE - LIGHTING		03/11/2013	VRC	VEHICLE - RADIO INSTALL
03/12/2013	3016	VOIL	VEHICLE - OIL LUBE & FILTER		03/11/2013	VLNG	VEHICLE - LIGHTING
03/12/2013	3016	VFUEL	VEHICLE - FUEL FILTER		03/12/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/13/2013	202	VTRANS	VEHICLE - TRANSMISSION SERVICE		03/12/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/13/2013	1301	VINS	VEHICLE - INSPECTION STICKER		03/13/2013	VTRANS	VEHICLE - TRANSMISSION SERVICE
03/13/2013	1301	VENGC	VEHICLE - ENGINE COOLANT SYSTEM REPAIR		03/13/2013	VINS	VEHICLE - INSPECTION STICKER
03/13/2013	1301	VLNG	VEHICLE - LIGHTING		03/13/2013	VINS	VEHICLE - INSPECTION STICKER
03/13/2013	3020	VTIREF	VEHICLE - TIRES, FLAT REPAIRS		03/13/2013	VINS	VEHICLE - INSPECTION STICKER
03/13/2013	327	VSUSP	VEHICLE - SUSPENSION REPAIR		03/13/2013	VTIREF	VEHICLE - FLAT TIRE REPAIRS
					03/13/2013	VSUSP	VEHICLE - SUSPENSION REPAIR

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03/13/2013	327	VSUSP	VEHICLE - SUSPENSION REPAIR	03/13/2013	VSUSP	VEHICLE - SUSPENSION REPAIR
03/13/2013	433	VTIREF	VEHICLE - TIRES, FLAT REPAIRS	03/13/2013	VTIREF	VEHICLE - FLAT TIRE REPAIRS
03/13/2013	214	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/13/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
03/13/2013	214	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/13/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
03/13/2013	214	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/13/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
03/13/2013	414	VLNG	VEHICLE - LIGHTING	03/13/2013	VLNG	VEHICLE - LIGHTING
03/13/2013	414	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	03/13/2013	VLNG	VEHICLE - LIGHTING
03/14/2013	3020	VEMGL	VEHICLE - EMERGENCY LIGHTING	03/14/2013	VEMGL	VEHICLE - EMERGENCY LIGHTING
03/14/2013	1514	VOIL	VEHICLE - OIL LUBE & FILTER	03/14/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/14/2013	1514	VTIRER	VEHICLE - TIRES, ROTATE	03/14/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/14/2013	1514	VBRK	VEHICLE - BRAKE SYSTEM	03/14/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/14/2013	1514	VAF	VEHICLE - AIR FILTER	03/14/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/15/2013	201	VER	VEHICLE - ELECTRIC REPAIR	03/15/2013	VER	VEHICLE - ELECTRIC REPAIR
03/15/2013	201	VEP	VEHICLE - ENGINE PERFORMANCE	03/15/2013	VER	VEHICLE - ELECTRIC REPAIR
03/18/2013	494	VAC	VEHICLE- AC REPAIR	03/18/2013	VAC	VEHICLE - A/C REPAIR
03/18/2013	326	VOIL	VEHICLE - OIL LUBE & FILTER	03/18/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/18/2013	326	VTRANS	VEHICLE - TRANSMISSION SERVICE	03/18/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/18/2013	326	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/18/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/18/2013	326	VLNG	VEHICLE - LIGHTING	03/18/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/18/2013	326	VER	VEHICLE - ELECTRIC REPAIR	03/18/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/18/2013	326	VEMGL	VEHICLE - EMERGENCY LIGHTING	03/18/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/18/2013	229	VDMG	VEHICLE - VEHICLE DAMAGE	03/18/2013	VDMG	VEHICLE - OIL LUBE AND FILTER
03/18/2013	328	VEP	VEHICLE - ENGINE PERFORMANCE	03/18/2013	VEP	VEHICLE - VEHICLE DAMAGE
03/19/2013	414	VINS	VEHICLE - INSPECTION STICKER	03/18/2013	VINS	VEHICLE - ENGINE PERFORMANCE
03/19/2013	414	VOIL	VEHICLE - OIL LUBE & FILTER	03/19/2013	VINS	VEHICLE - INSPECTION STICKER
03/19/2013	414	VTIRER	VEHICLE - TIRES, ROTATE	03/19/2013	VINS	VEHICLE - INSPECTION STICKER
03/19/2013	414	VLNG	VEHICLE - LIGHTING	03/19/2013	VINS	VEHICLE - INSPECTION STICKER
03/19/2013	3016	VWPIPE	VEHICLE - WIPERS	03/19/2013	VINS	VEHICLE - INSPECTION STICKER
03/19/2013	414	VAC	VEHICLE- AC REPAIR	03/19/2013	VWPIPE	VEHICLE - WIPERS
03/20/2013	216	VEQR	VEHICLE - EQUIPMENT REPAIR	03/19/2013	VAC	VEHICLE - A/C REPAIR
03/20/2013	430	VEP	VEHICLE - ENGINE PERFORMANCE	03/20/2013	VEQR	VEHICLE - EQUIPMENT REPAIR
03/20/2013	493	VOIL	VEHICLE - OIL LUBE & FILTER	03/20/2013	VEP	VEHICLE - ENGINE PERFORMANCE
03/20/2013	493	VTIRER	VEHICLE - TIRES, ROTATE	03/20/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/20/2013	493	VRC	VEHICLE - RADIO INSTALL	03/20/2013	VOIL	VEHICLE - OIL LUBE AND FILTER

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03/20/2013	493	VRC	VEHICLE - RADIO INSTALL	03/20/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/20/2013	493	VEMGL	VEHICLE - EMERGENCY LIGHTING	03/20/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/21/2013	231	VBRK	VEHICLE - BRAKE SYSTEM	03/21/2013	VBRK	VEHICLE - BRAKE SYSTEM
03/21/2013	231	VTIREF	VEHICLE - TIRES, FLAT REPAIRS	03/21/2013	VBRK	VEHICLE - BRAKE SYSTEM
03/21/2013	462	VOIL	VEHICLE - OIL LUBE & FILTER	03/21/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/21/2013	462	VTIRER	VEHICLE - TIRES, ROTATE	03/21/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/21/2013	417	VOIL	VEHICLE - OIL LUBE & FILTER	03/21/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/21/2013	417	VTIRER	VEHICLE - TIRES, ROTATE	03/21/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/21/2013	417	VTIREN	VEHICLE - TIRES, NEW	03/21/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/21/2013	417	VBRK	VEHICLE - BRAKE SYSTEM	03/21/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/21/2013	495	VOIL	VEHICLE - OIL LUBE & FILTER	03/21/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/21/2013	415	VOIL	VEHICLE - OIL LUBE & FILTER	03/21/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/22/2013	230	VOIL	VEHICLE - OIL LUBE & FILTER	03/22/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/22/2013	230	VFUEL	VEHICLE - FUEL FILTER	03/22/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/22/2013	230	VAF	VEHICLE- AIR FILTER	03/22/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/22/2013	230	VAF	VEHICLE- AIR FILTER	03/22/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/22/2013	230	VSUSP	VEHICLE - SUSPENSION REPAIR	03/22/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/22/2013	230	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/22/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/22/2013	451	VINS	VEHICLE - INSPECTION STICKER	03/22/2013	VINS	VEHICLE - INSPECTION STICKER
03/22/2013	456	VINS	VEHICLE - INSPECTION STICKER	03/22/2013	VINS	VEHICLE - INSPECTION STICKER
03/22/2013	497	VLING	VEHICLE - LIGHTING	03/22/2013	VLING	VEHICLE - LIGHTING
03/22/2013	497	VTIREF	VEHICLE - TIRES, FLAT REPAIRS	03/22/2013	VLING	VEHICLE - LIGHTING
03/22/2013	1501	VEP	VEHICLE - ENGINE PERFORMANCE	03/22/2013	VEP	VEHICLE - ENGINE PERFORMANCE
03/22/2013	472	VBAT	VEHICLE - BATTERIES	03/22/2013	VBAT	VEHICLE - BATTERIES
03/22/2013	3020	VEMGL	VEHICLE - EMERGENCY LIGHTING	03/22/2013	VEMGL	VEHICLE - EMERGENCY LIGHTING
03/25/2013	495	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	03/25/2013	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR
03/25/2013	301	VINS	VEHICLE - INSPECTION STICKER	03/25/2013	VINS	VEHICLE - INSPECTION STICKER
03/25/2013	429	VINS	VEHICLE - INSPECTION STICKER	03/25/2013	VINS	VEHICLE - INSPECTION STICKER
03/25/2013	417	VEP	VEHICLE - ENGINE PERFORMANCE	03/25/2013	VEP	VEHICLE - ENGINE PERFORMANCE
03/25/2013	484	VBAT	VEHICLE - BATTERIES	03/25/2013	VBAT	VEHICLE - BATTERIES
03/26/2013	900	VOIL	VEHICLE - OIL LUBE & FILTER	03/26/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/26/2013	900	VTIRER	VEHICLE - TIRES, ROTATE	03/26/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/26/2013	496	VRC	VEHICLE - RADIO INSTALL	03/26/2013	VRC	VEHICLE - RADIO INSTALL
03/26/2013	496	VRC	VEHICLE - RADIO INSTALL	03/26/2013	VRC	VEHICLE - RADIO INSTALL

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03/26/2013	496	VRC	VEHICLE - RADIO INSTALL	03/26/2013	VRC	VEHICLE - RADIO INSTALL
03/26/2013	496	VRC	VEHICLE - RADIO INSTALL	03/26/2013	VRC	VEHICLE - RADIO INSTALL
03/26/2013	496	VRC	VEHICLE - RADIO INSTALL	03/26/2013	VRC	VEHICLE - RADIO INSTALL
03/26/2013	496	VEMGL	VEHICLE - EMERGENCY LIGHTING	03/26/2013	VRC	VEHICLE - RADIO INSTALL
03/26/2013	496	VEMGL	VEHICLE - EMERGENCY LIGHTING	03/26/2013	VRC	VEHICLE - RADIO INSTALL
03/26/2013	496	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	03/26/2013	VRC	VEHICLE - RADIO INSTALL
03/26/2013	496	VRC	VEHICLE - RADIO INSTALL	03/26/2013	VRC	VEHICLE - RADIO INSTALL
03/26/2013	141	VSUSP	VEHICLE - SUSPENSION REPAIR	03/26/2013	VSUSP	VEHICLE - SUSPENSION REPAIR
03/26/2013	235	VTIREN	VEHICLE - TIRES, NEW	03/26/2013	VTIREN	VEHICLE - NEW TIRES
03/26/2013	494	VER	VEHICLE - ELECTRIC REPAIR	03/26/2013	VER	VEHICLE - ELECTRIC REPAIR
03/26/2013	232	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/26/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
03/26/2013	232	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/26/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
03/26/2013	487	VINS	VEHICLE - INSPECTION STICKER	03/26/2013	VINS	VEHICLE - INSPECTION STICKER
03/26/2013	487	VEP	VEHICLE - ENGINE PERFORMANCE	03/26/2013	VINS	VEHICLE - INSPECTION STICKER
03/27/2013	237	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/27/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
03/27/2013	237	VER	VEHICLE - ELECTRIC REPAIR	03/27/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
03/27/2013	237	VEMGL	VEHICLE - EMERGENCY LIGHTING	03/27/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
03/27/2013	464	VOIL	VEHICLE - OIL LUBE & FILTER	03/27/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/27/2013	464	VTIRER	VEHICLE - TIRES, ROTATE	03/27/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/27/2013	464	VAF	VEHICLE- AIR FILTER	03/27/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/27/2013	464	VBRK	VEHICLE - BRAKE SYSTEM	03/27/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/27/2013	416	VOIL	VEHICLE - OIL LUBE & FILTER	03/27/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/27/2013	416	VTIRER	VEHICLE - TIRES, ROTATE	03/27/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/27/2013	416	VER	VEHICLE - ELECTRIC REPAIR	03/27/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/27/2013	496	VINS	VEHICLE - INSPECTION STICKER	03/27/2013	VINS	VEHICLE - INSPECTION STICKER
03/27/2013	498	VTIREF	VEHICLE - TIRES, FLAT REPAIRS	03/27/2013	VTIREF	VEHICLE - FLAT TIRE REPAIRS
03/27/2013	498	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	03/27/2013	VTIREF	VEHICLE - FLAT TIRE REPAIRS
03/27/2013	498	VSP	VEHICLE - POWER STEERING REPAIR	03/27/2013	VTIREF	VEHICLE - FLAT TIRE REPAIRS
03/27/2013	220	VBAT	VEHICLE - BATTERIES	03/27/2013	VBAT	VEHICLE - BATTERIES
03/28/2013	417	VER	VEHICLE - ELECTRIC REPAIR	03/28/2013	VER	VEHICLE - ELECTRIC REPAIR
03/28/2013	202	VER	VEHICLE - ELECTRIC REPAIR	03/28/2013	VER	VEHICLE - ELECTRIC REPAIR
03/28/2013	2000	VOIL	VEHICLE - OIL LUBE & FILTER	03/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/28/2013	2000	VTIRER	VEHICLE - TIRES, ROTATE	03/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/28/2013	302	VEP	VEHICLE - ENGINE PERFORMANCE	03/28/2013	VEP	VEHICLE - ENGINE PERFORMANCE

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03/28/2013	3012	VOIL	VEHICLE - OIL LUBE & FILTER	03/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/28/2013	3012	VFUEL	VEHICLE - FUEL FILTER	03/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/28/2013	3012	VAF	VEHICLE- AIR FILTER	03/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/28/2013	3012	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	03/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
03/29/2013	302	VBRK	VEHICLE - BRAKE SYSTEM	03/29/2013	VBRK	VEHICLE - BRAKE SYSTEM

COUNCIL MEETING

04-11-2013

AGENDA ITEM #14

TML LEGISLATIVE UPDATE



Legislative
UPDATE

March 15, 2013
Number 10

Bill Filing Deadline Comes and Goes

In the final three days before the March 8 bill-filing deadline, Texas lawmakers went into their usual bill-filing frenzy. The numbers were similar to the 2011 session. This time, they introduced roughly 2,300 bills and joint resolutions in the final three days (compared to 1,700 in the same period in 2011). That brings the 60-day total to an unofficial 5,983 (almost identical to the 2011 numbers). There will be more; legislators can still file bills if they can persuade their colleagues to suspend the rules on a bill-by-bill basis.

The almost 6,000 bills filed is a huge number and virtually guarantees that: (1) at the end of the session, hundreds of bills will die in a massive logjam; and (2) in the final days, many lawmakers will be voting on bills they have not read and do not understand.

As is always the case, hundreds of bills are city-related and would do great harm to cities. Given the fact that so many bills were filed in the days leading up to the deadline, most – but not all – city-related bills are included in this issue of the *Legislative Update*; some will appear in the next issue. In addition, some bill summaries will, of necessity, be brief. Future editions of the update will expand on the most important bills if and when they progress through the legislative process.

Property Tax Lending and Payday Lending: **Cities Grapple with New Issues**

It's not often that Texas cities confront unique legislative issues that haven't surfaced session after session in the past. This 2013 legislative session presents two such issues: property tax lending and payday lending. Both are related, in that they pit aggressive loan companies, "lenders," against sometimes struggling consumers. Why are some cities concerned? It's because these businesses either proliferate in many communities against the wishes of the neighboring homeowners, or these business models have the serious potential to interfere with city property tax administration.

Property Tax Lending

Property tax lending is a new business practice where money is loaned to homeowners to pay their delinquent property taxes. Once the lender pays off the city property taxes, the city's tax lien comes fully under the control of the third-party lender. Should the homeowner fall behind on the loan, the lending company has full authority to foreclose on the property with all the same rights and priorities that the city had (including superiority over mortgage liens). In fact, the lenders can use non-judicial foreclosure tools that even the city doesn't possess.

Some cities may like this practice, though. After all, the entire business model is premised on the idea that cities get their delinquent property taxes paid in full up front. In some ways, it's just an alternative way for a city to collect on delinquent property taxes, as opposed to suing to collect and foreclose. But many city officials are uncomfortable with this growing industry. When the city's lien gets transferred to these third parties, the city loses all control over how aggressively to pressure these delinquent homeowners. It's no secret that many cities are very reluctant to foreclose on residential homesteads for nonpayment of some property taxes. Those cities are free to instruct their traditional property tax collection law firms to work with willing homeowners to keep them in their home for as long as possible, especially when they show some progress in paying down their debt. With these third-party lenders, however, the city is totally powerless to influence the process. In theory, a company could fully foreclose on a home for just a minor violation of the loan terms.

A bill that would tackle this issue, S.B. 247 by Sen. Carona, passed the Senate this week by a unanimous vote. The bill would make numerous positive changes to current law, including detailed notice provisions to borrowers and substantive protections for persons who might not actually be in jeopardy of foreclosure by a taxing entity because of the possibility of payment plans or other circumstances. Also, an important floor amendment that was added to the bill ensures that city liens for substandard structure abatement must be paid by the lender before the lien can be transferred.

What S.B. 247 does **not** do is give the city control over whether this practice can occur within the city. This idea of local control was discussed with Senator Carona, but he decided it was best to first tackle the issue as a statewide matter. A bill has been filed in the House, H.B. 2687 by Rep. Eddie Rodriguez, that would give each city the option of whether to allow property tax liens to be transferred to third-party lenders, but that bill has not been set for a hearing. Cities that

would like to see the local option feature of H.B. 2687 added to the substantive bill that is moving (S.B. 247) should contact their legislator to make their view known. In any event, cities should express their support for Senator Carona's efforts to address aggressive property tax lending with S.B. 247.

Payday Lending

Payday lending is a practice where a person can walk into a store, typically located in a strip mall, and take a cash advance on their next paycheck. Most such businesses offer a similar cash advance with a car's title as collateral. The interest rates on such loans are very high, in many cases far higher than the current state law limits against usury, thanks to legal loopholes. Borrowers who fall behind on payments can refinance multiple times; meanwhile, the interest and other fees keep piling up. It's not uncommon on the auto title lending side for people to lose their car altogether after several such refinancings.

Legislation passed in 2011 took the first tentative steps towards regulating this industry by requiring certain notices to consumers and tighter state registration of these businesses. But the 2011 legislation stopped short of substantively reigning in the practice, and that's where cities felt compelled to step in. Some cities adopted ordinances regulating this industry because they felt that certain portions of their citizenry were being preyed upon by the proliferation of these stores in their communities. And some of those cities have been sued by the payday industry, claiming that Texas cities are preempted by state law from legislating in this area.

So far during this 2013 session, numerous bills have been filed that would expand the state's substantive regulation of this industry. Unfortunately, some of these bills would explicitly preempt city authority over the financial aspects of the industry (some such bills would, however, preserve city zoning and health and safety authority). It is expected that some of these bills could be heard in committee as early as next week.

The bottom line with payday lending is this: cities are encouraged to express support to their legislators for substantive, statewide regulation of this practice if it's something that the city cares about (not all cities do). But those same concerned officials should also stress to their legislators *opposition to preemption of city payday authority*, at least until the state has done an adequate job of substantively regulating this growing industry (the worst of these bills would preempt cities but enact no new substantive regulations). The push to preempt cities will be very strong this session, and concerned city officials should speak out soon and often.

TML's Legislative Webinar Series: Don't Forget to Register!

Find out about the bills filed in the final days before the filing deadline by participating in the League's *Legislative Webinar Training Series*. These webinars are the best and quickest way to get an update on what's happening in Austin, and to help protect your authority to govern your city as you see fit, without state interference.

The first webinar, “Legislative Status Report: the Countdown Begins,” is scheduled for March 22. Please go to www.tml.org and click on “Training” for more information on that event and future webinars.

New Form I-9 Released

On March 8, 2013, the United States Citizenship and Immigration Services released a new Employment Eligibility Verification Form, commonly known as a “Form I-9.” Cities should begin using the new Form I-9 immediately for all new hires.

Cities may continue to use previously-valid Forms I-9 for 60 days until May 7, 2013. After May 7, employers must only use the new Form I-9 (Rev. 03/08/13). The new I-9, and information about the form, is available [here](#).

Please contact the TML Legal Department with questions at 512-231-7400 or email at laura@tml.org.

Significant Committee Actions

H.B. 38 (Menendez), relating to the penalty for an offense involving motor vehicle airbags. Reported from the House Committee on Transportation.

H.B. 63 (Craddick), relating to the creation of an offense for use of a handheld wireless communication device for text-based communication while operating a motor vehicle. Reported from the House Committee on Transportation.

H.B. 86 (Callegari), relating to the criteria for review by the Sunset Advisory Commission of an agency that licenses an occupation. Reported from the House Committee on Government Efficiency and Reform.

HB 487 (Bell), relating to liability of certain persons assisting in hazardous or dangerous situations. Reported from the House Committee on Judiciary and Civil Jurisprudence.

H.B. 625 (Harper-Brown), relating to the penalty for the operation of a vehicle without a license plate. Reported from the House Committee on Transportation

H.B. 767 (King), relating to preventing the fraudulent issuance and use of disabled parking placards. Reported from the House Committee on Transportation.

S.B. 7 (Nelson), Relating to improving the delivery and quality of certain health and human services, including the delivery and quality of Medicaid acute care services and long-term care services and supports. Reported from the Senate Committee on Health and Human Services.

S.B. 562 (Carona), Relating to the license qualifications and continuing education requirements for polygraph examiners. Reported from the Senate Committee on Business and Commerce.

Significant Floor Actions

S.B. 186 (Carona), relating to the abatement of mosquitoes in stagnant water located on certain uninhabited residential property. Passed the Senate.

S.B. 247 (Carona), relating to the transfer of an ad valorem tax lien. Passed the Senate. (Note: this bill relates to the practice of property tax lending. For a more thorough discussion, see “Property Tax Lending and Payday Lending: Cities Grapple With New Issues” article elsewhere in this edition.)

City-Related Bills Filed

PROPERTY TAX

H.B. 2343 (Zedler) – Property Tax Delinquency: would require a city council to waive penalties and interest on a delinquent tax if an act or omission of an officer, employee, or agent of the city, appraisal district, or other political subdivision or governmental entity caused or resulted in the taxpayer’s failure to pay the tax.

H.B. 2366 (Oliveira) – Property Tax Delinquency: would authorize a city to seize an owner’s abandoned real property located in the city for the payment of delinquent ad valorem taxes, penalties, and interest if the taxes on the property are delinquent for each of the preceding three years.

H.B. 2387 (Menendez) – Property Tax Exemption: would provide an exemption from property taxes for a commercial product and other tangible personal property to be attached to the commercial product if the product and tangible personal property is located inside a defense base development authority.

H.B. 2445 (Strama) – Property Tax Lien: would provide that a tax lien on inventory, furniture, equipment, or other personal property attaches to all such property that is owned on January 1 of the year the lien attaches, irrespective of whether the personal property is located within the boundaries of the taxing unit in whose favor the lien attaches.

H.B. 2497 (Workman) – Property Tax Exemption: would provide that a property that is owned and operated as a child-care facility is exempt from property taxes if the property is used exclusively for providing developmental and educational services and the property is reasonably necessary for the operation of the facility. (See **H.J.R. 115**, below.)

H.B. 2500 (Bohac) – Property Tax Exemption: would require the chief appraiser to use the cost method of appraisal to determine the market value of solar energy property. (Companion bill is **S.B. 1278** by **Watson**.)

H.B. 2599 (Klick) – Property Tax Exemption: would exempt property owned by a political party from property taxes.

H.B. 2675 (Laubenberg) – Property Tax Exemption: would entitle the former spouse of an individual to freeze the property tax on the residence homestead if: (1) the former spouse is 55 years of age or older when the decree of divorce or annulment is signed or becomes final after appeal; and (2) the residence homestead of the individual: (a) is the residence homestead of the former spouse on the date the decree of divorce or annulment is signed or becomes final; and (b) remains the residence homestead of the former spouse. (Please see **H.J.R. 119**, below.)

H.B. 2712 (Perez) – Property Tax Exemption: would provide a property tax exemption for energy storage systems used or constructed to wholly or partly meet environmental regulations that are located in a designated non-attainment area and have a capacity of at least ten megawatts. (Companion bills are **H.B. 3216** by **Strama** and **S.B. 1030** by **Taylor**.)

H.B. 2723 (Otto) – Appraisal Process: would place the burden on the appraisal district to establish the value of property by clear and convincing evidence presented at a hearing for protests of the determination of the appraised value of property or the unequal appraisal of property, provided that the appraised value was established and the property owner delivers sufficient information to the appraisal review board and appraisal district to allow for a determination of market value.

H.B. 2747 (Workman) – Property Tax Exemption: would authorize a city council to take official action to exempt from property taxation part or all of the assessed value of property on which city-approved rainwater harvesting systems have been implemented.

H.B. 2762 (Anderson) – Appraisal District: would: (1) provide that an appraisal district is governed by a board of seven directors; (2) provide that two of the seven directors be elected at the general election for state and county officers by the voters of the county in which the district is established; and (3) eliminate the ability of the governing bodies of a majority of the taxing units in an appraisal district to adopt resolutions disapproving of actions by the board.

H.B. 2771 (J. Rodriguez) – Property Tax Exemption: would provide that a person from whom an organization constructing or rehabilitating low-income housing acquires a project is considered to have owned the project during the period in which the person's predecessor in title owned the project if the person: (1) acquired the project by foreclosure or a deed in lieu of foreclosure; and (2) is not a parent, subsidiary, or affiliate of the organization.

H.B. 2777 (Guillen) – Appraisal Process: would authorize a property owner to appeal an order of an appraisal review board to justice court, as opposed to a district court, if the appeal relates only to a determination of appraised value or eligibility for an exemption from taxation and the

amount of taxes due on the portion of the taxable value of the property that is in dispute is \$10,000 or less.

H.B. 2792 (Elkins) – Appraisal Process: would authorize an appraisal review board to conduct a hearing that is closed to the public if the property owner or the chief appraiser intends to disclose proprietary or confidential information at the hearing that will assist the review board in determining the protest.

H.B. 2797 (Raymond) – Appraisal Cap: would: (1) provide that, for real property that is owned or leased and used for business purposes by a business entity that had less than \$1 million in gross receipts in its most recent fiscal year, an appraisal office may not increase the appraised value of the property to an amount that would exceed the lesser of: (a) the market value of the property for the most recent tax year that the market value was determined by the appraisal office; or (b) the sum of: (i) ten percent of the appraised value of the property for the preceding tax year; (ii) the appraised value of the property for the preceding tax year; and (iii) the market value of all new improvements to the property; and (2) provide that an improvement to property described in (1), above, is not treated as a new improvement if the improvement is a replacement structure for a structure that was rendered unusable by a casualty or by wind or water damage and: (a) the square footage of the replacement structure to exceed that of the replaced structure; or (b) the exterior of the replacement structure is of higher quality construction and composition than that of the replaced structure. (Please see **H.J.R. 126**, below.)

H.B. 2886 (Moody) – Property Tax Exemption: would provide a residence homestead property tax exemption for a surviving spouse of the owner if the surviving spouse is a life tenant.

H.B. 2889 (S. Turner) – Appraisal Process: would require a district court to grant relief on the ground that a property is appraised unequally if: (1) the appraised value of the property exceeds the median level of appraisal of a reasonable and representative sample of comparable properties; (2) the property qualifies as the owner's residence homestead; or (3) the appraised or market value of the property is \$1 million or less and exceeds the median appraised value of a reasonable sample of comparable properties.

H.B. 2893 (Raney) – Property Tax Exemption: would provide that property of a higher education development foundation or an alumni association that is located on land owned by the state is exempt from taxation if the property is used primarily to operate programs or perform other activities for the benefit of institutions of higher education.

H.B. 2901 (C. Turner) – Property Tax Exemption: would provide a credit against property taxes for property used as: (1) group home; or (2) an intermediate care facility for persons with developmental, physical, or intellectual disabilities if at least 95 percent of the residents of the facility are recipients of medical assistance under the state medical assistance program. (Please see **H.J.R. 127**, below.)

H.B. 2922 (Orr) – Property Tax Exemption: would define “wildlife management” for purposes of a property tax appraisal as actively using land in specific ways in accordance with standards developed by the Parks and Wildlife Department and the state comptroller.

H.B. 2990 (Canales) – Property Tax Delinquency: would provide that, for a property owner who is a veteran, an additional penalty of delinquent tax collection costs for taxes due before June 1 may not exceed the lesser of: (1) the amount of the compensation specified in the contract with the attorney to be paid in connection with the collection of taxes; or (2) an amount equal to five percent of the amount of the delinquent taxes for which the penalty is incurred.

H.B. 3035 (Harper-Brown) – Property Tax Exemptions: would redefine Freeport and Super Freeport goods as goods that are transported out of the state (or transported within the state for Super Freeport property) before the expiration of 730 days. (Note: current law provides for an exemption if the goods are transported out of the state for Freeport goods, or within the state for Super Freeport goods, before the expiration of 175 days.)

H.J.R. 115 (Workman) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxes all or part of real property used to operate a child-care facility. (Please see **H.B. 2497**, above.)

H.J.R. 119 (Laubenberg) – Property Tax Exemption: would amend the Texas Constitution to entitle the former spouse of an individual to freeze the property tax on the residence homestead of the individual under certain circumstances. (Please see **H.B. 2675**, above.)

H.J.R. 126 (Raymond) – Appraisal Cap: would amend the Texas Constitution to limit the maximum appraised value of property that is owned or leased by a business entity that had less than \$1 million in gross receipts in its most recent fiscal year and is used for business purposes to the lesser of the most recent market value of the property as determined by the appraisal entity or 110 percent, or a greater percentage, of the appraised value of the property for the preceding tax year. (Please see **H.B. 2797**, above.)

H.J.R. 127 (C. Turner) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to provide for a credit against property taxes imposed on a property used to provide housing to persons with disabilities based on the costs the owner of the property incurs to maintain, operate, or make improvements to the property. (Please see **H.B. 2901**, above.)

S.B. 1131 (Ellis) – Property Tax Exemption: would provide that a person is entitled to an exemption from taxation of the real property that the person owns and leases to a school if: (1) the real property is used exclusively by the school for educational functions; (2) the rental for the real property on an annual basis is not more than one percent of the property’s market value; (3) the school owns a building or facility on the leased property in which the school operates; and (4) the real property is reasonably necessary for the operation of the school.

S.B. 1224 (Taylor) – Appraisal Process: would allow a property owner to make a payment or to file or deliver a report, application, statement, or other document by sending the document by

common or contract carrier that bears a receipt mark indicating a date earlier than or on the specified due date or the owner otherwise furnishes satisfactory proof that it was deposited with the common or contract carrier on time.

S.B. 1255 (Patrick) – Appraisal Process: would authorize a property owner to appeal through binding arbitration an appraisal review board order if the property is the owner’s residence homestead and is valued at \$1 million or less. (Companion bill is **H.B. 2192** by **Murphy**.)

S.B. 1278 (Watson) – Appraisal Process: would require the chief appraiser to use the cost method of appraisal to determine the market value of solar energy property. (Companion bill is **H.B. 2500** by **Bohac**.)

S.B. 1342 (Davis) – Appraisal Process: would require a district court to grant relief on the ground that a property is appraised unequally if: (1) the appraised value of the property exceeds the median level of appraisal of a reasonable and representative sample of comparable properties; (2) the property qualifies as the owner’s residence homestead; or (3) the appraised or market value of the property is \$1 million or less and exceeds the median appraised value of a reasonable sample of comparable properties.

S.J.R. 44 (Ellis) – Property Tax: would amend the Texas Constitution to exempt from property taxes any real property that is leased to a person for use as a school for educational purposes. (Please see **S.B. 1131**, above.)

S.J.R. 51 (Paxton) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxes a person’s inventory held for sale at retail.

SALES TAX

H.B. 2504 (Bohac) – Sales Tax Exemption: would exempt snack items from sales and use taxes, but would provide that chips, crackers, or pretzels that are sold in individual-sized portions are subject to sales and use taxes. (Companion bill is **S.B. 1151** by **Hinojosa**.)

H.B. 2730 (Raymond) – Transit Sales Tax: would allow a transit department in a city with a population of less than 300,000 to exceed the two percent cap on local sales and use taxes if the voters of the transit department approve the increase.

H.B. 2746 (Strama) – Sales Tax Exemption: would exempt a number of energy-efficient products from sales and use taxes. (Companion bill is **S.B. 535** by **West**.)

H.B. 2779 (Frank) – Sales Tax Exemption: would eliminate city sales taxes on all-terrain vehicles, recreational off-highway vehicles, and off-road motorcycles by reclassifying these items as “motor vehicles” under the Tax Code (Note: the effect of this bill is to allow the state to continue to collect its full sales taxes as it does on cars and trucks, but cities would lose all their sales taxes on these vehicles.)

H.B. 2941 (Alvarado) – Sales Tax Exemption: would exempt from sales and use taxes the sale, storage, use, or consumption of tangible personal property directly used or consumed in qualified research or services if the property or services are sold, leased, or rented to, or stored, used, or consumed by, a person engaged in qualified research under contracts with one or more public or private institutions of higher education.

H.B. 2943 (Cortez) – Sales Tax Exemption: would exempt from sales and use taxes the sale, storage, use, or consumption of tangible personal property directly used or consumed in qualified research or services if the property or services are sold, leased, or rented to, or stored, used, or consumed by a person who: (1) is primarily engaged in a business involved in the aerospace industry; (2) performs qualified research in the territory of a defense base development authority; and (3) will not claim a franchise tax credit for the period during which the sale, storage, use, or other consumption occurs.

S.B. 1151 (Hinojosa) – Sales Tax Exemption: this bill is the same as **H.B. 2504**, above.

S.B. 1228 (Estes) – Sales Tax Exemption: would exempt a firearm or hunting supplies from sales and use taxes if the sale takes place on March 2. (Companion is **H.B. 1533** by **Leach**.)

S.B. 1252 (Patrick) – Sales Tax Exemption: would exempt certain tangible personal property and services related to mineral exploration and production from sales and use taxes. (Companion bill is **H.B. 2047** by **Lozano**.)

S.B. 1330 (Estes) – Sales Tax Exemption: would exempt the sale, lease, or rental, or storage, use, or other consumption of tangible personal property from sales and use taxes if: (1) the property is sold, leased, or rented to or stored, used, or consumed by a provider or a subsidiary of a provider; and (2) the property is directly used or consumed by the provider or subsidiary in the distribution of cable television service, internet access service, or telecommunications services.

PURCHASING

H.B. 2388 (Menendez) – Defense Base Development Authorities: would exempt a qualifying project of a defense base development authority from the requirements of the state's public/private partnership statute.

H.B. 2389 (Menendez) – Defense Base Development Authorities: would exempt a qualifying project of a defense base development authority from the requirements of the state's alternative construction delivery methods statute.

H.B. 2522 (Springer) – Historically Underutilized Businesses: would redefine “economically disadvantaged person” in the context of historically underutilized businesses to mean “a person who is a member of a racial or ethnic group that comprises less than 50 percent of the state's population.”

H.B. 2528 (E. Rodriguez) – Agricultural Product Preference: would provide that a city that purchases agricultural products: (1) shall give preference to those produced or grown in this state

if the cost to the city is equal and the quality is equal; and (2) may give preference to those products produced or grown in this state if the cost to the city does not exceed 107 percent of the cost of agricultural products produced or grown outside of this state and the quality is equal. (Companion is S.B. 1107 by Zaffirini.)

H.B. 2847 (White) – Contracts with Disabled Persons: would provide that, in relation to the current law allowing a political subdivision to purchase products or services for its use from private businesses through its authorized purchasing procedures or by substituting equivalent products or services produced by persons with disabilities, an open and binding contract between a political subdivision of this state and a private business may not be superseded or canceled in favor of a nonprofit organization.

H.B. 2958 (Leach) – Agencies and Instrumentalities of Cities: would provide that an agency or instrumentality of a city, an economic development corporation created by a city, or an alliance, agreement, partnership, or agency created between a city and one or more other governmental entities is required to award a contract by competitive bidding or competitive sealed proposals in the same manner as the city.

S.B. 1107 (Zaffirini) – Agricultural Product Preference: this bill is the same as H.B. 2528, above.

S.B. 1125 (Carona) – Purchasing Groups: would provide that: (1) a purchasing group composed primarily of employees of a political subdivision, including a county, city, or school district, may purchase first-party indemnity coverage, in addition to the liability coverage required in current law, on a group basis for other risks to which members may be exposed provided that the aggregate coverage limit per group member for the risk does not exceed three percent of the per member coverage limit for liability coverage; (2) a purchasing group shall notify the insurance commissioner of the group's intent to purchase such coverage not later than the 60th day before the date the policy that includes the coverage is initially issued; and (3) certain purchasing groups are exempt from the bill's provisions. (Companion bill is H.B. 3237 by Smithee.)

ELECTIONS

H.B. 2373 (Klick) – Elections: would provide that a signature roster may be in the form of an electronic device approved by the secretary of state that is capable of capturing a voter's signature.

H.B. 2465 (Farias) – Voter Registration: would provide that any Internet website that allows a person to determine the person's voter registration maintained by the secretary of state shall indicate if the person is or may be on the suspense list.

H.B. 2475 (R. Miller) – Voter Assistance: would provide that a person providing assistance to a voter must swear that he or she is not the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs.

H.B. 2515 (Springer) – Elections: would require the secretary of state to provide a calendar for each election that includes all election-related deadlines to each election authority either electronically or by mail.

H.B. 2538 (C. Turner) – Electronic Voting Machines: would require a county elections administrator to furnish electronic voting machines to be used for a city election on any uniform election date.

H.B. 2601 (Wu) – Elections: would allow a person to vote a limited ballot by personal appearance on Election Day only at the main early voting polling place.

H.B. 2682 (Miles) – Poll Watchers: would provide that, while on duty, a poll watcher may not use any device to produce or make an audio, visual, or audiovisual broadcast, recording, or photograph.

H.B. 2737 (D. Bonnen) – Ethics Commission: would, among other procedural changes: (1) change the name of “complaints” to the Ethics Commission to “inquiries;” (2) provide for new procedures for review of inquiries; (3) allow candidates to appoint principal political committees instead of campaign treasurers; and (4) allow appointed principal political committees to file reports for candidates.

H.B. 2848 (White) – Early Voting: would provide that: (1) the early voting clerk may order video recording of the area within 100 feet of an outside door where a voter may enter the building or structure of the early voting polling place; (2) voting stations may not be recorded; and (3) the early voting clerk may permit a video recording to be provided live on an Internet website for purposes of allowing the public to evaluate the wait time at an early voting polling place.

H.B. 2931 (Capriglione) – Elections: would prohibit the presiding judge from removing a poll watcher or election clerk from a polling place unless: (1) the early voting clerk approves the removal; or (2) the removal is pursuant to an arrest warrant issued by a judge.

H.B. 2936 (Miles) – Poll Watchers: would provide that, with certain exceptions, not more than three watchers from all appointing authorities combined may serve at the same time at a precinct polling place, main or branch early voting polling place, a meeting place for an early voting ballot board, or central counting station involved in an election.

H.B. 2940 (Toth) – Elections: would, among other things: (1) provide that the general primary election date is the first Tuesday in February; (2) provide that the runoff primary election date is the fourth Tuesday in April; and (3) require on a candidate’s application for a place on the ballot to state his or her awareness of the resign-to-run provision in the Texas Constitution.

H.B. 2959 (Collier) – Elections: would provide that an election officer may not disassemble or remove electronic voting system equipment or any component of the equipment from the polling place until the close of voting.

H.B. 3015 (Moody) – Recall in General Law Cities: would allow for the recall of a member of the governing body of a city through a petition-initiated election in a general law city.

H.B. 3049 (Springer) – Uniform Election Dates: would provide that, with certain exceptions, every general or special election in the state shall be held on the first Tuesday after the first Monday in November.

H.B. 3052 (Springer) – Uniform Election Dates: would provide that a city shall hold its general election on the November uniform election date.

H.B. 3054 (Springer) – Uniform Election Dates: would provide that an election for the issuance of bonds or the imposition of taxes by a political subdivision shall be held on the November uniform election date.

S.B. 1213 (Patrick) – Temporary Election Officers: would provide that a political subdivision's temporary election worker, officer, or official is not subject to the Texas Unemployment Compensation Act. (Companion bill is **H.B. 983** by Elkins.)

OPEN GOVERNMENT

H.B. 2414 (Button) – Open Meetings: would: (1) for purposes of the Open Meetings Act, define "videoconference call" to mean a communication conducted between two or more persons in which one or more of the participants communicate with the other participants through duplex audio and video signals transmitted over a telephone or data network; (2) authorize a meeting of a governmental body to be held by videoconference call only if: (a) all video and audio communication is displayed in real time on an Internet website that is maintained by the governmental body and is accessible to the public; (b) a member of the public may remotely view and listen to the meeting through the Internet website from any location with access to the Internet; (c) at least one suitable physical space is made available to the public by the governmental body that is equipped with videoconference equipment that provides an audio and video display, as well as a camera and microphone by which a member of the public can provide testimony or otherwise actively participate in the meeting; (d) at least one agent of the governmental body is present at the physical space to conduct the broadcast and facilitate any public participation; and (e) any member of the public present at the physical space is provided the opportunity to participate by means of videoconference call in the same manner as a person who is physically present at a meeting that is not conducted by videoconference call; (3) provide that a member of a governmental body may participate in a meeting by means of videoconference call if the video and audio feed of the member's participation is broadcast live at the meeting, and specify that the member must be counted as present at the meeting for all purposes; (4) provide that notice of a meeting held by videoconference call must specify as a location of the meeting the location of the physical space described in (2), above, and specify the Internet website address where the meeting will be displayed; (5) require that the physical space described in (2), above, have two-way audio and video communication with each member who is participating by videoconference call during the entire meeting; (6) require that each participant in a videoconference call, while speaking, be clearly visible and audible to each other participant and, during the open portion of the meeting, to the members of the public in attendance at the

physical location described in (2), above, and at any other location of the meeting that is open to the public; and (7) require that the quality of the audio and video signals perceptible by members of the public at each location of the meeting that is open to the public be of sufficient quality so that the public can observe the demeanor and hear the voice of each participant in the open portion of the meeting.

H.B. 2471 (E. Rodriguez) – Public Information: would: (1) make confidential the name and other identifying information of a person who obtains ownership or control of an unclaimed stray animal from a local government; and (2) allow the information described in (1), above, to be disclosed to a governmental entity or person who, under a contract with a governmental entity, provides animal control services, animal registration services, or related services for the governmental entity for purposes related to the protection of public health and safety; and (3) require a person that receives information under (2), above, to maintain the confidentiality of the information and allow the person to use the information only for a purpose directly related to the protection of public health and safety.

H.B. 2885 (McClendon) – Public Information: would allow a current or former lieutenant governor or member of the legislature to choose to make certain personal information confidential.

H.B. 2934 (Hunter) – Open Meetings and Public Information: would: (1) provide that a member or group of members of a governmental body commits an offense if the member or members knowingly transmits an electronic communication during a public meeting, with some exceptions; (2) add to the definition of “public information” information related to the transaction of official business that is written, produced, collected, assembled, or maintained: (a) for a governmental body and the body has a right of access to the information or spends or contributes public money to write, produce, collect, assemble, or maintain the information; or (b) by an individual who holds public office, is a member of the staff of a public office holder, or is an officer or employee of a governmental body; (3) add to the definition of “public information” any electronic communication transmitted through a device provided to an individual by a governmental body for official use on behalf of the governmental body or maintained on a government server; (4) provide that public information of a governmental body exists on a device not provided by the governmental body when that device is used by a public office holder, a member of the staff of a public office holder, or any other official or employee of the governmental body in connection with or related to the transaction of official business; and (5) define “official business” for purposes of the Public Information Act to mean any matter over which a governmental body has authority or administrative or advisory duties.

S.B. 1297 (Watson) – Open Meetings: would: (1) provide that the following communication or exchange between members of a governmental body about public business or policy does not constitute a meeting or deliberation for purposes of the Open Meetings Act: (a) a written communication; (b) posted on an online message board or similar Internet application viewable by the public, and (c) that is displayed in real time and displayed on the board or Internet application for no less than thirty days after the communication is first posted; (2) allow a governmental body to have no more than one online message board or Internet application to use as described in (1), above; (3) require that the online message board or Internet application

described in (1), above, be owned or controlled by the governmental body, prominently displayed on the body's primary Internet web page, and no more than one click away from the governmental body's primary Internet web page; (4) limit users (posters) of the online message board or Internet application described in (1), above, to the governmental body and authorized staff, who must include their name and title in any posted communication; (5) provide that certain postings removed from the board or application described in (1), above, are public information and must be maintained for a period of two years; and (6) prohibit a governmental body voting or taking any action that is required to be taken at a meeting under the Open Meetings Act by communicating or posting to the message board or Internet application described in (1), above.

OTHER FINANCE/ADMINISTRATION BILLS

H.B. 2350 (Hunter) – Windstorm Insurance: would, among other things, provide that: (1) a city or county may establish a program under which – for any structure's alteration, remodel, enlargement, or repair, involving one or more structural building components and located in the state's seacoast territory – an inspection may be conducted to determine whether the structure meets windstorm standards; and (2) the Texas Department of Insurance may contract with a city or county that adopts such a program.

H.B. 2352 (Hunter) – Windstorm Insurance: this bill is substantially similar to **S.B. 1089**, below.

H.B. 2353 (White) – Federal Regulation: would provide that a good that is grown, manufactured, made, or otherwise produced in this state and remains in this state, or a service that is performed exclusively in this state, is not subject to federal law or federal regulation under the authority of the federal government to regulate interstate commerce.

H.B. 2378 (Geren) – Alcoholic Beverage Permit and Licenses: would: (1) require the Texas Alcoholic Beverage Commission to refuse to issue an original permit authorizing the retail sale of alcoholic beverages before the first anniversary of the date an original or renewal license or permit application filed by the same applicant for the same premises is refused, unless the condition that caused the refusal is addressed or resolved; and (2) require a county judge, the commission, or an administrator to refuse to approve or issue an original license authorizing the retail sale of alcoholic beverages before the first anniversary of the date an original or renewal license or permit application filed by the same applicant for the same premises is refused, unless the condition that caused the refusal is addressed. (Companion bill is **S.B. 1036** by **Carona**.)

H.B. 2432 (Murphy) – Retirement Systems: would: (1) remove a public retirement system's sole discretion in determining whether a record is confidential; (2) require each member of the governing body of a public retirement system to disclose certain conflicts of interest; (3) allow the attorney general to sue an individual who breaches his or her fiduciary duty to a retirement system and to recover civil penalties for a public retirement system, including the Texas Municipal Retirement System; (4) require that each public retirement system retain its reports and documents in accordance with the state records retention schedule; and (5) for public

retirement systems that base the retirement amount on the final salary of the retiree, prohibit the inclusion of overtime pay in the calculation of benefits.

H.B. 2444 (Callegari) – Retirement: would remove a public retirement system’s sole discretion in determining whether a record is confidential.

H.B. 2453 (Eiland) – Mixed Beverage Tax: would change the manner in which the tax on mixed beverages is imposed by requiring the tax rate of 14 percent to apply to the sales price of the mixed beverages, ice, and non-alcoholic mixers sold, used, prepared, or served. (Note: Current law provides that the tax rate of 14 percent applies to the gross receipts received by a permittee for the sale of mixed beverages, ice, and non-alcoholic mixers. Under this bill, cities would receive 10.7143 percent of taxes received from the sale of these items, rather than 10.7143 percent of the gross receipts of permittees within the city.)

H.B. 2464 (Farias) – Birth Certificate Fees: would: (1) require a local registrar or county clerk to charge a two dollar fee, in addition to other fees collected, for issuing a certified copy of a birth certificate, issuing a wallet-sized birth certificate, or conducting a search for a birth certificate; and (2) require the fee collected under (1), above, to be sent to the comptroller, who must deposit the money to the credit of the child abuse and neglect prevention trust fund account.

H.B. 2472 (Cook) – Department of Information Resources: this is the Department of information Resources sunset bill, which continues that department until 2021. Of interest to cities, it provides that the department shall adopt a process to determine the amount of the administrative fee the department charges to administer any of its programs. (Companion bill is **S.B. 216** by **Birdwell**.)

H.B. 2539 (Turner) – Child Pornography: would: (1) require a computer technician who, in the course and scope of employment or business, views an image on a computer that is or appears to be child pornography to immediately report the discovery to local or state law enforcement or the “Cyber Tipline;” (2) provide that a computer technician may not be held liable on account of any action taken in good faith to comply with (1), above; (3) provide that it is a class B misdemeanor to fail to comply with (1), above; and (4) provide that it is a defense to prosecution that the actor did not report the discovery of an image of child pornography because the child in the image appeared to be at least 18 years old. (Companion bill is **S.B. 1190** by **Davis**.)

H.B. 2609 (Pitts) – Payday Lending: would: (1) grant exclusive authority to the state’s consumer credit commissioner to examine, inspect, and regulate payday lenders; (2) expressly provide that a business regulated by the commissioner is not subject to any regulatory authority of a political subdivision in this state. (Note: This bill would invalidate city ordinances adopted to regulate payday and motor vehicle title lenders.)

H.B. 2636 (Fruzzo) – Tax Increment Financing: would allow money in the tax increment fund for a reinvestment zone to be transferred to the tax increment fund for an adjacent zone if: (1) the taxing units that participate in the reinvestment zone transferring the funds also all participate in the adjacent zone that is to receive the funds; (2) each taxing unit agrees to deposit the same

portion of tax increment in the fund for each zone; and (3) the holders of any tax increment bonds or notes issued for the transferring zone agree to the transfer.

H.B. 2649 (Herrero) – Deer Permits: would provide that a person who violates a rule or the terms of a permit relating to a permit issued for the trapping, transporting, and transplanting of a game animal or bird commits a class C Parks and Wildlife misdemeanor.

H.B. 2684 (Button) – Franchise Tax: would provide that a corporation comprised of political subdivisions that was formed to act as an agent to negotiate the purchase of electricity is exempted from the franchise tax.

H.B. 2687 (E. Rodriguez) – Property Tax Lending: would allow a city council to take official action to authorize or prohibit the transfer of the city's tax lien to a person who pays the taxes on behalf of a property owner.

H.B. 2693 (Sheets) – Roofing Contractors: would provide: (1) that a person may not perform or offer to perform roofing services unless the person holds a certificate issued by the Texas Department of Licensing and Regulation; (2) detailed procedures and penalties; (3) that an authorized employee or representative of a city is exempt from the bill's requirements; and (4) that the bill is not intended to conflict with or affect the authority of any state or local agency, board, or department that administers or enforces any law or ordinance or that establishes, administers, or enforces a policy, rule, qualification, or standard for a trade or profession.

H.B. 2706 (Villarreal) – Payday Lending: would preempt all city ordinances regulating payday and motor vehicle title lenders (i.e., "credit services organizations" and "credit access business") to the extent that an ordinance is not within the city's standard zoning or police powers and would impose a number of statewide regulations on payday and motor vehicle title lenders, including:

1. a prohibition on a credit services organization from assisting a consumer in obtaining an extension of consumer credit in any form other than a payday or motor vehicle title loan that meets the requirements of state law;
2. a requirement that a credit access business post notice regarding the availability of extended payment plans;
3. a provision limiting the term of a loan to military borrower to: (a) 90 days for a payday loan; and (b) 180 days for a motor vehicle title loan;
4. a provision that a loan by a credit access business on or before the fifth day after the date the consumer pays the debt on a previous loan is considered a refinance of the previous debt;
5. a term limit of 180 days for a loan by a credit access business;
6. a requirement that consumer notices and the loan agreement be printed in Spanish on request of a consumer;
7. a requirement that a credit access business consider the ability of the consumer to repay the debt within the term before assisting the consumer with obtaining a loan;
8. a provision stating that a consumer may have only one outstanding debt from a previous loan from a credit access business at any given time, and that in order to secure a loan the

- consumer may not have received a loan from a credit access business within the preceding 14 days or gone into default on a debt resulting from a credit access business loan within the preceding 30 days;
9. a provision stating that the proceeds of the sale of a repossessed vehicle secured by a motor vehicle title loan shall satisfy all outstanding and unpaid indebtedness;
 10. a requirement that a credit access business require documentation to establish a consumer's income for purposes of limitations on the total amount of the loan;
 11. limitations on single-payment payday loans, including: (a) a requirement that the loan not exceed: (i) 25 percent of the consumer's gross income if the consumer's annual income is not more than 125 percent of the federal poverty level for a family of four; or (ii) 35 percent of the consumer's gross monthly income if the consumer is not described by (i), above; (b) a requirement that the loan have a term of not less than 10 days; and (c) a requirement that the loan may not be refinanced more than four times, and once refinanced four times a credit access business must offer an extended payment plan to the consumer that complies with specific requirements;
 12. limitations on multiple-payment payday loans, including: (a) a requirement that the sum of all scheduled payments on such a loan not exceed: (i) 15 percent of the consumer's gross monthly income, if the consumer's income is not more than 125 percent of the federal poverty level for a family of four; or (ii) 20 percent of the consumer's gross monthly income if the consumer is not described by (i), above; (b) a requirement that the loan may not be payable in more than 12 installments; (c) a requirement that the loan be payable on a fully amortizing, declining principal balance basis with substantially equal payments; (d) a requirement that the first installment payment may not be due before the 10th day after the consumer enters into the loan agreement, and that an installment may not be due before the 14th day or after the 31st day after the date a previous installment is due; and (e) a requirement that the loan may not be refinanced more than once, and the combined term of the original loan and refinanced loan may not exceed 270 days;
 13. limitations on single-payment motor vehicle title loans, including: (a) a requirement that the principal amount of the loan may not exceed the lesser of: (i) six percent of the consumer's annual income if the consumer's annual income is not more than 125 percent of the federal poverty level for a family of four; (ii) eight percent of the consumer's gross annual income if the consumer is not described by (i), above; or (iii) 70 percent of the retail value of the motor vehicle securing the debt; (b) a requirement that the term of the loan not be less than 30 days; (c) a requirement that the loan may not be refinanced more than six times, and once refinanced six times a credit access business must offer an extended payment plan to the consumer that complies with specific requirements;
 14. limitations on multiple-payment motor vehicle title loans, including: (a) a requirement that the sum of all scheduled payments on such a loan not exceed: (i) 15 percent of the consumer's gross monthly income, if the consumer's income is not more than 125 percent of the federal poverty level for a family of four; or (ii) 20 percent of the consumer's gross monthly income if the consumer is not described by (i), above; (b) a requirement that the loan be payable on a fully amortizing, declining principal balance basis with substantially equal payments; (c) a requirement that the loan may not be payable in more than 6 installments; (d) a requirement that the first installment payment may not be due before the 10th day after the consumer enters into the loan agreement, and that a subsequent installment may not be due before the 30th day after the date the

previous installment was due; (e) a requirement that the loan may not be refinanced more than once, and the combined term of the original loan and refinanced loan may not exceed 270 days; and (f) a requirement that a credit access business may not initiate any activities to repossess the vehicle securing the debt before offering the consumer an extended payment plan that complies with specific requirements.

(Companion bill is **S.B. 1247** by **Carona**.)

H.B. 2839 (Frullo) – Landowner Liability: would limit the liability of an airstrip owner.

H.B. 2851 (Callegari) – State Agency Rules: would provide that a state agency shall only adopt a rule that fulfills the purposes of the law governing the agency.

H.B. 2871 (Capriglione) – Regional Planning Commission Contracts: would require a regional planning commission to submit any contract with a nondisclosure provision to the attorney general for review as to whether such a provision would be legal under the Public Information Act.

H.B. 2887 (Davis) – Community Collaboratives: would: (1) provide, to the extent funds are appropriated to the Texas Department of State Health Services, that grants be made to various entities, including local governmental entities, to establish community collaboratives that bring the public and private sectors together to provide services and coordinate care for the homeless, mentally ill, and persons with substance abuse problems; and (2) establish permissible uses for grant funds described in (1), above. (Companion bill is **S.B. 1804** by **Huffman**.)

H.B. 2935 (Hunter) – Interlocutory Appeals: would allow an interlocutory appeal from a court's decision on a motion to dismiss in a case involving free speech.

H.B. 2948 (Harper-Brown) – Legislative Budget Board: would provide that the Legislative Budget Board: (1) must perform a cost-benefit analysis of each proposed rule submitted by a state agency, except an emergency rule, and submit the analysis to: (a) the governor and the legislature; (b) a person subject to regulation under a proposed rule; and (3) a nonprofit corporation whose members may be affected by a proposed rule; and (2) shall file a report on the financial effect of a proposed rule by a state agency with the governor and the legislature.

H.B. 2981 (E. Rodriguez) – Animal Shelters: would, among other things: (1) authorize an animal shelter to house certain same-species animals together, but prohibit (with some exceptions) confining healthy animals with unhealthy animals; (2) prohibit an animal shelter from refusing to adopt or transfer a dog or cat based solely on age, breed, type, appearance or size; (3) require a governmental animal sheltering agency to keep and maintain on its premises records of the date and disposition of animals and make those records available for inspection; (4) authorize a governmental animal sheltering agency to transfer an animal that does not have a microchip or tag identification to a rescue organization or private animal sheltering organization immediately after impound and to post to persons entering the facility and on the website certain information about the animal; (5) authorize a governmental animal sheltering agency to transfer to a rescue organization or private animal sheltering organization an animal that is surrendered

by its owner; (6) require an animal shelter, in certain instances, to give certain notice about organizations and shelters who are willing and able to care for unweaned animals; (7) require an animal shelter, before euthanizing an animal, to give certain notice to the public and certain organizations and to transfer the animal in certain instances; (8) authorize euthanasia within 24 hours of giving the notice in (7), above, in the case of a mass seizure of animals by law enforcement; and (9) authorize an animal shelter to make a transfer in (7), above, conditioned upon a site-visit conducted by a city or county employee who oversees zoning and health code enforcement in the city or county.

H.B. 2986 (Fletcher) – Solicitation of Legal Services: would: (1) provide that a person commits an offense if: (a) the person, with the intent to obtain professional employment for the person or another person, solicits or causes to be solicited, in person or by telephone, employment that relates to the provision of legal services involving the solicited person; and (b) the person obtained the information used to make the solicitation described in (a), above, from personal information contained in a citation for a violation of the Rules of the Road issued to the solicited person; and (2) provide penalties for a violation of (1), above.

H.B. 2953 (Guillen) – State License Holders: would provide that, unless expressly authorized by state law, a city may not adopt or enforce any ordinance, rule, or regulation that establishes requirements for, imposes restrictions on, or otherwise regulates the business activity of a state license holder within the city or its extraterritorial jurisdiction.

H.B. 3000 (Miller) – Property Tax Lending: would: (1) prohibit a property tax lender from selling, transferring, assigning, or releasing rights related to a property tax loan to a person who is not licensed by the Finance Commission of Texas; and (2) repeal the expedited foreclosure process for a tax lien by a licensed property tax lender. (Companion bill is **S.B. 247** by **Carona**.)

H.B. 3019 (McClendon) – Payday Lending: would provide that, for a consumer who is a military borrower, dependent of a military borrower, or member of the reserve component of the United States armed forces, that the term of a loan is limited to: (1) 90 days for a payday loan; or (2) 180 days for a motor vehicle title loan.

H.B. 3033 (E. Rodriguez) – Payday Lending: would provide that information relating to the name, address, and telephone number of all third-party lender organizations with which a credit access business contracts to provide services or from which the credit access business arranges extensions of consumer credit that is contained in a license application is considered to be public information.

H.B. 3045 (Oliveira) – Tax Preferences: would: (1) require the comptroller to identify all state and local tax preferences and present a schedule to the Legislative Budget Board every odd-numbered year under which each tax preference is reviewed once during each six-year period; (2) require the Legislative Budget Board to evaluate all state and local tax preferences and make recommendations for continuing, repealing, or amending each preference; and (3) provide that each tax preference enacted by the legislature that becomes law after September 1, 2014, expires six years after the date it takes effect, unless the legislature provides an earlier or later expiration date.

H.B. 3063 (Menendez) – Enterprise Zones: would provide that an area inside the boundaries of a defense base development authority automatically qualifies as an enterprise zone.

H.B. 3066 (Menendez) – Enterprise Zones: would provide that an area inside the boundaries of a defense base development authority automatically qualifies as an enterprise zone.

H.J.R. 111 (Perry) – State Budget: would amend the Texas Constitution to limit a state budget appropriation from the state’s Rainy Day Fund.

H.J.R. 114 (Dutton) – Tax Preferences: would amend the Texas Constitution to: (1) require the legislature to implement the necessary procedures for the periodic review of state and local “tax preferences;” and (2) provide that each tax preference enacted by the legislature that becomes law after September 1, 2014, expires six years after the date it takes effect, unless the legislature provides an earlier or later expiration date.

H.J.R. 121 (Raymond) – Gambling: would amend the Texas Constitution to: (1) authorize a state video lottery system to operate video lottery games at certain horse and greyhound racetracks and providing that federally recognized Indian tribes may conduct games of chance on certain Indian lands; and (2) prohibit the governing body of a political subdivision from taking any action regarding the repeal or revocation of a previous authorization by the voters of the political subdivision to approve the legalization or conduct of pari-mutuel wagering on horse races or greyhound races at a racetrack in that political subdivision if the racetrack is authorized under this resolution to operate video lottery games on behalf of the state. (Companion bill is **S.J.R. 26** by **Hinojosa**.)

H.J.R. 125 (Simpson) – Health Benefits: would amend the Texas Constitution to prohibit a state law that would: (1) require an individual to choose a particular health care treatment; or (2) require a health care provider to advise a patient of a particular treatment.

S.B. 216 (Birdwell) – Department of Information Resources: this bill is the same as **H.B. 2472**, above.

S.B. 219 (Huffman) – Ethics Commission: would, among other things, require the Texas Ethics Commission to design forms that may be used for filing a financial statement with an authority other than the commission. (Companion bill is **H.B. 2737** by **Bonnen**.)

S.B. 820 (Williams) – Deer Permits: this bill is the same as **H.B. 1614**, above.

S.B. 1089 (Hinojosa) – Windstorm Insurance: would make numerous changes to the operation of the Texas Windstorm Insurance Association and to catastrophe preparedness in seacoast territories by, among other things: (1) prohibiting, after September 1, 2013, the use of public securities issued under existing law to cover losses in excess of premium and other revenue of the association and terminating the use of public securities under existing law on September 1, 2017; (2) after September 1, 2013, providing that losses in excess of premium and other revenue of the association shall be paid from a new public securities process of a limited amount and an

assessment against all insurers in the state; (3) setting the amount of the surcharge, which is higher for those in first tier coastal counties; (4) authorizing an insurer to purchase reinsurance to cover an assessment for which the insurer would be liable under the bill; (5) not later than January 31 of each year, mandating that the association shall submit to the commissioner in a form and manner, and using a method or formula determined by the commissioner by rule, a statement that reports the financial condition of the association; (5) creating four new classes of public securities, the proceeds of which, including investment income, shall be held in trust for the exclusive use and benefit of the association; (6) modifying the composition of the association's board of directors; (7) providing that a policy issued by an insurer that includes windstorm and hail insurance coverage must include certain provisions; (8) mandating that residential construction, including an alteration, remodel, enlargement, or repair involving one or more structural building components, in the unincorporated area of a first tier coastal county, shall conform to the residential building code standards required to obtain a windstorm certificate; and (9) providing that a city or county may not issue a certificate of occupancy or completion for residential construction in a seacoast territory unless the roof of the construction has been designed for compliance with uniform static wind pressure requirements of 140 miles per hour, for construction seaward of the intercoastal waterway, or 130 miles per hour, for construction inland of the intercoastal waterway and the construction has been inspected and certified by the Texas Department of Insurance in accordance with the bill. (This bill is substantially similar to **H.B. 2352** by **Hunter**.)

S.B. 1155 (Hinojosa) – Enterprise Zones: would authorize a county to nominate for designation as an enterprise project a project or activity of a qualified business that is located in the county and in the extraterritorial jurisdiction of a city primarily located in a different county. (Companion bill is **H.B. 1982** by **Murphy**.)

S.B. 1179 (Deuell) – Mixed Beverage Tax: would: (1) establish a process for certain venues to qualify as a “live music presenter” for purposes of the mixed beverage tax; and (2) provide that a tax at the rate of seven percent is imposed on the gross receipts of a mixed beverage permittee classified as a live music presenter. (Note: under current law a tax at the rate of 14 percent is imposed on the gross receipts of a mixed beverage permittee, of which a city receives 10.7143 percent for all permittees in the city limits.) (Companion bill is **H.B. 3095** by **Strama**.)

S.B. 1188 (Huffman) – Credit Management Agreements: would require the comptroller to conduct a study on the use of credit management agreements by state agencies and political subdivisions.

S.B. 1190 (Davis) – Child Pornography: this bill is the same as **H.B. 2539**, above.

S.B. 1201 (Patrick) – Property Tax Lending: would, among other things: (1) require the transferee of a tax lien to include a specific notice in any advertisement or solicitation provided to a property owner; (2) require the transferee of a tax lien to mail to any mortgage services and to each holder of a recorded first lien encumbering the property a notice that the property owner has requested that the transferee pay the taxes on the property, that the tax lien will be transferred to the transferee, and that the transferred tax lien will be superior to the mortgage; (3) provide that the transfer of a tax lien does not affect the priority of the lien to the extent the lien secures

the funds advanced by the transferee to pay taxes, penalties, and interest, and collection costs as shown on the tax receipt; and (4) failure to comply with state law will result in the transferred tax lien being subordinate to any recorded preexisting lien on the property.

S.B. 1247 (Carona) – Payday Lending: this bill is the same as **H.B. 2706**, above.

S.B. 1250 (Carona) – State Regulation of Occupations: would create an office of regulatory best practices in the Texas Department of Licensing and Regulation which would, among other things, evaluate legislative proposals to regulate occupations. (Please see **S.J.R. 48**, below.)

S.B. 1251 (Carona) – Payday Lending: would authorize the Texas Finance Commission to prescribe by rule the maximum amount of an administrative fee and acquisition charge associated with certain consumer loan contracts. (Companion bill is **H.B. 2315** by **Villarreal**.)

S.J.R. 26 (Hinojosa) – Gambling: this bill is the same as **H.J.R. 121**, above.

S.J.R. 48 (Carona) – State Regulation of Occupations: would amend the Texas Constitution to require a member of the legislature to obtain and file a report on the costs and benefits of a bill or amendment to impose or increase a statewide occupational regulation. (Note: please see **S.B. 1250**, above.)

S.J.R. 50 (Lucio) – Drug Screening: would amend the Texas Constitution to mandate that a candidate for public elective office in this state submit to a controlled substance use screening assessment.

MUNICIPAL COURTS

H.B. 2679 (Guillen) – Defendant’s Plea: would allow: (1) a municipal court judge to permit a defendant in jail to enter in a plea; (2) a judge to accept the plea; and (3) a judge to assess punishment.

H.B. 2863 (Carter) – Prostitution: would require a city or county with a first offender prostitution program to include appropriate counseling, services, and classroom instruction to offenders.

H.B. 2890 (S. Turner) – Court Costs: would: (1) increase the consolidated state court costs for class C misdemeanors to \$122; (2) allow the Texas Judicial Council to increase the court cost amount annually by a percentage equal to the inflation rate for the preceding four-calendar-year period and round the resulting amount rounded to the nearest dollar, if: (a) the inflation amount was at least three percent and the legislature did not increase the amount of the court cost during that period; (3) reduce the one-time restitution fee for certain offenses from \$12 to \$6; (4) reduce the amount of court costs for a conviction of a municipal ordinance from \$40 to \$30; (5) reduce the administrative fees for failure to appear and failure to pay from \$30 to \$10; and (6) allow a city to keep the entire amount of the administrative fee for failure to appear or failure to pay.

H.B. 3058 (Herrero) – Juvenile Records: would make confidential all records and files related to a child who has received a dismissal after deferral of disposition.

H.B. 3059 (Herrero) – Court Costs: would allow a municipal court judge to waive payment of a fine or costs imposed on a minor defendant.

S.B. 1108 (Duncan) – Judicial and Court Personnel Training Fund: would allow the Court of Criminal Appeals to appropriate funds for continuing legal education for the personnel of a criminal defense attorney who regularly represents indigent defendants in criminal matters. (Companion bill is **H.B. 1245** by **Turner**.)

S.B. 1147 (West) – Municipal Court Fee: would allow a court, including a municipal court, to charge a \$2 fee for each electronic filing transaction if that cost accurately reflects the cost of electronic filing.

S.B. 1234 (Whitmire) – Failure to Attend School: would remove the offense of failure to attend school from the jurisdiction of municipal and justice courts and would establish progressive sanctions for students that fail to attend school.

COMMUNITY AND ECONOMIC DEVELOPMENT

H.B. 2473 (Deshotel) – Economic Development Corporations: would authorize a Type A or Type B economic development corporation to spend tax revenue for the development or construction of housing facilities on or adjacent to the campus of a public state college.

H.B. 2521 (Springer) – Economic Development Corporations: would authorize a Type B economic development corporation to use its dedicated sales tax revenue to support the promotion of development and expansion of housing, including affordable housing.

H.B. 2695 (Davis) – Wind Turbines: would authorize the governing body of a city to extend to the extraterritorial jurisdiction of the city the application of city ordinances relating to the authorization and development of wind turbines.

H.B. 2757 (D. Bonnen) – Substandard Building Liens: would authorize a city to place a substandard building demolition lien on a homestead. (Please see **H.J.R. 123**, below.)

H.B. 2818 (Sheffield) – Alcohol Regulation: would, among other things, provide that an area annexed by a city assumes the wet or dry status of the city.

H.B. 2908 (Dutton) – Ordinance Authority: would prohibit a city from regulating an individual who is licensed by the state unless the state statute providing for the licensing specifically allows a city to regulate the licensee.

H.B. 2930 (Miles) – Takings Claims: would provide that: (1) a person asserting a taking claim against a governmental entity shall give written notice of such claim by certified mail to the governmental entity against which such claim is being made at least 60 days before the filing of

a suit in any court based upon certain common-law takings claims that are codified in the bill; (2) any party asserting a taking claim shall state that it has complied fully with the provisions of the bill and shall provide such evidence thereof as the judge of the court may require; (3) the notice provided under (1), above, shall toll the applicable statute of limitations to and including a period of 75 days following the giving of the notice, and this tolling shall apply to all parties and potential parties; (4) no fewer than 45 days after receipt of a notice required by (1), above, the governmental entity shall deliver to the sender in person, by third-party delivery or by certified mail, a response stating whether or not the governmental entity contends in good faith that one or more of the facts described by the claimant in the notice were the result of the governmental entity's enforcement of one or more laws enacted for the protection of public health or safety and, if yes, identifying the said law or laws; (5) if the response required by (4), above, does not state that one or more of the facts described in the claimant's notice were the result of the governmental entity's enforcement of one or more laws enacted for the protection of public health or safety, the bill's procedures do apply to the taking claim; (6) if a pleading of a claimant filed in any court may be fairly construed to make a takings claim as defined by the bill the claimant shall, not later than 120 days after the date the original petition is filed, serve on each party or the party's attorney one or more expert reports, with a curriculum vitae of each expert listed in the report, for each governmental entity against which a taking claim is asserted; (7) if, as to a defendant, an expert report has not been served, the court, on the motion of the affected governmental entity, shall with certain exceptions enter an order that awards to the affected governmental entity reasonable attorney's fees and costs of court incurred by the governmental entity and dismiss the claim with respect to the governmental entity, with prejudice to the refiling of the claim; (8) until a claimant has served the expert report and curriculum vitae under (6), above, all discovery in a taking claim is stayed except for the acquisition by the claimant of information by certain allowable means; (7) certain interlocutory appeals by a governmental entity are authorized; and (8) alternative dispute resolution procedures to a takings claim. (Companion bill is S.B. 472 by Ellis.)

H.B. 2955 (Guillen) – Industrialized Housing: would: (1) transfer the regulation of industrialized housing (but not industrialized buildings) from the Texas Department of Licensing and Regulation to the Texas Department of Housing and Community Affairs manufactured housing division; and (2) retain current municipal authority over industrialized housing. (Companion bill is S.B. 1673 by Taylor.)

H.J.R. 110 (Isaac) – Freedom of Religion: would amend the Texas constitution to provide that: (1) government may not burden a person's or religious organization's freedom of religion; (2) the right to act or refuse to act in a manner motivated by a sincerely held religious belief may not be burdened unless the government proves it has a compelling governmental interest in infringing the specific act or refusal to act and has used the least restrictive means to further that interest; and (3) a burden for purposes of (1) and (2), above, includes indirect burdens such as withholding benefits, assessing penalties, or an exclusion from programs or access to facilities.

H.J.R. 113 (Ashby) – Right to Hunt and Fish: would amend the Texas Constitution to give every person the right to hunt and fish, so long as that does not interfere with the rights of another person or involve trespass on private property.

H.J.R. 123 (D. Bonnen) – Substandard Building Liens: would amend the Texas Constitution to authorize a city to place a substandard building demolition lien on a homestead. (Please see **H.B. 2757**, above.)

S.B. 214 (Birdwell) – Texas Department of Housing and Community Affairs: this bill is the same as **H.B. 3361**, above.

S.B. 1087 (Campbell) – Floodplain Management: would: (1) authorize a city to bring a civil action for the enforcement of an ordinance relating to floodplain control and administration, including an ordinance regulating the placement of a structure, fill, or other materials in a designated floodplain; (2) authorize a city to abate a floodplain management ordinance violation by causing the work necessary to bring real property into compliance with the ordinance if, after notice, the owner fails to comply with the ordinance; and (3) allow a city to assess the costs incurred under (2), above, against the property and have a lien against the property for costs and interest.

S.B. 1144 (Lucio) – Spaceport Development Corporations: would provide that: (1) a member of the governing body of a city authorizing the creation of the spaceport development corporation may be appointed to the board of directors; and (2) a director may be removed at any time without cause by a vote of the appointing governing body.

S.B. 1199 (Van de Putte) – Veteran and Military Friendly Cities: would start a pilot program that would designate certain cities as Veteran and Military Friendly Cities based on Texas Veterans Commission criteria.

S.B. 1200 (Van de Putte) – Military Cities Grants: would create a grant program to assist local government entities, including cities, to respond to an anticipated, planned, announced, or implemented action of the federal government that would affect defense worker jobs or facilities within their community.

S.J.R. 4 (Campbell) – Religious Freedom: would amend the Texas Constitution to provide that: (1) the government may not burden a person's or religious organization's freedom of religion; (2) the right to act or refuse to act in a manner motivated by a sincerely held religious belief may not be burdened unless the government proves it has a compelling governmental interest in infringing the specific act or refusal to act and has used the least restrictive means to further that interest; and (3) a burden includes indirect burdens, such as withholding benefits, assessing penalties, or an exclusion from programs or access to facilities. (Companion bill is **S.J.R. 49** by **Campbell**.)

S.J.R. 49 (Campbell) – Religious Freedom: this bill is the same as **S.J.R. 49**, above.

PERSONNEL

H.B. 2924 (Sheets) – Civil Service: would require a civil service city to give a fire fighter or police officer access to his or her military leave time account if they have been employed for at least three months and regardless of whether the person has exhausted their other paid leave.

H.B. 2971 (Alonzo) – Fire Departments: would bring additional fire personnel under the regulatory authority of the Texas Commission on Fire Protection.

S.B. 1205 (Van de Putte) – Termination of Public Safety Employees: would: (1) prohibit a city from terminating an injured peace officer or firefighter before he or she has reached maximum medical improvement; and (2) create a cause of action for damages and reinstatement if the bill is violated. (Companion bills are **H.B. 1430** by **Fletcher** and **H.B. 1697** by **Farrar**.)

PUBLIC SAFETY

H.B. 2298 (Naishtat) – Emergency Medical Services: would define “advanced life support” to mean emergency prehospital care that uses invasive medical acts, including advanced life support assessment. (Note: This bill would appear to ensure that the Health and Human Services Commission will continue to pay a transport at the “ALS 1” level if the only advanced life support service employed is an ALS assessment.)

H.B. 2346 (Zedler) – License Plate Flippers: would make it a class B misdemeanor for a person to use, sell, offer for sale, purchase, or possess for use or sale a “license plate flipper,” which is defined as a mechanical device designed to be installed on a motor vehicle that switches between two or more license plates or hides a license plate from view.

H.B. 2369 (Guillen) – Volunteer Fire Fighters: would move the retirement plan requirement for volunteer fire fighters from the Texas Local Fire Fighters Retirement Plans to the Texas Emergency Services Retirement System.

H.B. 2381 (Isaac) – Concealed Handguns: would: (1) clarify that the notice given to a concealed handgun license holder that the license holder is prohibited from carrying at a meeting of a governmental entity must be limited to the room or rooms where the meeting is being held; (2) provide that a governmental entity may only prohibit a license holder from carrying in a meeting that is subject to the Texas Open Meetings Act; and (3) allow a license holder to carry on the premises of a polling place on the day of election or while early voting is in progress, on the premises of a racetrack, in an amusement park, and to a church or other established place of religious worship.

H.B. 2405 (Wu) – Cite and Release: would: (1) require each county to report to the Commission on Jail Standards the extent to which, during the preceding calendar year, the law enforcement agencies in the county issued citations for class A or B misdemeanor offenses instead of arresting the offender, as permitted by law; (2) require that the report described in (1), above, consist of certain information including the cost savings realized by having a cite and release policy or, alternatively, the reason the law enforcement agency has not adopted such a policy; and (3) impose on the commission certain duties in regard to the reports described in (1), above.

H.B. 2420 (Elkins) – Red Light Cameras: would prohibit a city red light camera ordinance from imposing a civil penalty on the owner of a motor vehicle that is turning right at an intersection.

H.B. 2426 (Martinez) – Emergency Medical Services Personnel: would: (1) require the Department of State Health Services to create a standardized training program and tests for emergency medical services (EMS) personnel; and (2) require the commissioner to choose only three statewide standardized certification examinations for EMS personnel.

H.B. 2429 (Martinez) – Structural Engineering: would create a new classification of “structural engineer” in the Texas Engineering Practices Act and would provide that a person may not practice structural engineering without a certificate issued by the Texas Board of Professional Engineers. (Companion bill is **S.B. 1081** by **Lucio**.)

H.B. 2517 (Springer) – Outdoor Burning: would allow a county to adopt an order requiring a person to contact a volunteer or city fire department before starting an outdoor fire.

H.B. 2529 (McClendon) – Disease Control Pilot Programs: would create county-funded pilot programs for the prevention of communicable diseases, including the distribution of syringes

H.B. 2535 (Schaefer) – Handguns: would authorize a person who provides volunteer security services: (1) to carry a firearm on the premises of a private primary or secondary school at which the person is employed; or (2) if the person holds a concealed handgun license, to carry a concealed handgun in a church, synagogue, or other established place of religious worship if the person is a member of or regularly attends that established place of religious worship.

H.B. 2568 (Workman) – Criminal Offenses and Penalties: would provide that a statute, including the Penal Code, or rule that creates or defines a criminal offense or penalty shall be strictly construed against the government and construed in favor of the actor if any part of the statute or rule is susceptible to more than one objectively reasonable interpretation, including an element of offense or the penalty to be imposed.

H.B. 2576 (Larson) – Cybersecurity: would create the position of state cybersecurity coordinator, who may establish a council to collaborate on matters of cybersecurity concerning this state. (Companion is **S.B. 1102** by **Van de Putte**.)

H.B. 2579 (Wu) – Correctional Facilities: would: (1) in regard to a violation of the civil rights of a person in custody, define “correctional facility” to include any place or facility at which a person suspected of a violation of federal immigration is detained; and (2) in regard to the detection of cellular phones or wireless communication devices in a correctional or detention facility, define “correctional facility” to include a municipal or county jail; a confinement facility operated by the Texas Department of Criminal Justice (TDCJ); a confinement facility operated under contract with any division of the TDCJ; a community corrections facility operated by a community supervision and corrections department; and certain public or private residential facilities, including an alcohol or other drug treatment facility that includes construction fixtures designed to physically restrict the movements and activities of juveniles and other individuals.

H.B. 2587 (J. Rodriguez) – Graffiti: would increase the number of community service hours required of certain defendants convicted of an offense of graffiti or adjudicated as having engaged in conduct involving graffiti.

H.B. 2618 (Naishtat) – Detention of Person with Mental Illness: would: (1) provide that the costs for a hearing or proceeding under the “Texas Mental Health Code” shall be paid by the county in which emergency detention procedures are initiated; (2) require that a physician who determines a patient meets the criteria for court-ordered mental health services or emergency detention arrange for the patient to be apprehended by a peace officer or transported for emergency detention and notify the patient of the same; (3) require a peace officer to take a person into custody if the officer has reason to believe and does believe the person is mentally ill and presents a substantial risk of serious harm to the person or to others unless the person is immediately restrained; (4) repeal the procedure under which a judge may order the emergency apprehension and detention of a person; and (5) repeal the authority for certain criminal law hearing officers to issue a magistrate's order for emergency apprehension and detention.

H.B. 2623 (Oliveira) – Space Flight Activities: would provide the county authority to: (1) approve the date of a space launch in certain counties in which the Federal Aviation Administration has approved a launch site; and (2) temporarily close a beach near the launch site to protect the public health, safety, and welfare.

H.B. 2678 (Moody) – Correctional Facilities: this bill is almost identical to **H.B. 2579**, above.

H.B. 2690 (Elkins) – Display of Motor Vehicles for Sale: would: (1) with some exceptions, prohibit a person from selling or offering to sell a motor vehicle unless the person is an authorized seller; (2) with some exceptions, prohibit a person from parking a motor vehicle on public or private property with an indication that the vehicle is for sale displayed on the vehicle; (3) authorize a peace officer to remove a vehicle parked in violation of (2), above, immediately if parked on public property; (4) authorize a peace officer to remove a vehicle parked in violation of (2), above, two hours after certain mailed and posted notice has been given if parked on private property; and (5) require a peace officer to try to contact the person whose information is displayed on the vehicle before removing the vehicle as authorized in (3) or (4), above, and storing the vehicle at a storage facility.

H.B. 2790 (Smithee) – Child Safety Seat: would: (1) increase the amount of fine for a first offense of failing to secure a child in a safety seat; and (2) provide that a defense that the defendant possesses an appropriate child passenger safety seat system does not apply if, at the time of the offense, the motor vehicle is involved in an accident.

H.B. 2825 (K. King) – Sex Offender Registries: would allow any county to designate the sheriff's office (or the city police chief's office through an interlocal agreement) as the place for sex offenders to register. (This bill is almost identical to **S.B. 1323** by **Seliger**.)

H.B. 2827 (Burkett) – Burglary of Vehicle: would, among other things, increase the punishment for the offense of burglary of a vehicle.

H.B. 2841 (Wu) – Intercepting Communications: would, among other things: (1) establish oversight procedures for designated law enforcement agencies to intercept a wire, oral, or electronic communication in a circumstance that is not an immediate life-threatening situation, including: (a) written policies that govern the interception; and (b) training requirements for peace officers; and (2) authorizing a chief law enforcement officer of a designated law enforcement agency to request in writing that a prosecutor apply for an order authorizing interception of wire, oral, or electronic communications.

H.B. 2849 (White) – Graffiti and Criminal Mischief: would, among other things, increase the amount of property damage necessary to punish certain criminal mischief and graffiti offenses.

H.B. 2857 (Wu) – Disposition of Seized Property: would: (1) provide, in regard to property (other than money) seized by a peace officer at the time the property owner is arrested for a class C misdemeanor, that a peace officer give the property owner written notice that if the owner does not claim the property before the 61st day after the date the notice is signed, the property will be disposed of; and (2) authorize the disposition of the property described in (1), above, by sale or donation and require that any proceeds, after deducting certain expenses, shall be placed in the city treasury.

H.B. 2860 (Harless) – Gun Regulation: would require the attorney general to file suit against a city or county that regulates firearms or sport shooting ranges in a way contrary to certain state laws. (Companion bill is **S.B. 987** by **Hegar**).

H.B. 2861 (McClendon) – Criminal Record Information: would, among other things: (1) prohibit a person from publishing, republishing, or disseminating any criminal record information if the person has knowledge or has received notice that an order of expunction or nondisclosure has been issued, the case has been dismissed, the individual has been acquitted, or the individual completed a term of deferred adjudication; and (2) provide that a person who disseminates information in violation of (1), above, is liable to the individual in the amount of \$100 for each violation.

H.B. 2867 (Carter) – Felony Forfeiture Property: would provide for the forfeiture of property used in the commission of certain intoxication offenses, including intoxication manslaughter.

H.B. 2868 (Carter) – Blood Specimen Warrants: would allow a warrant to collect a blood specimen from a person suspected of committing an intoxication offense to be executed in any county in the state, regardless of which court issues the warrant.

H.B. 2881 (Toth) – DWI Task Force: would create a task force to reduce habitual incidents of Driving While Intoxicated.

H.B. 2888 (Turner) – Juvenile First Offender Programs: would, among other things, prohibit a law enforcement agency from sending information about the arrest or referral of a child who completes a first offender program to the statewide Juvenile Justice Information System, unless

the child is taken into custody before the 90th day after completing the program for other conduct.

H.B. 2897 (Miller) – Fugitives: would allow a law enforcement agency, including a city: (1) to use multiple public and private resources to locate fugitives; and (2) to charge a defendant found using these resources a \$30 fee.

H.B. 2914 (Thompson) – Controlled Substance Penalty: would, in regard to Penalty Group I of the Texas Controlled Substances Act, provide that possession is a state jail felony if the amount of the controlled substance possessed is, by aggregate weight a usable quantity that is more than 0.02 grams but less than one gram.

H.B. 2973 (N. Gonzalez) – Display of Motor Vehicle for Sale: would: (1) provide that a dealer who holds a general distinguishing number for a location may not consign vehicles for sale in an area adjacent to the location that is on a public roadway, easement, right-of-way, or driveway, unless the governing body of the entity that owns the roadway, easement, right-of-way, or driveway consents in writing to the consignment; (2) provide that a consignment on a public roadway, easement, right-of-way, or driveway that is part of the state highway system must be authorized by a lease agreement with the Texas Department of Transportation; and (3) provide for penalties for a violation of (1) or (2), above.

H.B. 3025 (Zedler) – Red Light Cameras: would prohibit a city from operating a red light camera system or any other automated traffic control system.

H.B. 3030 (Fletcher) – Warrants: would: (1) in misdemeanor cases, authorize a peace officer or jailer to take a bail bond or, unless the defendant requests deferred adjudication or community service, take a valid credit card or debit card for payment of the fine, costs, and fees, whereupon a warrant must be withdrawn; and (2) authorize, in certain instances, the acceptance of a valid credit card or debit card for payment of the fine and court costs set forth in a capias pro fine warrant.

H.B. 3062 (Herrero) – Failure to Report: would establish offenses, and related punishment, for failure to report a missing child or failure to report the death of a child.

H.B. 3057 (Herrero) – Juvenile Misdemeanors: would: (1) authorize, on approval of the city council, a municipal court to jointly employ a case manager with another governmental entity under an interlocal agreement to: (a) provide services to certain juvenile offenders including one referred by a school administrator or designee before a complaint is filed with a court for certain school offenses that would otherwise be within the court's jurisdiction; and (b) provide intervention services, with the parent's consent, to juveniles considered at-risk of entering the juvenile system and referred to the case manager before cases are filed with the court for alleged class C misdemeanors (other than traffic offenses); (2) prohibit a peace officer from issuing a citation to a child who is alleged to have committed a school offense; (3) establish progressive sanctions against a child alleged to have committed a school offense; (4) specify certain requirements in relation to a complaint alleging the commission of a school offense; (5) prohibit a person from being prosecuted or convicted for a misdemeanor or violation of a city ordinance

when younger than twelve years of age; and (6) provide a rebuttable presumption that a person who is at least 12 years but younger than 15 years is incapable of committing an offense described in (5), above. (Companion is **S.B. 1114** by **Whitmire**.)

S.B. 1088 (Estes) – Warrants: would provide that a district judge may, on the application of a peace officer, issue a warrant for location information provided by the preinstalled mobile tracking features of a cell phone or other wireless communication device.

S.B. 1102 (Van de Putte) – Cybersecurity: this bill is the same as **H.B. 2576**, above.

S.B. 1114 (Whitmire) – Juvenile Misdemeanors: this bill is the same as **H.B. 3057**, above.

S.B. 1137 (Lucio) – Automobile Burglary: would provide that: (1) the Automobile Burglary and Theft Prevention Authority is renamed as the Vehicle Crime and Convention Authority; (2) the authority's duties are expanded to include watercraft and off-highway vehicles; and (3) the vehicle crime prevention account is a new account in the general revenue fund that shall be appropriated only to the authority.

S.B. 1161 (Hancock) – School Marshals: would, among other things, provide that: (1) the board of trustees of a school district or the governing body of an open-enrollment charter school may appoint not more than one school marshal per 400 students in average daily attendance per campus; (2) a school marshal may carry or possess a handgun on the physical premises of a school; (3) if the primary duty of the school marshal involves regular, direct contact with students, the marshal may not carry a concealed handgun but may possess a handgun, loaded only with frangible ammunition, on the physical premises of a school in a locked and secured safe within the marshal's immediate reach when conducting the marshal's primary duty; and (4) the identity of a school marshal is confidential, except that the chief law enforcement officer of the local municipal law enforcement agency is entitled to that information.

S.B. 1189 (Huffman) – Disposition of Seized Firearms: would: (1) authorize a peace officer who takes a person into custody without a warrant under mental illness emergency detention to immediately seize any firearm found in possession of the person but, absent exigent circumstances or if a warrant is not otherwise required by law, require the officer to obtain a warrant before conducting a search or seizure for any firearms not in the immediate control of the person detained; (2) require an officer who seizes a firearm as described in (1), above, and not in connection with an offense involving the weapon, to: (a) provide the person a written receipt and notice of the procedure for return of the firearm; and (b) deliver to a magistrate written notice and inventory of the seized firearm; (3) establish procedures for notice to the person and the person's family regarding the process for return of a firearm seized under (1), above; (4) establish procedures to let a person know the person is prohibited from owning, possessing, or purchasing a firearm and thus, has various options regarding the firearm seized in (1), above; (5) provide that one option under (4), above, is to dispose of the firearm by releasing it to the person's designee if the designee meets certain requirements; (6) establish procedures for the disposition of a firearm seized in (1), above, when the firearm is wholly or partly owned by a person other than the person taken into custody; (7) provide for the sale of a firearm seized under (1), above, if no eligible person makes a claim for return of the firearm and provide that

the proceeds from the sale, less certain costs, shall be given to the person taken into custody under (1), above; and (8) prohibit a firearm seized under (1), above, from being destroyed or forfeited to the state.

S.B. 1206 (Van de Putte) – Private Security: would limit the exemptions for individuals required to comply with the Private Security Act to current peace officers who are currently employed by a law enforcement agency. (The bill is unclear as to whether all officers, or only the heads of law enforcement agencies, retain the exemption.) (Companion bill is **H.B. 461** by **Menendez.**)

S.B. 1238 (Hinojosa) – Crime Laboratory: would provide for the investigation of professional negligence at crime laboratories.

S.B. 1291 (Ellis) – Drug Offenses: would reduce the penalty for possession of certain small amounts of Penalty Group 1 controlled substances under the Texas Controlled Substances Act to a class C misdemeanor.

S.B. 1323 (Seliger) – Sex Offender Registries: this bill is similar to **H.B. 2825**, above.

S.B. 1324 (Seliger) – Handguns: would authorize a person who provides volunteer security services to carry a concealed handgun in a church, synagogue, or other established place of religious worship if the person is approved to do so by the leadership of the place of worship.

UTILITIES AND ENVIRONMENT

H.B. 2334 (Callegari) – Brackish Water: would exempt a water supply entity from obtaining a permit to appropriate for any beneficial use state water that consists of brackish or marine water.

H.B. 2354 (White) – State Agency Rules: would prohibit a state agency from imposing more stringent environmental standards or rules than federal requirements.

H.B. 2368 (Allen) – Waste Reduction: would require the Texas Commission on Environmental Quality to conduct a study on waste reduction and prepare a statewide reduction plan.

H.B. 2391 (Menendez) – Municipally Owned Electric Utility Discounts: would provide that the governing body of a municipally owned utility may establish a bill payment assistance program for a customer who is a military veteran who a medical doctor certifies has a significantly decreased ability to regulate the individual's body temperature because of severe burns received in combat. (Companion bill is **S.B. 981** by **Van de Putte.**)

H.B. 2406 (Wu) – Saltwater Pipelines: would provide that: (1) a saltwater pipeline operator is entitled to install, maintain, and operate a saltwater pipeline facility through, under, along, across, or over a public road only if: (a) the pipeline facility complies with applicable federal and state regulations, as well as any municipal regulations regarding the accommodation of utility facilities on a public road or right-of-way, including regulations relating to the horizontal or vertical placement of the pipeline facility; and (b) the saltwater pipeline operator ensures that the

public road and associated facilities are promptly restored to their former condition of usefulness after the installation or maintenance of the pipeline facility is complete; (2) the governing body of a city may require a saltwater pipeline operator to relocate a saltwater pipeline facility at the cost of the saltwater pipeline operator to accommodate construction or expansion of a public road or for any other public work unless the saltwater pipeline operator has a property interest in the land occupied by the facility to be relocated; and (3) the bill does not affect the authority of a city to regulate the use of a public right-of-way by a saltwater pipeline operator under any other law or require the payment of a franchise fee for the use of municipal rights-of-way. (Companion bill is **S.B. 514** by **Davis**.)

H.B. 2416 (Springer) – Shopping Bags: would allow a business that sells an item to a customer to provide to the customer a bag, package, or other container and would invalidate a city ordinance or regulation prohibiting or restricting a business from providing a bag to a customer.

H.B. 2502 (Bohac) – Public Nuisances: would provide that the governing body of a city may require the owner of real property in the city to keep the property free from: (1) weeds and brush; (2) the storage or accumulation of refuse on a premises in a neighborhood unless the refuse is entirely contained in a closed receptacle; (3) the storage or accumulation of rubbish, including newspapers, abandoned vehicles, refrigerators, stoves, furniture, tires, and cans, on premises in a neighborhood or within 300 feet of a public street for 10 days or more, unless the rubbish or object is completely enclosed in a building or is not visible from a public street; and (4) an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin, or disease-carrying pests. (Companion bill is **S.B. 837** by **Ellis**.)

H.B. 2577 (Larson) – Groundwater Conservation Districts: would provide, among other things: (1) that a groundwater conservation district shall require that records be kept and reports be made of the drilling, equipping, and completing of water wells and of the production and use of groundwater; (2) a district may adopt rules, consistent with rules adopted by the Texas Water Development Board (TWDB) under the bill, that require an owner or operator of a water well that is required to be registered with or permitted by the district, including a domestic use well, to report groundwater withdrawals; (3) TWDB, after consulting with representatives of districts regarding reasonable and appropriate reporting methods and frequency of reporting, shall adopt rules requiring the owner or operator of a well to report groundwater withdrawals; and (4) TWDB may exempt domestic, and certain other, wells from the reporting requirements. (Companion is **S.B. 272** by **Seliger**.)

H.B. 2578 (Larson) – Brackish Groundwater: would require the Texas Water Development Board to develop and make available model rules for the permitting of brackish groundwater production.

H.B. 2592 (Keffer) – Water Districts and Authorities: would provide that a local water district or water authority that enters into a written contract to provide water to a purchaser for use in connection with the generation of electricity waives sovereign immunity to suit for the purpose of adjudicating a claim that the local district or authority breached the contract by not providing water, or access to water, according to the contract's terms. (Companion bill is **S.B. 958** by **Fraser**.)

H.B. 2615 (Johnson) – Water Rights Reporting: would: (1) increase the penalty for a person who has been issued a water right and fails to file the required annual report from \$25 per day to an amount not to exceed \$5,000; and (2) require the executive director of Texas Commission on Environmental Quality to establish a reasonable deadline by which a person must make available information requested by the commission that is related to the water right.

H.B. 2616 (Johnson) – Drought Contingency Plans: would require the Texas Commission on Environmental Quality (TCEQ) to establish uniform stages of drought response, including measures to be implemented during each stage; would also prohibit a retail public water supplier, which includes a city, from adopting drought response stages other than the stages established by TCEQ.

H.B. 2624 (Ashby) – Regulation of Water Wells: would task the Texas Commission of Licensing and Regulation with adopting standards for drilling, plugging, repairing, and completing water wells and would require a driller to follow the standards and procedures adopted by the commission.

H.B. 2677 (Moody) – Municipal Fire Suppression Standards: would: (1) prohibit an owner from painting black or placing a black tarp over a functioning fire hydrant; (2) allow a city by ordinance to establish standards that require a retail public utility that provides water service in the city or the city's extraterritorial jurisdiction to provide basic water flow that is sufficient to provide adequate pressure to fire suppression systems and equipment, including fire hydrants; and (3) allow a city by ordinance to require a utility that provides service because of a certificate of convenience and necessity in the city to provide the service or operate the facilities in the same manner that the city would be required to provide the service or operate the facilities.

H.B. 2708 (Cortez) – Water Usage Tax: would: (1) require each retail public utility, which includes a city, to collect a water usage tax on a residential consumer that consumes more than 81,000 gallons of water in a three-month period computed by: (a) dividing 9 by 10 to the 9th power; (b) multiplying that amount by the square of the number of gallons of water consumed by a customer, (c) subtracting from that amount the amount computed by multiplying 0.0007 by the number of gallons of water consumed by the customer, and (d) adding the amount computed to 12.5; (2) require the Texas Commission on Environmental Quality (TCEQ) to provide each utility with a document detailing the amount of tax that would be owed for each gallon of water consumed in one-gallon increments from 81,001 to 500,000 gallons; (3) exempt the following entities from the tax: (a) an owner of an apartment house, (b) a tenant of an apartment or mobile home, and (c) an owner or tenant of a recreational vehicle park; (4) allow a customer to appeal a determination that the customer is a residential customer to TCEQ; (5) require the utility to pay the total amount of the taxes to the comptroller not later than the 60th day after the date each three-month period ends; (7) allow a utility that makes timely payment to retain an amount equal to one percent of the total amount of the taxes collected as reimbursement for the costs of collection; (8) require that the Texas Water Development Board provide penalties for violations by customers and utilities; and (9) allocate the revenue from the taxes imposed to the state water implementation fund for Texas or the Texas Water Development Fund.

H.B. 2720 (Ritter) – Water Rights: would relate to emergency orders made during a period of drought or other emergency shortage of water and would provide that: (1) the executive director of the Texas Commission on Environmental Quality may temporarily adjust the diversions of water by water rights holders only to address an imminent hazard to public health; and (2) a diversion may not be granted until a method for calculating and remitting the compensation due to the water rights holder who is subject to the diversion has been agreed on by the person requesting the diversion.

H.B. 2739 (Martinez Fischer) – Permits for Wells: would: (1) allow a groundwater conservation district to require that the location of the water use be included in a permit or permit amendment application; and (2) prohibit a district from imposing more restrictive permit conditions on transfers out of the district than in-district uses.

H.B. 2740 (Martinez Fischer) – Groundwater Permits: would provide that a groundwater conservation district may uniformly amend all operating permits to adjust the amount or rate of authorized withdrawals up to five-percent based on a finding, supported by a preponderance of the evidence submitted by the general manager of the district, that a significant change in aquifer conditions justifies the amendment.

H.B. 2752 (Larson) – Brackish Groundwater Desalination: would: (1) allow an advanced brackish groundwater desalination project to receive funding from the Texas Water Development Board in the same manner as a project included in the state water plan; and (2) create a presumption that an advanced brackish groundwater desalination project is a water conservation or reuse project. (Companion is **S.B. 1285** by **Schertner**.)

H.B. 2767 (P. King) – Hydraulic Fracturing: would provide, among other things, that a person who takes possession of fluids that have been used for fracking, and sells or transfers them to another with the contractual understanding that they will be used in connection with the drilling for or producing of oil or gas, is not liable in tort for a consequence of the subsequent use.

H.B. 2768 (Rodriguez) – Suits Involving Groundwater Conservation Districts: would: (1) allow a suit against a groundwater conservation district to be filed in Travis County; (2) provide that if the challenged law, rule, order, or act was made or taken by the district based on the district's review of the proposal for decision and findings of fact and conclusions of law prepared by an administrative law judge under a hearing conducted by the State Office of Administrative Hearings, the review on appeal is governed by the substantial evidence rule; (3) provide that if the challenged law, rule, order, or act was made or taken by the district on the basis of any procedure other than a hearing conducted by SOAH, the review on appeal is by trial de novo; and (4) repeal the provisions allowing a groundwater conservation district an award of attorneys' fees and costs when prevailing in a suit or to enforce its rules in district court.

H.B. 2769 (Rodriguez) – Desired Future Conditions: would modify the process for appealing the desired future condition adopted by a groundwater conservation district for an aquifer.

H.B. 2781 (Fletcher) – Rainwater Harvesting: would: (1) require that a privately owned rainwater harvesting system with a capacity of more than 500 gallons and an auxiliary water

supply have a backflow prevention assembly installed at the storage facility for the harvested rainwater; (2) prohibit a person from connecting a rainwater harvesting system to a public drinking water supply system; (3) require a person who intends to use a public water supply system as an auxiliary water supply to give written notice of that intention to the city in which the rainwater harvesting system is located; (4) require the Texas Water Development Board to provide training for each member of the permitting staff of a city with a population of more than 10,000 whose work relates directly to permits involving rainwater harvesting; and (5) require a seller of property to disclose any rainwater harvesting system located on the property that is larger than 500 gallons and that uses a public water supply as an auxiliary water source.

H.B. 2814 (Sanford) – Utility Usage Information: would: (1) prohibit a governmental entity from using information or devices related to utility usage by a private person or business to legislate to restrict usage; (2) except from the prohibition in (1), above, information about gross utility usage to improve rate standards; and (3) allow ERCOT to collect and store utility usage information for planning purposes provided that the information is not collected or stored in association with the name of a private person.

H.B. 2828 (Dale) – Gas Pipelines: would provide that: (1) the rules and standards of the Texas Railroad Commission preempt and supersede any ordinance, order, or rule adopted by a political subdivision of this state relating to any aspect or phase of the gas pipeline industry; and (2) a political subdivision may petition the commission for permission to promulgate more restrictive rules and standards related to conditions for mapping, inventorying, locating, or relocating pipelines over, under, along or across a public street, alley or other public property in the boundaries of a city.

H.B. 2894 (Raney) – Energy Use Reporting: relates to the provision in current law requiring a governmental entity – including a city – responsible for payments for electric, water, or natural gas utility services to record in an electronic repository (and make available on a publicly accessible Internet website with an interface designed for ease of navigation) the governmental entity’s metered amount of electricity, water, or natural gas consumed for which it is responsible to pay and the aggregate costs for those utility services. The bill would: (1) add the requirement that the governmental entity shall submit to the comptroller’s state energy conservation office (SECO) a link to the recorded information and may benchmark public buildings using a benchmarking tool and submit the benchmarking information to the office; and (2) prohibit a city from receiving a SECO grant unless the city submits the benchmarking information.

H.B. 2900 (Dale) – Underground Pipeline Damage Prevention: would provide that the requirements applicable to an excavator who is digging near an underground pipeline don’t apply to digging on private property at a depth of less than 16 inches.

H.B. 2949 (Harper-Brown) – Performance-Based Permit Program: would create a performance-based permit program at the Texas Commission on Environmental Quality that expedites issuance and renewal of permits if the commission determines that the applicant has a history of compliance for the five years preceding the date of the application or there is no evidence of noncompliance in that period.

H.B. 2982 (Keffer) – Hazardous Liquid Pipelines: would provide that: (1) except as otherwise provided by federal law, the Railroad Commission has jurisdiction over all pipeline transportation of hazardous liquids or carbon dioxide and over all hazardous liquid or carbon dioxide pipeline facilities, including the movement of hazardous liquids or carbon dioxide through gathering lines in rural locations or production, refining, or manufacturing facilities or storage or in-plant piping systems associated with any of those facilities; (2) the commission by rule shall establish factors for determining whether the commission will regulate such a pipeline or facility; and (3) to the extent consistent with federal law, the commission by rule may determine which facilities and activities are subject to safety standards and practices subject to the power of the commission.

H.B. 2992 (T. King) – Hydraulic Fracturing: would provide that flowback and produced water from an oil or gas well on which a hydraulic fracturing treatment has been performed using groundwater may not be disposed of in an oil and gas waste disposal well unless the fluid is incapable of being treated to a degree that would allow the fluid to be used to perform a hydraulic fracturing treatment on another oil or gas well, used for another beneficial purpose, or discharged into or adjacent to water in the state.

H.B. 2996 (King) – Class B Sludge Application: would amend the definition of class B sludge requiring a registration certificate to include sludge combined and processed with grease trap waste, grit trap waste, or septage within the boundaries of a wastewater treatment facility.

S.B. 1104 (Duncan) – Liquefied Petroleum Gas: would provide that the rules adopted by the Railroad Commission relating to liquefied petroleum gas do not preempt or supersede any ordinance, order, or rule adopted by a political subdivision of this state relating to any aspect or phase of the liquefied petroleum gas industry.

S.B. 1139 (Carona) – Rolling Blackouts: would provide that electric utilities, including municipally owned utilities, must exclude any circuits that provide power to a hospital facility from participation in the utility's attempt to shed load in response to a rolling blackout initiated by ERCOT or another reliability council or power pool in which the utility operates.

S.B. 1162 (Watson) – Water and Sewer Utilities: would enact various new customer-protection oriented requirements related to the purchase or acquisition of a water or sewer utility.

S.B. 1168 (Hegar) – Regional Water: would create the Southwestern States Water Commission as an advisory commission to work with neighboring states and then advise the governor and the legislature on regional water issues. (Companion bill is **H.B. 1189** by **Larson**.)

S.B. 1169 (Hegar) – Water Conservation: would: (1) subject the Water Conservation Advisory Council (WCAC) to the state's sunset process; (2) require the WCAC's report to the legislature to include specific statutory, budgetary, and policy recommendations to improve water conservation and management; and (3) require a retail public utility, which includes a city, that receives financial assistance from the Texas Water Development Board (TWDB) to use a portion of that financial assistance to mitigate the utility's system water loss if, based on a water audit filed by the utility, the water loss meets or exceeds the threshold established by TWDB.

S.B. 1170 (Hegar) – Water Supply: would require each retail public utility, including a city, to project the future period for which the utility’s water supply is a reasonably certain source for the volume of water required for the utility’s needs and notify the Texas Commission on Environmental Quality when the projected water supply is reasonably certain for less than 180 days. (Companion is **H.B. 252** by **Larson**)

S.B. 1209 (Fraser) – Water Rights Reporting: this bill is the same as **H.B. 2615**, above.

S.B. 1212 (Estes) – Transfer of Exotic Species: this bill is the same as **H.B. 2744**, above.

S.B. 1227 (Rodriguez) – On-Bill Repayment Program: would require a retail public utility, including a city, that provides service to a customer interested in financing water improvements on the customer’s property to participate in a program adding the customer’s loan payments to the customer’s water bill.

S.B. 1239 (Rodriguez) – Municipally Owned Electric Utilities: this bill is the same as **H.B. 3701**, above.

S.B. 1268 (Lucio) – RV parks: would (1) clarify that a “dwelling unit” as that term is used in the Utilities Code does not include a recreational vehicle; and (2) allow a person who operates a recreational vehicle park to withhold utility services from a person occupying a recreational vehicle at the park if the occupant is delinquent in paying for utility services provided by the operator.

S.B. 1284 (Schwertner) – Brackish Groundwater Desalination: this bill is the same as **H.B. 2752**, above.

TRANSPORTATION

H.B. 2345 (Zedler) – Towed or Booted Vehicles: would provide that a person must deliver a written request for a hearing regarding a vehicle that has been towed or booted before the 14th day after the date the vehicle was removed and placed in a vehicle storage facility or booted.

H.B. 2386 (Capriglione) – All Terrain Vehicles: would: (1) provide that ATVs with certain equipment may operate on a public highway: (a) in a county with a population of less than 500,000 if the operator follows certain speed and lane restrictions; (2) provide for the registration of on-highway ATVs; (3) require any individual who operates an ATV on a public highway to have an all terrain vehicle license; and (4) require the Department of Motor Vehicles to make rules regarding the definition of an ATV.

H.B. 2415 (Pickett) – Transportation Funding: would provide that, in lieu of deposit to the Texas mobility fund, a portion of the driver’s license renewal fee shall be deposited to the state highway fund.

H.B. 2421 (Elkins) – Motor Vehicle Registration: would prohibit the county assessor-collector or the Texas Department of Motor Vehicles from refusing to register a vehicle if the owner of the vehicle is delinquent in the payment of a civil penalty.

H.B. 2492 (Frank) – Transportation Funding: would provide that, by September 1, 2016, all revenue from the taxes imposed on the sale, rental, or use of motor vehicles will be deposited into the state highway fund.

H.B. 2580 (Harper-Brown) – Freight Rail Districts: would authorize a city to create freight rail districts and provide the procedures for creation.

H.B. 2585 (Harper-Brown) – Utility Relocation: would remove the expiration provision from the state law providing that the Texas Department of Transportation and a utility, including a municipally owned utility, shall share equally the cost of the relocation of a utility facility required by the improvement of most state highway projects. (Companion bill is **S.B. 1327** by **Paxton.**)

H.B. 2680 (Guillen) – Transportation Funding: would provide that: (1) before the Texas Department of Transportation agrees to provide financing to a political subdivision for a highway or road project, the department shall use private sector engineering-related services to conduct an independent analysis of the project, including an evaluation of whether the project is suitable for any financing mechanism or structure that would: (a) decrease the amount of financing provided by the department to the local authority; or (b) increase the revenue return of the project, if any, used to pay the debt service on an annual basis; (2) if the project is eligible for a financing mechanism or structure that meets a purpose described by (1), above, the department shall require the political subdivision to adopt the financing mechanism or structure as a condition of the department agreeing to provide financing to the political subdivision; and (3) the department by rule shall develop programs to educate local transportation planning entities about financing mechanisms and structures available to political subdivisions for highway or road projects, including: (a) economically driven mobility projects; (b) pass-through tolls; and (c) transportation reinvestment zones.

H.B. 2741 (Phillips) – Motor Vehicles: would make various changes regarding the regulation of motor vehicles by counties and the Texas Department of Motor Vehicles (DMV). Interesting to cities will be provisions: (1) prohibiting a justice of the peace or municipal judge from issuing a court-ordered title change except as authorized in relation to the disposition of stolen property, the foreclosure of a mortgage, or the enforcement of a lien; (2) providing that for registration purposes, the weight of a city bus is calculated by adding the shipping weight and seating capacity multiplied by 150 pounds and rounding to the highest 100 pounds; (3) providing that a court may dismiss a charge for operating a vehicle without a registration insignia if the defendant pays an administrative fee not to exceed \$10 and remedies the defect before the defendant's first court appearance; (4) providing that a court may dismiss certain license plate charges if the defendant pays an administrative fee not to exceed \$10 and remedies the defect before the first court appearance, or shows that the vehicle was issued a plate by the DMV that was attached to the vehicle and thus, establishing that the vehicle was registered for the period during which the offense was committed; (5) adding new offenses related to registration insignia and license plates

that are deceptively similar to those issued by the DMV; (6) authorizing a person to operate a neighborhood electric vehicle in a master planned community, on a public or private beach, or on a public highway with a speed limit of not more than 35 mph if the vehicle is operated during the daytime and not more than two miles from where the vehicle is usually parked and for transportation to and from a golf course; (7) prohibiting a county or city from requiring a permit, bond, fee, or license for the movement of a vehicle or vehicles or any load carried by those vehicles that exceeds the weight or size limits on the state highway system in the county or city; and (8) authorizing a peace officer to inspect a military identification and requiring a peace officer to destroy certain disabled parking placards and report the same to the DMV. (Companion bill is **S.B. 1669** by **Nichols**.)

H.B. 2742 (Phillips) – Golf Carts: would allow a county to allow the operation of golf carts on certain public highways in the unincorporated areas of the county.

H.B. 2796 (Raymond) – Joint Participation Agreements: would provide that a rule adopted by the Texas Department of Transportation that governs joint participation agreements with local governments for a highway improvement project must: (1) allow a local government to perform maintenance on interstate highways located within the boundaries of the local government under a contract in which the department reimburses the local government for the maintenance; and (2) limit the amount a local government may be held responsible under an agreement for right-of-way acquisition and utility relocation to not more than ten percent over the department's original estimate for the acquisition or relocation.

H.B. 2903 (Harper-Brown) – Transportation Funding: would provide that \$1.7 billion is appropriated from the state's Rainy Day fund to the credit of the State Infrastructure Bank during the state fiscal biennium beginning September 1, 2013.

H.B. 2904 (Harper-Brown) – Transportation Funding: would provide that certain revenue derived from the state sales tax imposed on the sale, rental, or use of a motor vehicle sold in this state shall be deposited to the credit of the state highway fund.

H.B. 2932 (Capriglione) – Autonomous Motor Vehicle: would allow for the operation and regulation of autonomous motor vehicles.

H.B. 3040 (Pickett) – Transportation Funding: would provide for the imposition of an additional motor vehicle registration fee in the amount of \$50 to be deposited into the Texas Mobility Fund.

S.B. 1110 (Nichols) – Transportation Reinvestment Zones: would expand the uses for a transportation reinvestment zone and provide that the governing bodies of two or more local governments that have designated a zone may enter into an agreement to provide for the joint administration of two or more adjacent zones.

S.B. 1140 (Lucio) – Transportation Funding: would provide that the sales tax imposed on automotive accessories (e.g., aftermarket modifications and electronics, cleaning products, floor mats, air fresheners, paint, and window tinting) shall be deposited into the state highway fund.

S.B. 1287 (Williams) – Recreational Vehicles: would: (1) expand the list of vehicles that are prohibited from being operated on certain beaches; (2) allow cities and counties to drive vehicles on beaches; (3) allow the operation of certain private vehicles on the beach if: (a) the person has a driver's license; and (b) the beach is open to motor vehicle traffic; and (4) allow a city or county to prohibit the use of all-terrain vehicles on the beach. (Companion bill is **H.B. 1044** by **Eiland.**)

S.B. 1288 (Williams) – Vehicle Registration Fees: would provide that certain amounts of the state's motor vehicle registration fees be deposited in the state's general revenue fund, certain amounts be deposited in the state highway fund, and certain amounts be used to fund the Texas Department of Motor Vehicles. (Companion bill is **H.B. 2202** by **Pickett.**)

S.B. 1294 (Davis) – Texas Department of Transportation Contracts: would provide that, when awarding a contract to a private sector provider, the Texas Department of Transportation shall give preference to a private sector provider if: (1) the preference serves to create a positive economic impact on job growth and job retention in the state; (2) the transportation project for which the contract is being awarded is funded entirely from state funds, local funds, or a combination of state and local funds; and (3) the provider meets department expectations regarding price for the contract.

S.B. 1327 (Paxton) – Utility Relocation: this bill is the same as **H.B. 2585,** above.

S.J.R. 46 (Lucio) – Transportation Funding: would amend the Texas Constitution to provide that three-fourths of the revenue from motor vehicle registration fees and certain motor vehicle-related taxes shall be used for the sole purpose of acquiring rights-of-way and constructing and maintaining state highways.

S.J.R. 47 (Eltife) – Transportation Funding: would amend the Texas Constitution to temporarily increase the rate of the state sales and use tax by one-half percent and dedicating revenue derived from that rate increase to repay certain Texas Department of Transportation bonds.

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 their time to travel to Austin to speak out on important city issues should be applauded by us all.

Among the city officials who recently testified in front of legislative committees are the following:

- John Hrcncir, Government Relations Officer, Austin
- Robert Scott, Assistant City Manager, Carrollton
- Tom Tagliabue, Director of Intergovernmental Relations, Corpus Christi

- Connie Standridge, City Manager, Corsicana
- Richard Garcia, Mayor, Edinburg
- Sally Velasquez, Commissioners Court, Frio
- Tom Hart, City Manager, Grand Prairie
- Chris Boswell, Mayor, Harlingen
- Larry Schenk, City Attorney, Houston
- Stephen Costello, City Council, Houston
- Lucy Johnson, Mayor, Kyle
- Ed Smith, Mayor, Marshall

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Legislative UPDATE

March 22, 2013
Number 11

Numerous Detrimental Bills Set for Hearing

The Legislative session is kicking into high gear. Several bills that would erode city authority or impose an unfunded mandate have been set for hearing next week:

- **Revenue Caps:** S.B. 102 (Patrick) would lower the property tax rollback rate from eight percent to five percent, and would require a mandatory ratification election of the citizens before the city could exceed the lowered rollback rate. S.B. 144 (Williams) would lower the rollback rate from eight to five percent, and allow the council to raise it back to eight percent during certain disasters or upon a finding that a higher rollback rate is necessary to protect health or safety. Hearing in Fiscal Matters Subcommittee of the Senate Finance Committee set for 9:00 a.m. on March 25 in E1.036.
- **Internet Broadcast of Meetings:** H.B. 889 (Fallon) would require a city with a population of more than 50,000 to broadcast each regularly-scheduled open meeting over the Internet and make archived video and audio of those meetings available. Hearing in House Technology set for 2:00 p.m. or adjournment of the House on March 25 in E2.010.
- **Regulation of Oil and Gas Wells:** H.B. 1496 (Taylor) would essentially render a city's ordinance regulating oil and gas wells unenforceable. Hearing in House Land and

Resource Management set for 2:00 p.m. or adjournment of the House on March 25 in E2.016.

- **Disannexation:** H.B. 1477 (Callegari) would make it easier for a landowner to require a city to disannex property for services-related issues. Hearing in House Land and Resource Management set for 2:00 p.m. or adjournment of the House on March 25 in E2.016.
- **Tree Removal:** H.B. 1358 (Workman) would provide that the owner of a tree who believes that the tree poses a fire risk can cut it down, and that a city ordinance prohibiting the cutting is unenforceable. Hearing in House Business and Industry set for 1:30 p.m. or adjournment of the House on March 26 in E2.014.

City officials with concerns on any of the above bills should contact their legislators and members of the committee that will be hearing the bill. Information related to the bills, committee members, and more is available online at www.capitol.state.tx.us.

House and Senate Committees Consider Fiscal Transparency Bills

On March 18, the House Appropriations Subcommittee on Budget and Transparency considered H.B. 14 (Pitts). The Senate Finance Subcommittee on Fiscal Matters simultaneously considered its companion bill, S.B. 14 (Williams). The bills would have the effect of imposing redundant financial reporting requirements on local governments and limiting local governments' ability to issue bonds and certificates of obligation.

The legislation was filed on behalf of Comptroller Susan Combs, who testified at both hearings. The comptroller claimed that voters do not have adequate access to information on local debt, which is why local debt has increased in recent years. (The fact that the percentage increase of city debt is significantly less than the percentage increase of state debt over the same period isn't reflected in the bills, and they place no additional requirements on the issuance of state debt.)

The comptroller's misperception of local government debt also doesn't account for the reality that local governments are responsible for the lion's share of infrastructure needed to provide for a growing state. City debt is not being approved by citizens and city councils, because citizens are kept in the dark about the overall debt picture. In fact, city debt is issued in response to informed citizens who demand essential capital improvements to deal with population growth and increased economic development.

Several city officials joined representatives of other local governments to testify against the bills during the hearings. The witnesses argued, among other things, that: (1) requiring a variety of different debt statistics to be placed on the actual ballot for a bond proposition is the wrong way to inform the voters who already have access to all debt information under a number of public financial reports under current law; and (2) limiting the situations where certificates of obligation

could be issued takes away a flexible debt tool for cities that is used to receive better interest rates that ultimately saves millions of taxpayer dollars in the aggregate.

Both bills were left pending in their respective committees.

Significant Floor Actions

S.B. 53 (Zaffirini), relating to life support services provided by certain emergency medical services personnel. Passed the Senate.

S.B. 111 (Lucio), relating to the preservation of Texas Historical Use Buildings. Passed the Senate.

S.B. 127 (Nelson), relating to the creation of certain funding formulas and policies and to certain public health evaluations by the Department of State Health Services. Passed the Senate.

S.B. 148 (Williams), relating to certain legal advice or legal services rendered to public servants. Passed the Senate.

S.B. 169 (Hegar), relating to ballot language for an election to approve and finance a municipal or county venue project. Passed the Senate.

S.B. 186 (Carona), relating to the abatement of mosquitoes in stagnant water located on certain uninhabited residential property. Passed the Senate.

S.B. 194 (West), relating to the exemption from ad valorem taxation of certain property used to provide low-income and moderate-income housing. Passed the Senate. (Note: the League is officially neutral on CHDO tax exemption bills such as this one because some cities support CHDO exemptions while some cities are opposed. Cities concerned about this exemption should pay careful attention to this bill.)

S.B. 198 (Watson), relating to restrictive covenants regulating drought-resistant landscaping or water-conserving turf. Passed the Senate.

S.B. 247 (Carona), relating to the transfer of an ad valorem tax lien. Passed the Senate. (Note: this bill relates to the practice of property tax lending. For a more thorough discussion, see the article elsewhere in this edition: "Property Tax and Payday Lending: Cities Grapple With New Issues.")

S.B. 259 (Carona), relating to telecommunications services and markets. Passed the Senate.

S.B. 327 (Carona), relating to termination of franchises to provide cable or video service in municipalities. Passed the Senate.

S.B. 349 (Nichols), relating to standards for power lines. Passed the Senate.

S.B. 353 (West), relating to the ability of an emergency shelter facility to provide shelter or care for an unaccompanied minor without a license. Passed the Senate.

S.B. 359 (Hinojosa), relating to the selection of certain members of the board of directors of an appraisal district. Passed the Senate.

S.B. 364 (Eltife), relating to the authority of certain municipalities to provide sewer services to areas within the municipal boundaries without obtaining a certificate of public convenience and necessity. Passed the Senate.

S.B. 389 (West), relating to the imposition of court costs in certain criminal proceedings. Passed the Senate.

S.B. 390 (West), relating to the effective date of a new court cost or fee or of an amendment to the amount of a court cost or fee. Passed the Senate.

S.B. 398 (Hancock), relating to conforming the eligibility under a major events trust fund of a National Collegiate Athletic Association Division I Football Bowl Subdivision postseason event with the changes to the Bowl Championship Series system. Passed the Senate.

Significant Committee Actions

H.B. 4 (Ritter), relating to the creation and funding of the state water implementation fund for Texas to assist the Texas Water Development Board in the funding of certain water-related projects. Reported from the House Committee on Natural Resources.

H.B. 13 (Callegari), relating to the State Pension Review Board and public retirement systems. Reported from the House Committee on Pensions.

H.B. 567 (Smith), relating to the definition of an authorized emergency vehicle. Reported from the House Committee on Transportation.

H.B. 625 (Harper-Brown), relating to the penalty for the operation of a vehicle without a license plate. Reported from the House Committee on Transportation

H.B. 712 (Murphy), relating to the responsibility for keeping fire-fighting equipment furnished to a volunteer fire department by a county in good working order. Reported from the House Committee on County Affairs. [Note: this bill may affect volunteer fire departments located in counties over 350,000 population. If your city is serviced by a volunteer department in such a county you should read this bill carefully].

H.B. 767 (King), relating to preventing the fraudulent issuance and use of disabled parking placards. Reported from the House Committee on Transportation.

H.B. 910 (Kolkhorst), relating to the regulation of certain direct sales of food to consumers. Reported from the House Committee on Public Health.

H.B. 919 (Fletcher), relating to exempting certain vehicle location information from required disclosure under the public information law. Reported from the House Committee on Homeland Security and Public Safety.

H.B. 1019 (Patrick), relating to conforming the eligibility under a major events trust fund of a National Collegiate Athletic Association Division I Football Bowl Subdivision postseason event with the changes to the Bowl Championship Series system. Reported from the House Committee on Economic and Small Business Development.

H.B. 1160 (Geren), relating to the transfer of a certificate of convenience and necessity in certain municipalities. Reported from the House State Affairs.

H.B. 1170 (Lavender), relating to all-terrain vehicles and recreational off-highway vehicles. Reported from the House Committee on Transportation.

S.B. 1 (Williams), relating to general appropriations. Reported from the Senate Committee on Finance. (Note: This is the state budget bill. The committee substitute, with respect to cities, adds an additional \$2.98 million to automobile theft prevention and \$8.796 million to the State Library and Archives Commission for library resource sharing. [There was a preliminary discussion in the Senate Finance Committee to add \$15 million to local parks grants over what was included in the filed version of the bill. However, this increase in funding was not included in the committee substitute. If you are concerned with local parks grants, we urge you to contact your state representative.])

S.B. 36 (Zaffirini), relating to the detention and transportation of a person with a mental illness. Reported from the Senate Committee on Health and Human Services.

S.B. 117 (Hinojosa), relating to the right of a spouse to enter the marital residence accompanied by a peace officer under certain circumstances. Reported from the Senate Committee on Jurisprudence.

S.B. 158 (Carona), relating to the average price below which a newspaper is exempt from the sales tax. Reported from the Senate Committee on Finance.

S.B. 188 (Huffman), relating to interception of wire, oral, or electronic communications for law enforcement purposes. Reported favorably from the Senate Committee on Criminal Justice.

S.B. 366 (Taylor), relating to the authority of political subdivisions to offer certain deferred compensation plans to employees. Reported from the Senate Committee on State Affairs.

S.B. 385 (Carona), relating to authorizing assessments for water and energy improvements in districts designated by municipalities and counties. Reported from the Senate Committee on Intergovernmental Relations.

S.B. 395 (West), relating to fines and court costs imposed on a child in a criminal case. Reported from the Senate Committee on Jurisprudence.

S.B. 410 (Watson), relating to the management and operation of certain municipally owned electric utilities. Reported from the Senate Committee on Business and Commerce.

S.B. 471 (Ellis), relating to technological efficiencies in the recording of certain open meetings. Reported from the Senate Committee on Open Government.

S.B. 531 (Duncan), relating to self-insurance funds established by governmental units. Reported from the Senate Committee on State Affairs.

S.B. 581 (Carona), relating to procedures for securing the deposit of public funds. Reported from the Senate Committee on Business and Commerce.

S.B. 614 (Lucio), relating to an electric utility surcharge to assist owners of certain historic structures with electric bill payments and to promote energy conservation and efficiency. Reported from the Senate Committee on Business and Commerce.

S.B. 700 (Hegar), relating to energy and water management planning and reporting by state agencies and institutions of higher education. Reported from the Senate Committee on Government Organization.

S.B. 764 (Watson), relating to a limitation on liability for prescribed burning conducted on land owned by, leased by, or occupied by certain self-insured governmental units. Reported from the Senate Committee on State Affairs.

S.B. 819 (Duncan), relating to the disposal of demolition waste from abandoned or nuisance buildings by certain local governments. Reported from the Senate Committee on Natural Resources.

S.B. 902 (Fraser), relating to the operation, powers, and duties of certain water districts. Reported from the Senate Committee on Natural Resources.

City-Related Bills Filed

PROPERTY TAX

H.B. 3108 (Morrison) – Property Tax Exemption: would provide that oil, natural gas, and petroleum products are included in the definition of “goods-in-transit” and therefore subject to the Super Freeport property tax exemption.

H.B. 3112 (Hilderbran) – Truth-in-Taxation: would: (1) provide a new and simplified method of publishing notice of property tax rates to replace the method in current law; (2) require that

the notice to be provided by a city that does not adopt a property tax rate that exceeds the lower of the effective tax rate or the rollback rate contain specific language relating to: (a) the proposed rate, preceding year's rate, and effective tax rate; (b) the amount of taxes owed by each individual taxpayer; and (c) contact information for the tax assessor-collector; (3) require that the notice to be provided by a city that adopts a property tax rate that exceeds the lower of the effective tax rate or the rollback rate contain specific language relating to: (a) the proposed rate, preceding tax year's rate, effective tax rate, and rollback rate; (b) the amount of taxes owed by each individual taxpayer; (c) contact information for the tax assessor-collector; and (d) notice of two public hearings on the tax rate; (4) require a city to publish notice under (2) or (3), above, not later than September 1 in a newspaper having general circulation in the county in which the city is located that may not be smaller than one-quarter page of a standard-size or tabloid-size newspaper with a headline that must be in 24-point or larger type; (5) require a city to post notice under (2) or (3), above, on the Internet website of the city, if applicable, beginning not later than September 1 and continuing until the city adopts a tax rate; and (6) require a city that to provide certain tax rate information required by the Tax Code upon request. (Companion bill is **S.B. 1510** by **Hinojosa**.)

H.B. 3121 (Harper-Brown) – Property Tax Exemption: would: (1) for purposes of the Freeport tax exemption, allow a local taxing unit to extend the date by which Freeport goods must be transported outside the state from 175 days to a date not later than 730 days after the date the person acquired or imported the property in the state; and (2) for purposes of the Super Freeport property tax exemption, allow the city council to take official action to extend the date by which Super Freeport goods must be transported to another location in the state or outside the state to a date not later than 730 days after the date the person acquired the property in or imported the property into the state.

H.B. 3173 (Bohac) – Appraisal Process: would provide that, if the appraised value of property in a tax year is lowered pursuant to a court determination of an excessive or unequal appraisal, the appraised value of the property as finally determined is considered to be the appraised value of the property for that tax year and the next three tax years.

HB 3216 (Strama) – Property Tax Exemption: would provide a property tax exemption for energy storage systems used or constructed to wholly or partly meet environmental regulations that are located in a designated non-attainment area and that have a capacity of at least ten megawatts. (Companion bills are **H.B. 2712** by **Perez** and **S.B. 1030** by **Taylor**.)

H.B. 3284 (Y. Davis) – Appraisal Districts: would require the Texas Commission on Licensing and Regulation to adopt rules allowing a person to obtain certification as a registered assessor without passing a required certification examination if the person: (1) is registered with the department; (2) has worked as a chief appraiser for the 12 years preceding the date the person applies to the department to obtain certification; and (3) pays a fee in an amount equal to three times the annual registration fee paid by an assessor-collector.

H.B. 3348 (E. Rodriguez) – Property Tax Exemption: would: (1) authorize a city council to adopt the local option residence homestead exemption of either a percentage of the appraised value of an individual's residence homestead (as authorized under current law) or a portion,

expressed as a dollar amount, of the appraised value of an individual's residence homestead, but not both; (2) require a city council that adopts either form of the residence homestead exemption to do so before July 1 of the tax year in which the exemption applies; (3) provide that a city council that adopts an exemption of a portion of the appraised value of a residence homestead, expressed as a dollar amount, may not adopt an exemption of less than \$5,000.

H.B. 3441 (Otto) – Appraisal Process: would: (1) extend the timeframe within which a property owner may appeal an appraisal review board order by filing certain information with the appraisal district from the 45th day after the date the property owner receives notice of the order to the 60th day after the date the property owner receives notice of the order; and (2) extend the timeframe within which a property owner must file the State Office of Administrative Hearings notice of appeal form with the chief appraiser from not later than the 30th day after the date the property owner receives notice of the order to not later than the 60th day after the date the property owner receives notice of the order.

H.B. 3446 (Otto) – Appraisal Process: would prohibit an appraisal review board from distributing a written opinion, memorandum, or analysis of law drafted for the board by an attorney who serves as the legal counsel for the board to any person who is not a member of the board, unless the appraisal review board: (1) immediately makes the document available for public inspection by any person; and (2) forwards the document on the next business day to the comptroller to be posted on the comptroller's website.

H.B. 3474 (Paddie) – Fraudulent Liens: would, among other things, impose a four-year statute of limitations for an action to enjoin a fraudulent lien or claim against real or personal property.

H.B. 3570 (Hilderbran) – Appraisal Cap: would limit reappraisals of a parcel of real property to no more than once every three years, except that an appraisal office could reappraise a parcel of real property immediately following the year in which the property is sold.

H.B. 3703 (E. Rodriguez) – Affordable Housing: would: (1) provide that non-exempt affordable housing projects should be appraised using the income method of appraisal; (2) require the chief appraiser to determine the property's expenses in accordance with disbursements made for the operation and maintenance of the project.

H.B. 3767 (Coleman) – Property Tax Exemption: would provide a property tax exemption for a charitable organization that engages in supporting the planting, growing, cultivation, or maintenance of trees located or to be located exclusively along public rights-of-way, on public easements, on public school grounds, in public parks, or on other public lands or areas available for the use and enjoyment of the public.

H.B. 3768 (Coleman) – Appraisal Process: would provide that, when determining the market value of a residence homestead, the chief appraiser may exclude from consideration the value of property that: (1) was sold at a foreclosure sale in the previous three years; or (2) has a market value that has declined because of a declining economy.

H.J.R. 129 (Harper-Brown) – Property Tax Exemption: would amend the Texas Constitution to: (1) classify property as exempt under the Freeport property tax exemption if it is transported outside of the state not later than 730 days after the date the property is acquired or imported; and (2) classify property as exempt under the Super Freeport property tax exemption if it is transported to another location in this state or outside this state not later than 730 days after the date the property is acquired or imported. (Please see **H.B. 3035.**)

H.J.R. 132 (Morrison) – Property Tax Exemption: would amend the Texas Constitution to provide that oil, natural gas, and petroleum products are exempt from property taxes under the Super Freeport property tax exemption. (Please see **H.B. 3108.**)

H.J.R. 133 (Harper-Brown) – Property Tax Exemption: would amend the Texas Constitution to: (1) for purposes of the Freeport tax exemption, allow a local taxing unit to extend the date by which Freeport goods must be transported outside the state from 175 days to a date not later than 730 days after the date the person acquired or imported the property in the state; and (2) for purposes of the Super Freeport property tax exemption, allow the city council to take official action to extend the date by which Super Freeport goods must be transported to another location in the state or outside the state from 270 days to a date not later than 730 days after the date the person acquired the property in or imported the property into the state. (Please see **H.B. 3121.**)

H.J.R. 138 (E. Rodriguez) – Property Tax Exemption: would amend the Texas Constitution to: (1) authorize a city council to adopt the local option residence homestead exemption of either a percentage of the appraised value of an individual's residence homestead (as authorized under current law) or a portion, expressed as a dollar amount, of the appraised value of an individual's residence homestead, but not both; and (2) provide that a city council that adopts an exemption of a portion of the appraised value of a residence homestead, expressed as a dollar amount, may not adopt an exemption of less than \$5,000. (Please see **H.B. 3348.**)

H.J.R. 142 (Ritter) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxes or other taxes all or part of real and personal property used for, or services related to, water conservation.

H.J.R. 143 (Hilderbran) – Elimination of Property Taxes: would amend the Texas Constitution to: (1) prohibit a political subdivision from imposing a property tax on real or personal property beginning on January 1, 2016; (2) provide that the state may impose a statewide sales tax not to exceed 11 percent of the sales price or value of the property or service; and (3) provide that the maximum combined state and local sales and use tax rate is 13 percent of the sales price or value of the property or service.

H.J.R. 144 (Hilderbran) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to limit the frequency with which an appraisal entity may reappraise a parcel of real property for property tax purposes.

S.B. 1455 (Taylor) – Property Tax Exemption: would provide an exemption from property taxes for property that a person owns and leases to a school if: (1) the school uses the property exclusively for educational functions; (2) the property is reasonably necessary for the operation

of the school; (3) the owner certifies by affidavit to the school that the rent for the lease of the property will be reduced by an amount equal to the amount by which the taxes are reduced due to the exemption; (4) the owner provides a disclosure statement to the school stating the amount by which the taxes are reduced by the exemption; and (5) the rent charged reflects the reduction in the amount of taxes on the property resulting from the exemption. (Please see S.J.R. 52, below.) (Companion bill is H.B. 1360 by Ritter.)

S.B. 1510 (Hinojosa) – Truth-in-Taxation: would: (1) provide a new and simplified method of publishing notice of property tax rates to replace the method in current law; (2) require that the notice to be provided by a city that does not adopt a property tax rate that exceeds the lower of the effective tax rate or the rollback rate contain specific language relating to: (a) the proposed rate, preceding year's rate, and effective tax rate; (b) the amount of taxes owed by each individual taxpayer; and (c) contact information for the tax assessor-collector; (3) require that the notice to be provided by a city that adopts a property tax rate that exceeds the lower of the effective tax rate or the rollback rate contain specific language relating to: (a) the proposed rate, preceding tax year's rate, effective tax rate, and rollback rate; (b) the amount of taxes owed by each individual taxpayer; (c) contact information for the tax assessor-collector; and (d) notice of two public hearings on the tax rate; (4) require a city to publish notice under (2) or (3), above, not later than September 1 in a newspaper having general circulation in the county in which the city is located that may not be smaller than one-quarter page of a standard-size or tabloid-size newspaper with a headline that must be in 24-point or larger type; (5) require a city to post notice under (2) or (3), above, on the Internet website of the city, if applicable, beginning not later than September 1 and continuing until the city adopts a tax rate; and (6) require a city that to provide certain tax rate information required by the Tax Code upon request. (Companion bill is H.B. 3112 by Hilderbran.)

S.B. 1529 (West) – Property Tax Exemption: would provide a property tax exemption for all real and personal property owned or leased by a person that is used as part or in connection with a renewable natural gas facility that converts landfill generated methane into renewable natural gas. (Companion bill is H.B. 1736 by Anchia.)

S.B. 1657 (Williams) – Delinquent Taxes: would: (1) allow a city council to waive penalties and interest on a delinquent tax for any tax year preceding the tax year in which the owner acquired the property if: (a) the owner or another person liable for the tax pays the tax not later than 181 days after the date the property owner receives notice of the delinquent tax; and (b) the delinquency is the result of taxes imposed on omitted property entered into the appraisal records or erroneously exempted property or appraised value added to the appraisal roll; and (2) provide that the waiver of penalties and interest under (1), above, applies only to the tax lien on the property and does not relieve the person who owned or acquired the property on January 1 of the year for which the delinquent tax was imposed from any personal obligation for the accrued penalties and interest on the tax. (Companion bill is H.B. 1913 by Bohac.)

S.B. 1662 (Eltife) – Appraisal Process: would eliminate the expedited arbitration process for a property owner to appeal a decision of the appraisal review board. (Companion bill is H.B. 3193 by Otto.)

S.B. 1685 (Zaffirini) – Property Tax Exemption: would provide a property tax exemption for all or part of real and personal property that a person owns or leases and that is used, constructed, acquired, stored, or installed primarily as part of an offshore spill response containment system. (Companion bill is **H.B. 1712** by **Lozano**.)

S.B. 1826 (Eltife) – Appraisal Process: would, among other things: (1) require the comptroller to prepare model hearing procedures for appraisal review boards; (2) provide that in a county with a population of more than 120,000, an appraisal review board member may be removed for good cause; (3) require a person claiming an allocation of property taxes for property used partially outside of the state to apply to the appraisal district for the allocation; (4) authorize a taxpayer lawsuit against a taxing unit that denies an application for a property tax refund for overpayments or erroneous payments; and (5) would eliminate the expedited arbitration process for a property owner to appeal a decision of the appraisal review board.

S.J.R. 52 (Taylor) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxes real property leased to certain schools organized and operated primarily for the purpose of engaging in educational functions. (Companion bill is **H.J.R. 86** by **Ritter**.) (Please see **S.B. 1455**.)

SALES TAX

H.B. 3113 (Hilderbran) – Sales Tax Exemption: would provide that bringing oil or gas to the surface of the earth is not considered to be exempt from sales and use taxation as manufacturing, processing, or fabricating for ultimate sale.

H.B. 3169 (Bohac) – Sales Tax Exemption: would broaden the types of activities that can be classified as “marketing a destination” for purposes of qualifying an entity as a “qualified destination management company” that is considered to be a consumer of taxable items sold as opposed to a provider of taxable services. (Companion bill is **S.B. 1504** by **Lucio**.)

H.B. 3223 (Ratliff) – Sales Tax Allocation: would provide that an outlet, office, facility, or location does not exist to avoid sales taxes or to rebate a portion of sales taxes if any rebate it contracts to receive is lower than the amount of its annual payroll and the outlet, office, facility, or location provides significant business services, beyond processing invoices, to the contracting business, including logistics management, purchasing, inventory control, and other vital business services. (Companion bill is **S.B. 1533** by **Carona**.)

H.B. 3272 (J. Davis) – Sales Tax Exemption: would provide that boats greater than 65 feet in length that are not used for commercial shipping are subject to the state-only sales tax on boats and boat motors, and therefore not subject to city sales and use taxes. (Companion bill is **S.B. 862** by **Taylor**.)

H.B. 3387 (Hilderbran) – Sales Tax Exemption: would exempt from sales and use taxes items used in technologies certified by the Texas Railroad Commission to reduce or eliminate fresh water usage in stimulating oil and gas production.

H.B. 3571 (Hilderbran) – Sales Tax Exemption: would, among other things: (1) amend the definition of “newspaper” for purposes of a sales and use tax exemption to include a newsprint publication for which each copy over a 30-day period does not exceed \$3.00 (Note: the threshold cost for an exemption under current law is \$1.50.); and (2) would add light-emitting diode light bulbs and refrigerators under \$2500 to the list of energy-efficient products that are exempt from sales and use taxes.

H.B. 3644 (Harper-Brown) – Street Maintenance Sales Tax: would: (1) allow a city that has already held two reauthorization elections in which at least 66 percent of the voters in the last two consecutive elections approved of the tax to delay the call of an election to reauthorize the street maintenance sales tax for eight years; and (2) allow revenue from the street maintenance sales tax to be used to maintain and repair sidewalks.

H.B. 3713 (Guerra) – Sales Tax Lawsuits: would, among other things, authorize class action and injunction lawsuits for taxpayers to contest the payment of any tax or fee collected by the comptroller, including a local tax collected by the comptroller.

H.B. 3842 (Lucio) – Sales Tax Exemption: would provide an exemption from sales and use taxes for tangible personal property purchased using money from a community development block grant disaster recovery program administered by the General Land Office and used to repair an improvement to real property damaged by a natural disaster or used to construct a replacement for an improvement to real property damaged by a natural disaster. (Companion bill is **S.B. 1443** by **Lucio**.)

S.B. 1443 (Lucio) – Sales Tax Exemption: this bill is the same as **H.B. 3842**, above.

S.B. 1498 (Deuell) – Sales Tax Exemption: would exempt certain items sold, used, or consumed by a live music presenter from sales and use taxes.

S.B. 1504 (Lucio) – Sales Tax Exemption: this bill is the same as **H.B. 3169**, above.

S.B. 1533 (Carona) – Sales Tax Allocation: this bill is the same as **H.B. 3223**, above.

S.B. 1633 (Deuell) – Sales Tax Exemption: would: (1) exempt from sales and use taxes the sale of a taxable item the sales price of which is \$5,000 or less by a qualified organization if: (a) the sale occurs in a fundraiser; and (b) the qualified organization purchases and receives delivery of the item from a wholesale supplier or distributor, and resells and delivers the item to a consumer, regardless of the sequence in which the product is marketed, purchased, received, sold and delivered by the organization; and (2) provide that a qualified organization that purchases a taxable item for resale in a fundraiser may claim the sale for resale exemption.

S.B. 1634 (Deuell) – Sales Tax Administration: would, among other things:

1. allow the comptroller to delegate to a person employed or designated by a city the power to investigate and examine the records of a person doing business in the state for local sales tax liability purposes;

2. require the comptroller to include in its additional report requested by a city certain information relating to local sales taxes, including: (a) a statement of the proportional allocation to the city of a partial payment of sales taxes; (b) a statement showing the tax periods covered by the delinquencies and the amount of delinquency during each period; and (c) a statement of the date by which the comptroller will make the appropriate allocation to a city, if the comptroller did not initially make the appropriate allocation;
3. if a city determines and reports to the comptroller that a person doing business in the city has wholly or partly collected or reported sales taxes incorrectly under the chapter, provide that the comptroller may provide additional information in response to the city's report, including: (a) a statement that the person is obligated for the municipal tax and the tax is delinquent, which must include: (i) a description of the action the comptroller is taking to collect the delinquent tax; (ii) an estimate of the delinquent tax due to the city and the tax periods covered by the delinquency; (iii) the date by which the comptroller will complete the review and the date by which the comptroller will make all delinquent funds available to the city; and (iv) the date and periods covered by the most recent audit of the person by the comptroller or a statement that the comptroller has not conducted an audit of the person; (b) a certification that the person is obligated for the city sales tax, including the periods for which the person is obligated for the city sales tax, the full amount of the tax due in each period that the person is obligated, and a statement as to whether the tax due has been credited to the city's account; or (c) a statement authorizing a person employed by or designated by the city to investigate and examine the records of the person doing business in the city that has wholly or partly collected or reported taxes incorrectly;
4. authorize a city to petition the comptroller for a redetermination if the city disagrees with a determination made by the comptroller;
5. authorize the comptroller to set and collect reasonable fees from a city to cover the expense of compiling and providing information or providing access to the administrative appeals process;
6. on the request of a city, require the comptroller to provide the city with information relating to the gross sales, taxable sales, and taxable purchases by each person doing business in the city by individual outlet as reported to the comptroller on a sales and use tax return;
7. on the request of a city, require the comptroller to provide the city with a sales and use tax audit report related to applicable local sales tax collections and corrections, including any supporting documentation;
8. authorize a city that has adopted a sales tax to submit a clarification request to the comptroller for a determination of the appropriate location at which sales or uses were consummated, which may include a question in relation to specific sales or uses or may include a fact pattern relating to sales and uses; and
9. require the comptroller to respond to the request by a city under (8), above, not later than 90 days after the date the comptroller receives the request, and allow the city to use the response from the comptroller in communications with a person, office, or outlet to encourage or compel compliance with state law.

(Companion bill is **H.B. 1923** by **Thompson.**)

PURCHASING

H.B. 3202 (Creighton) – Construction Manager-at-Risk: would provide that a city’s architect or engineer for a project may not serve, alone or in combination with another person, as the construction manager-at-risk unless the architect or engineer is hired to serve as the construction manager-at-risk under a separate, concurrent, or single selection process.

H.B. 3203 (Creighton) – Design-Build for Civil Works: relates to a city’s limited ability to use design-build for certain civil works projects and would, among other things, provide that a city: (1) may enter into a contract for aggregated projects at multiple locations; (2) shall select the design-build firm in a one-step or two-step process; (3) shall prepare a single request for proposals, in the case of a one-step process, or an initial request for qualifications, in the case of a two-step process, that includes a statement of whether the selection process is a one-step or two-step process; (4) may consider cost as a factor in the proposal process; and (5) may offer an unsuccessful design-build firm a stipend in any amount for preliminary engineering costs associated with the development of the proposal.

H.B. 3237 (Smithee) – Purchasing Groups: would provide that: (1) a purchasing group composed primarily of employees of a political subdivision, including a county, city, or school district, may purchase first-party indemnity coverage, in addition to the liability coverage required in current law, on a group basis for other risks to which members may be exposed provided that the aggregate coverage limit per group member for the risk does not exceed three percent of the per member coverage limit for liability coverage; (2) a purchasing group shall notify the insurance commissioner of the group’s intent to purchase such coverage not later than the 60th day before the date the policy that includes the coverage is initially issued; and (3) exempt certain purchasing groups from the bill’s provisions. (Companion bill is **S.B. 1125** by **Carona.**)

H.B. 3416 (Flynn) – Capital Appreciation Bonds: would prohibit a county, city, special district, school district, junior college district, or other political subdivision from issuing capital appreciation bonds. (Companion bill is **S.B. 449** by **Hinojosa.**)

H.B. 3436 (Cook) – Public/Private Partnerships: would provide that, as it relates to a public/private partnership entered into under S.B. 1048 (2011), a responsible governmental entity may not take any formal action on a proposal or bid received before September 1, 2013.

H.B. 3681 (Smith) – Procurement: would provide that local government may not accept a bid or award a contract that includes proposed financial participation by a person who received compensation from the local government to participate in preparing the specifications or request for proposals on which the bid or contract is based.

H.B. 3830 (Herrero) – Civil Works Design-Build: would lower from 500,000 to 300,000 the population bracket for cities to use design-build for a certain number of civil works projects. (Companion bill is **S.B. 1430** by **Hinojosa.**)

S.B. 1430 (Hinojosa) – Civil Works Design-Build: would lower the population bracket in the current law allowing a city to use design-build for a certain number of civil works projects from 500,000 to 300,000.

ELECTIONS

H.B. 3078 (R. Miller) – Early Voting: would provide that in a county with a population of 400,000 or more, the location of a movable polling place must be fixed at one place when the polling place opens for the day and may be relocated only after a full day of early voting has ended.

H.B. 3081 (Wu) – Elections: would provide that: (1) an election officer is required to ask if a voter has changed residence; (2) if the voter's address is not current because the voter has changed residence to a different county within 30 days of the date of an election, the voter may vote in the election precinct in which the voter is registered; and (3) in a joint election, if the voter's address is not current because the voter has changed residence within the county, the voter may vote in the election precinct in which the voter is registered.

H.B. 3100 (Morrison) – Elections: would create eligibility requirements for a central counting station official under an election service contract or in a joint election.

H.B. 3101 (Morrison) – Elections: would provide that a filing deadline for a candidate's application to appear on the ballot applies to a declaration of write-in candidacy for that election.

H.B. 3104 (Morrison) – Elections: would, among other things, provide that: (1) a delivery, submission, or filing of a document or paper required by the Election Code may be made by personal delivery, mail, telephonic facsimile machine, or any other method of transmission; (2) the secretary of state shall determine whether the information required to be filed for a death must be filed electronically and inform the appropriate entities of the determination; (3) a person employed by a county solely as an early voting clerk is not employed by a candidate and may serve as an election judge or clerk; (4) an election for an office for which candidates are not nominated by primary election may not be held within 30 days before or after the date of the general election for state and county officers, general primary election, or runoff primary election; (5) the secretary of state may prescribe the form and content of a ballot for an election using a voting system, including an electronic voting system or a voting system that uses a direct recording electronic voting machines, to conform to the formatting requirements of the system; (6) an election officer shall use the same procedures in regard to a person who is unable to enter a polling place during early voting as used on election day; (7) the balloting materials for voting by mail may be mailed to the residence address provided on the early voting ballot application or the registered mailing address if different, if the early voting clerk provides a form for a statement of residence; and (8) dates and deadlines for filing various applications are modified. (Companion bill is **S.B. 910** by **Duncan**.)

H.B. 3499 (Perez) – Elections: would prohibit a private employer from terminating the employment of a permanent employee because the employee serves as an election judge or clerk on Election Day.

H.B. 3500 (Perez) – Early Voting: would provide that for an early voting application to be mailed outside the state, the applicant may choose to receive the application by e-mail transmission and the voter is entitled to have the balloting materials sent by electronic transmission if, the voter provides an e-mail address.

H.B. 3565 (Murphy) – Military and Overseas Voter Empowerment (MOVE) Act: would provide that a ballot sent to an applicant may not be accepted if it is determined, after sending the ballot to the applicant, that he or she was not eligible to be registered based on the information provided on the application.

H.B. 3719 (Martinez Fischer) – Voter Registration: would, among other things, provide that a person who would be eligible to vote in an election, but who is not registered, shall be accepted for voting during early voting by personal appearance for the precinct of the person's residence if the person submits a voter registration application and presents proof of identification that establishes the person's residence.

S.B. 1683 (Huffman) – Absentee Voting: would provide that: (1) a person may apply with a single federal postcard application for a ballot for any one or more elections in which the person is eligible to vote; (2) an application that does not identify the election for which a ballot is requested shall be treated as if it requests a ballot for: (a) each general or special election held within one year after the date the application is received in which the person is eligible to vote; and (b) the general primary election if the application indicates party preference and is received within one year before the date of the general primary election; and (3) if an application described in (2), above, indicates the person is eligible to vote in an election in which the early voting clerk who received the application does not conduct early voting, the clerk shall forward a copy of the application in a form prescribed by the secretary of state to each early voting clerk who conducts early voting for an election in which the person is eligible to vote. (Companion bill is **H.B. 396** by **Thompson**.)

S.B. 1722 (Rodriguez) – Elections: would, among other things, provide that: (1) an election officer serving a polling place for early voting by personal appearance is a deputy voter registrar and has the same authority as a regular deputy registrar; (2) all eligible voters shall be accepted for voting if identification is provided that includes one form of photo identification or two forms of nonphoto identification; (3) the secretary of state, in cooperation with appropriate nonprofit organizations and with political parties, shall establish a statewide voter education project to provide notice of the identification requirements and to increase awareness regarding the methods of acquiring the required identification through print, radio, and television in each electronic media market beginning six months in advance of the first election for which photo identification is required; (4) the secretary of state and the attorney general must jointly conduct in at least four different geographic regions of the state, election integrity training for election officers, law enforcement personnel, and prosecutors in methods of detecting, investigating and prosecuting voter fraud and suppression; (5) the secretary of state shall conduct a study on the availability of photo identification and provide recommendations to the legislature; (6) a person commits a class B misdemeanor if the person deceives another person regarding: (a) the time, place, or manner of conducting an election; or (b) the qualifications for or restrictions governing

voter eligibility for an election in the state; (7) a voter must present to an election officer at the polling place: (a) one form of acceptable photo identification; (b) two different forms of acceptable identification; or (c) the voter's voter registration certificate; (8) an election officer shall notify the voter who does not meet the identification requirement that the voter may be accepted for voting if the voter executes an affidavit under penalty of perjury stating that the voter is the person named on the voter registration certification; (9) an election officer who determines not to accept a voter shall provide the voter with a statement signed by the election officer listing all the reason why that voter was not accepted and the circumstances under which a voter may vote a provisional ballot; (10) a person who would be eligible to vote in an election, but who is not registered, shall be accepted for voting during early voting by personal appearance for the precinct of the person's residence, if the person submits a voter registration application and presents proof of identification that establishes the person's residence; and (11) the Department of Transportation may not collect a fee for a personal identification certificate issued to a person who states they are obtaining the personal identification certificate for the purpose of voting.

S.B. 1723 (Patrick) – Elections: would provide that: (1) a United States citizen residing outside the United States indefinitely is entitled to vote a full ballot if (a) the person is eligible to vote; and (b) is a registered voter at the address contained on the federal postcard application; and (2) the early voting clerk shall provide notice to the voter that she or he is only eligible to vote a federal ballot.

OPEN GOVERNMENT

H.B. 3200 (Larson) – Writ of Mandamus: would: (1) provide that a requestor may file suit for a writ of mandamus compelling a governmental body to make information available for public inspection only if: (a) the time period for the governmental body to request a decision from the attorney general has elapsed; or (b) the governmental body has timely requested a decision from the attorney general and: (i) the attorney general has issued a decision that information to which the decision applies is public information that is not excepted from disclosure; or (ii) the time period for the attorney general to issue a decision has elapsed; (2) require that a suit under (1), above, allege that the applicable time period has elapsed; (3) authorize a governmental body to file a motion to dismiss and require a court to dismiss a suit for a writ of mandamus compelling the body to making information available for public inspection that does not comply with the requirements in (1), above; and (4) allow the court to award the governmental body court costs and reasonable attorney's fees if the court dismisses a suit as described in (3), above.

H.B. 3629 (Guillen) – Public Information: would, with regard to a suit for mandamus, require a governmental entity, including a city, to provide proof of compliance with the Public Information Act by more than a verbal or written notice.

H.B. 3630 (Morrison) – Peace Officer Communications: would: (1) except from public disclosure records of telephone calls, text messages, e-mails, or other electronic communications to which a peace officer is a party; (2) provide that communications described in (1), above, are subject to disclosure under an appropriate court order, subpoena, or order compelling disclosure in discovery; and (3) authorize a law enforcement agency or officer to redact information

described in (1), above, without requesting a decision from the attorney general. (Companion bill is **S.B. 988** by **Hegar**.)

H.B. 3804 (Branch) – Open Meetings: would: (1) provide that the following communication or exchange between members of a governmental body about public business or policy does not constitute a meeting or deliberation for purposes of the Open Meetings Act: (a) a written communication; (b) posted on an online message board or similar Internet application viewable by the public, and (c) that is displayed in real time and displayed on the board or Internet application for no less than thirty days after the communication is first posted; (2) allow a governmental body to have no more than one online message board or Internet application to use as described in (1), above; (3) require that the online message board or Internet application described in (1), above, be owned or controlled by the governmental body, prominently displayed on the body’s primary Internet web page, and no more than one click away from the governmental body’s primary Internet web page; (4) limit users (posters) of the online message board or Internet application described in (1), above, to the governmental body and authorized staff, who must include their name and title in any posted communication; (5) provide that certain postings removed from the board or application described in (1), above, are public information and must be maintained for a period of two years; and (6) prohibit a governmental body voting or taking any action that is required to be taken at a meeting under the Open Meetings Act by communicating or posting to the message board or Internet application described in (1), above. (Companion bill is **S.B. 1297** by **Watson**.)

S.B. 1512 (Ellis) – Crime Scene Image: would make a sensitive crime scene image confidential and not subject to disclosure under the Public Information Act.

S.B. 1563 (Ellis) – Public Information: would, for purpose of the Public Information Act: (1) define “public information” to mean information that is collected, assembled, or maintained under a law or ordinance or in connection with or related to the transaction of official business: (a) by a governmental body; (b) for a governmental body, or in connection with any project, activity, or other matter funded wholly or partly with public funds of a governmental body, where the governmental body owns the information or has a right of access to it; or (c) by an individual officer or employee of a governmental body, including an elected official or member of the elected official’s staff, in the course and scope of the individual’s official duties; (2) provide that the media on which public information is recorded includes, among other things, a magnetic, optical, solid state, or other device that can store an electronic signal, and any physical material on which information may be recorded; (3) provide that the general forms in which the media containing public information exist include, among other things, e-mail, Internet posting, text message, instant message, and other electronic communication; (4) apply the definition of “public information” in (1), above, to: (a) information that is contained in a communication conducted through a device procured, provided, or purchased, wholly or partly, by a governmental body or maintained on governmental servers; or (b) information contained on any other device if the device is used by an individual officer or employee of a governmental body, including an elected official or member of the elected official’s staff, in the course and scope of the individual’s official duties; (5) define “official business” to mean any matter over which a governmental body has any authority, administrative duties, or advisory duties; (6) add the following to the “super public list” of information: (a) a contract between an agency and any

other person, including records and files related to the performance of a governmental function by the other person; (b) a local government record as defined by the Local Government Records Act; and (c) a local government record, a county record and a state record as defined by certain statutes related to the State Library and Archives Commission; (7) require that a contract between a governmental body and another person for the performance of a governmental function: (a) provide that the governmental body is entitled to obtain from the contracting person a copy of any record or file related to the performance of the governmental function; (b) provide that a copy of a record or file described by (a), above, may be disclosed by the governmental body; and (c) require the contracting person to administer information relating to the performance of a governmental function under the contract as required by the Act; (8) construe a contract entered into on or after September 1, 2013, to have the requirements in (7), above, without regard to whether the contract includes those provisions on its face; and (9) prohibit a governmental body from entering into a contract that impairs the right of the public under the Act to inspect or obtain a copy of the governmental body's information that is not confidential or not otherwise excepted from disclosure under the Act, including public information existing online or in a device or medium procured, provided, or purchased, wholly or partly, by a governmental body or maintained on governmental servers.

S.B. 1621 (Whitmire) – Criminal History Record Information: would: (1) exempt public information that is produced, collected, assembled, or maintained by a governmental body through the administration of criminal justice from bulk dissemination; and (2) define, for the purposes of (1), above: (a) “administration of criminal justice” to mean the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of an offender, and criminal identification activities and the collection, storage, and dissemination of criminal history record information; and (b) “bulk dissemination” to mean the production by a governmental body of information obtained by the body through the administration of criminal justice that relates to offenses committed by 10 or more separate individuals.

S.B. 1650 (Campbell) - Open Meetings: would require that any open meeting that is broadcast over the Internet be broadcast free of charge.

OTHER FINANCE/ADMINISTRATION BILLS

H.B. 19 (Darby) – State Appropriations (Water and Transportation Funding): would provide that the amount of \$3.7 billion is appropriated for the state fiscal biennium ending August 31, 2015, from the state's Rainy Day Fund to: (1) the credit of the state water implementation fund for Texas as money available for use by the Texas Water Development Board for the purposes of the state water implementation fund for Texas; (2) the credit of the state infrastructure bank as money available for use by the Texas Department of Transportation; and (3) the credit of roadway projects in energy development areas as money available for use by the Texas Department of Transportation.

H.B. 3084 (Sanford) – Electronic Filing: would allow a municipal clerk to file documents electronically for recoding with a county clerk that accepts electronic filing and recording. (Companion bill is **S.B. 1437** by **Paxton**.)

H.B. 3045 (Oliveira) – Taxes: would: (1) require the comptroller to identify all state and local tax preferences and present a schedule to the Legislative Budget Board every odd-numbered year under which each tax preference is reviewed once during each six-year period; (2) require the Legislative Budget Board to evaluate all state and local tax preferences and make recommendations for continuing, repealing, or amending each preference; and (3) provide that each tax preference enacted by the legislature that becomes law after September 1, 2014 expires six years after the date it takes effect, unless the legislature provides an earlier or later expiration date. (Note: please see **H.J.R. 130.**)

H.B. 3084 (Sanford) – Filing Documents with County Clerk: would authorize a city clerk to file documents electronically for recording with a county clerk. (Companion bill is **S.B. 1437** by **Paxton.**)

H.B. 3095 (Strama) – Mixed Beverage Tax: would: (1) establish a process for certain venues to qualify as a “live music presenter” for purposes of the mixed beverage tax; and (2) provide that a tax at the rate of seven percent is imposed on the gross receipts of a mixed beverage permittee classified as a live music presenter. (Note: under current law a tax at the rate of 14 percent is imposed on the gross receipts of a mixed beverage permittee, of which a city receives 10.7143 percent for all permittees in the city limits.) (Companion bill is **S.B. 1179** by **Deuell.**)

H.B. 3117 (Burkett) – Settlement Authority: would authorize the attorney general to settle in full satisfaction of claims asserted in a civil suit brought by a local government under certain provisions of the Water Code, the Health and Safety Code, and the Occupations Code without the consent or approval of the local government, for an amount that is consistent with either the policies of the state or at the direction of the Texas Commission on Environmental Quality.

H.B. 3151 (Capriglione) – City Debt: would require a ballot proposition for a municipal bond election to include a separate box located beneath the ballot proposition language that states or restates: (1) the amount of bonds; (2) a plain language description of the public purpose for which the bonds are to be issued; (3) the proportion of the city’s total bonding cap that will be encumbered through the issuance of the bonds; (4) the year in which the bonds will be retired; (5) whether the issuance would require any new taxes, fees, or assessments, or an increase in existing taxes, fees, or assessments; (6) an analysis of: (a) the annual costs that each homeowner of an average-priced home or renter paying the average rent would be required to pay if the bonds are supported by ad-valorem taxes; (b) the annual costs that each resident of the city would be required to pay if the bonds are supported by sales or other use taxes; and (c) the annual costs that each affected resident of the city would be required to pay if the bonds are supported by other assessments or fees; and (7) whether any of the projects to be supported by the bonds are anticipated to require the exercise of the power of eminent domain.

H.B. 3182 (Harper-Brown) – Events Trust Funds: would, among other things: (1) provide that an event is eligible for funding from the major events trust fund if a site selection committee selects a site in this state as the sole site for the event in a region composed of this state and one or more adjoining states and the incremental increase in tax receipts is at least \$1 million; (2) provide that a request for a determination of the amount of incremental increase in tax receipts

may be submitted to the comptroller not later than 45 days before the date the event begins (as opposed to not later than three months before the event under current law); (3) provide that for either the major events trust or the events trust fund, if an obligation is incurred under an event support contract to make a structural improvement to the site or add a fixture to the site for purposes of an event, and the improvement or fixture is expected to derive most of its value in subsequent uses of the site for future events, a disbursement from the trust fund made for purposes of that obligation is limited to five percent of the cost of the improvement or fixture; (4) provide that the comptroller may not consider a subsequent request to participate in the major events trust fund program for the same event in the same endorsing city until a post event study is completed for a preceding event; (5) limit an endorsing city to only submitting one request for participation in the events trust fund in a calendar year, except for any additional events that would result in a minimum of \$375,000 in incremental tax gain or draw 25,000 or more out of state visitors to an event; and (6) provide that if the comptroller determines that actual attendance count is significantly less than the projected attendance count, the comptroller may proportionately reduce the total amount that an endorsing city may be eligible to receive in total disbursement distributions from the events trust fund.

H.B. 3231 (Coleman) – Regulation of Drugs: would authorize the governing body of a city or county to enact an ordinance or rule prohibiting the sale of any drug or chemical that is potentially abusable and poses a threat to public health as determined by the governing body, but providing that a city or county may not enact an ordinance or rule prohibiting the sale of any substance that is approved by the federal Food and Drug Administration.

H.B. 3258 (Villalba) – Political Advertising: would make various changes relating to political contributions and expenditures, including: (1) defining the term “political advertising” for purposes of Title 15 of the Election Code to mean a communication expressly advocating the election or defeat of a clearly identified candidate or expressly advocating support for or opposition to a measure by means of a broadcast, cable, or satellite communication, newspaper, magazine, outdoor advertising facility, electronic communication, mailing, telephone bank to the general public, text message, or any other form of general public political advertising; (2) providing that the term “political advertising” does not include: (a) Internet communications, except for communications placed for a fee on another person’s website; or (b) electronic communications or text messages of an identical or substantially similar nature sent to fewer than 25 recipients within any 30-day period; and (3) defining “clearly identified candidate” to mean the candidate’s name, nickname, photograph, or drawing, or the identity of the candidate when otherwise apparent through an unambiguous reference, including a reference to the candidate’s status as a candidate.

H.B. 3263 (P. Miller) – Electronic Payment: would: (1) provide that the governing body of a city may authorize a city official who collects fees, fines, court costs, or other charges to accept payment by debit card or other electronic means (in addition to credit card) and to collect and retain a fee for processing the payment; (2) require a processing fee in (1), above, to be reasonably related to the expense incurred in processing the payment by debit card or electronic means; and (3) authorize a city to charge, in addition to a processing fee, a fee in an amount equal to the amount of any transaction fee charged to the city by a vendor providing services in connection with payments made by credit card, debit card, or other electronic means.

H.B. 3264 (C. Turner) – Payday Lending: would prohibit a credit access business from making a telemarketing call to a consumer.

H.B. 3397 (D. Bonnen) – Special Districts: would: (1) require all special districts to conduct a comprehensive review of the district once every six years; (2) require each special district to publish a written self-evaluation report after conducting the review in (1), above, and make the report available to the public and post the report on the district’s website; (3) require each special district to conduct a public hearing at which persons interested in the self-evaluation report are given notice through a website posting and given the opportunity to be heard; (4) require certain information from the hearing to be posted on the district’s website; and (5) require every special district to maintain an Internet website to comply with the above requirements.

H.B. 3409 (Dutton) – Taxes: would: (1) require a select commission on periodic tax preference review to identify all state and local “tax preferences” and develop a review schedule under which each tax preference is reviewed once during each six-year period; (2) require the commission to file final report on the reviews of tax preferences to the governor and the presiding officers of the senate finance committee and the house ways and means committee not later than December 1 of each even-numbered year; and (3) provide that each tax preference enacted by the legislature that becomes law on or after September 1, 2014, expires six years after the date it takes effect, unless the legislature provides an earlier or later expiration date.

H.B. 3461 (E. Rodriguez) – Payday Lending: would provide that a credit access business may not assist a consumer in obtaining a payday or motor vehicle title loan unless the loan contract provides that the lender must accept partial repayment of the principal balance of the loan from the consumer, with no additional fees or penalties, at any time during regular business hours.

H.B. 3480 (Simpson) – Texas Bill of Rights: would prohibit a city, or other governmental entity, from imposing, collecting, enforcing, implementing, or effectuating a provision, penalty, or sanction under federal law that the legislature has determined violates Article I of the Texas Constitution, the Texas bill of rights.

H.B. 3485 (Villarreal) – Property Tax Lending: would, among other things: (1) prohibit a property owner from waiving or limiting a requirement imposed on a property tax lender by state law; (2) provide certain requirements for any solicitation or advertisement provided by a property tax lender; (3) prohibit a person from selling, transferring, assigning, or releasing rights to a property tax loan to a person who is not licensed by the state; (4) require the Finance Commission of Texas to create a form for a lender with an existing recorded lien on the property to use to request a payoff statement; (5) provide that a contract between a transferee of a tax lien and a property owner that purports to authorize payment of taxes that are not delinquent at the time of payment, or that lacks the proper authorization from the property owner, is void; (6) prohibit the transfer of a tax lien if the real property has been financed, wholly or partly, with a grant or below market rate loan provided by a governmental program or nonprofit organization and is subject to the covenants of the grant or loan; and (7) would only allow a transferee of a tax lien to foreclose the lien using the judicial foreclosure process.

H.B. 3572 (Hilderbran) – Mixed Beverage Tax: would, among other things: (1) replace the mixed beverage tax with a wholesale alcoholic beverage tax at a rate of 14 percent of the sale of an alcoholic beverage by a wholesaler, distributor, or package store local distributor to an alcoholic beverage permittee; and (2) require the comptroller to issue to each incorporated city at least 10.7143 percent of receipts from sales to permittees within the incorporated municipality during each quarter.

H.B. 3622 (D. Bonnen) – Texas Windstorm Association: would provide that: (1) the Texas Windstorm Insurance Association is modified to operate as the “Texas Insurance Plan;” (2) the Commissioner of Insurance shall contract with an administrator to manage the association and administer the plan of operation not later than January 1, 2014; (3) the association shall pay losses in excess of premium and other revenue of the association from available amounts in the catastrophe reserve trust fund and member assessments. (Companion bill is **S.B. 1700** by **Taylor.**)

H.B. 3644 (Lavender) – Taxes: would abolish numerous taxes, including local property taxes and sales taxes, and replace with a statewide and local value added tax.

H.B. 3646 (Harper-Brown) – Advertising and Notice: would: (1) require a governmental entity, including a city, conducting an advertising campaign to communicate information to the public using the advertising medium that provides the information to the largest number of people; and (2) provide that a governmental entity, including a city, may satisfy a requirement in any other law to provide notice by publication by posting the notice on its Internet website continuously from the earliest date provided for in the requirement until the day after the date the action for which notice was required occurs.

H.B. 3709 (Bell) – Health Benefits: would: (1) prohibit the government, including a city, from imposing or collecting a penalty or sanction that relates to mandatory health coverage; (2) require the attorney general to take action against a governmental entity that violates this prohibition; and (3) protect the right of contract related to health insurance coverage.

H.B. 3749 (Farrar) – Animal Shelters: would: (1) require each person operating an animal shelter to set as a goal for the shelter to release all healthy animals in its custody; and (2) require each animal shelter to consider establishing and maintaining a live release database and a foster program.

H.B. 3751 (Farrar) – Public Funds Investment: would: (1) provide that a letter of credit that is an obligation of the United States or its agencies or instrumentalities is not an authorized investment under the Public Funds Investment Act; and (2) provide that a letter of credit is an “investment security” and eligible to secure a deposit of public funds under the Public Funds Collateral Act.

H.B. 3758 (Farrar) – Municipal Management Districts: would require a municipal management district to make its relevant books, records of account, and minutes available for investigation during business hours within 14 days of receiving a written request.

H.B. 3777 (Isaac) – Housing Finance Corporations: would provide that a housing finance corporation may not issue a private activity bond unless the issuance is approved by all local governments whose boundaries contain the development.

H.B. 3782 (Isaac) – Major Events Trust Fund: would: (1) authorize revenue from the Major Events Trust Fund to be used for a national championship of an amateur sport sanctioned by the national governing body of the sport that is recognized by the United States Olympic Committee, an Olympic Trial event, or an Olympic community development activity; and (2) authorize the comptroller to adopt rules: (a) establishing a minimum economic impact to the state in order for a game or an event to be eligible for funding; (b) allowing for the deduction from amounts disbursed by the comptroller of an administrative fee not to exceed three percent of the rebate to process and audit applications; and (c) requiring specific documentation demonstrating that an event was the subject of a competitive bid process with other locations outside the state.

H.B. 3785 (Perry) – Federal Mandates: would provide various state-level procedures that would allow a person to attempt to avoid the mandated care provisions of the federal Patient Protection and Affordable Care Act and other “federal tax levies.”

H.B. 3820 (Carter) – Unsworn Declaration: would require a government employee, including a city employee, who uses an unsworn declaration in lieu of written sworn declaration, verification, certification, oath, or affidavit to include alternative language in the statement regarding their employment with the governmental entity. (Companion bill is **S.B. 251** by **West.**)

H.B. 3855 (Pitts) – State Fiscal Matters/Local Transparency: would provide that: (1) the Water Conservation Advisory Council’s annual report to the governor, lieutenant governor, and speaker of the house of representatives on progress made in water conservation must include: (a) specific statutory, budgetary, and policy recommendations to improve water conservation and management; and (b) the anticipated fiscal effects on the state and local governmental entities of the recommendations; (2) a political subdivision shall prepare an annual financial report that includes financial information for each fund subject to the authority of the governing body of the political subdivision during the fiscal year, including: (a) the total receipts of the fund, itemized by source of revenue, including taxes, assessments, service charges, grants of state money, gifts, or other general sources from which funds are derived; (b) the total disbursements of the fund, itemized by the nature of the expenditure; (c) the balance in the fund as of the last day of the fiscal year; and (d) any other information required by law to be included by the political subdivision in an annual financial report or comparable annual financial statement, exhibit, or report; (3) the report required by (2), above, must also include then-current debt obligation information for the political subdivision that must state as a total amount and as a per capita amount: (a) the amount of all authorized debt obligations; (b) the principal of all outstanding debt obligations; (c) the principal of each outstanding debt obligation; (d) the combined principal and interest required to pay all outstanding debt obligations on time and in full; and (e) the combined principal and interest required to pay each outstanding debt obligation on time and in full; (4) in addition, the report required by (2), above, must include for each debt obligation: (a) the issued and unissued amount; (b) the spent and unspent amount; (c) the maturity date; and (d) the stated purpose for which the debt obligation was authorized; (5) the

governing body of a political subdivision shall take action to ensure that: (a) the political subdivision's annual financial report is made available for inspection by any person and is posted continuously on the political subdivision's Internet website; and (b) the contact information for the main office of the political subdivision is continuously posted on the website, including the physical address, the mailing address, the main telephone number, and an e-mail address; and (6) a political subdivision shall maintain an Internet website to comply with the bill.

H.J.R. 130 (Oliveira) – Taxes: would amend the Texas Constitution to: (1) require the legislature to implement the necessary procedures for the periodic review of state and local tax preferences; and (2) provide that each tax preference enacted by the legislature that becomes law after September 1, 2014 expires six years after the date it takes effect, unless the legislature provides an earlier or later expiration date. (Note: please see **H.B. 3045.**)

H.J.R. 135 (Howard) – Dedicated State Fee Diversions: would amend the Texas Constitution to limit the way in which the comptroller can use dedicated revenues to certify the state budget. (Companion bill is **S.J.R. 60** by **Ellis.**)

S.B. 1359 (Rodriguez) – Trans Fat: would: (1) prohibit serving, storing, preparing, or packaging, foods containing trans fat, but (2) except from the prohibition a volunteer fire department under certain circumstances.

S.B. 1369 (Davis) – Fiscal Notes: would require the legislature to: (1) indicate whether a bill will have a substantial effect on local government; (2) include an estimate of the direct effect a bill will have on the financial resources of local government; (3) include an estimate of the indirect costs, mandates, or savings of each bill; (4) gather information from representatives of local government on the fiscal note; and (5) include indirect or direct effects to the state resources, including future maintenance costs, loss of federal funding, and other indirect consequences in comparison to any direct savings caused by a new measure.

S.B. 1389 (Davis) – Financial Disclosure Statements: would make changes to the contents of the personal financial statements filed by public officials and candidates in cities with a population of 100,000 or greater.

S.B. 1392 (Davis) – Events Trust Funds: would: (1) require the state auditor to conduct an audit to determine the efficiency and effectiveness of funding events through an events trust fund; and (2) require the comptroller to conduct a study to determine the economic impact of the events that qualify for funding through an events trust fund and whether the events would likely be held in this state in the absence of the incentives provided through the fund.

S.B. 1449 (Hinojosa) – Property Tax Lending: would, among other things: (1) prohibit a lienholder from selling, transferring, or assigning a lien created in favor of a property tax lender to a person who is not licensed as a property tax lender or exempt from licensure; (2) would void a contract between a person and a property owner that purports to authorize payment of taxes that are not delinquent or due at the time of the authorization; (3) would only allow a holder of lien created in favor of a property tax lender to foreclose the lien using the judicial foreclosure process; and (4) provide that the tax lien held by a person who pays the taxes on behalf of the

property owner under the terms of a loan contract is subordinate to any prior recorded encumbrance.

S.B. 1466 (Estes) – State Licenses: would provide that, unless expressly authorized by state law, a city may not adopt or enforce any ordinance, rule, or regulation that establishes requirements for, imposes restrictions on, or otherwise regulates the business activities of a state licensee within the city or its extraterritorial jurisdiction.

S.B. 1580 (Hinojosa) – Franchise Tax: would provide that a corporation comprised of political subdivisions that was formed to act as an agent to negotiate the purchase of electricity is exempted from the franchise tax. (Companion bill is **H.B. 2684** by **Button**.)

S.B. 1606 (Zaffirini) – Property Tax Lien: would provide that a tax lien on inventory, furniture, equipment, or other personal property attaches to all such property that is owned on January 1 of the year the lien attaches, irrespective of whether the personal property is located within the boundaries of the taxing unit in whose favor the lien attaches. (Companion bill is **H.B. 2445** by **Strama**.)

S.B. 1609 (Schwertner) -- Health Information Training: would: (1) require only those whose job concerns protected health information (PHI) at a covered entity to take PHI training; and (2) increase the period in which the training must be provided from 60 days to 180 days after hiring.

S.B. 1610 (Schwertner) – Breach of Computer Data: would: (1) clarify that written notice to an individual of a breach of computerized personal information is sent to the last known address of the individual; and (2) remove certain limitations regarding individuals that must be notified of a breach.

S.B. 1613 (Zaffirini) – Federal Lobbying: would: (1) allow state agency staff to be located in Washington, D.C. to communicate with the federal government; and (2) disband the Office of State-Federal Relations.

S.B. 1649 (Williams) – Certificates of Obligation: would: (1) provide that, except in a case of grave public necessity to meet an unusual and unforeseen condition, a city may not issue a certificate of obligation (CO) if the voters voted down a bond proposition for the same purpose within the preceding three years; (2) extend the timeframe to publish newspaper notice of intention to issue a CO from 30 to 45 days before the passage of the ordinance; (3) require a city issuing a CO to maintain an Internet website, and to continuously post notice of intention to issue a CO on its website for 45 days before the passage of the CO issuance ordinance; (4) require that the notice of intention to issue a CO include: (a) the total amount and per capita amount of the principal of all outstanding debt; (b) the combined principal and interest required to pay outstanding debt; (c) the principal of the COs to be authorized; (d) the estimated combined principal and interest required to pay the COs to be authorized; (e) the estimated rate of interest for the COs to be authorized; (f) the maturity date of the bonds to be authorized; and (g) the process by which a petition may be submitted requesting an election on the issuance of the certificates; (5) change the threshold number of voters needed to petition to force an election on the issuance of a CO from five percent of the qualified voters of the issuer to five percent of the

total number of voters that voted in the most recent gubernatorial general election in the city; and (6) make COs issued for personal or professional services subject to the notice requirements. (Companion bill is **H.B. 2176** by **Kolkhorst**.)

S.B. 1651 (Williams) – City Debt: would: (1) require a political subdivision’s ballot proposition for a bond to include a significant amount of information, including: (a) the total amount and per capita amount of: (i) the principal of all outstanding debt; (ii) the combined principal and interest required to pay all outstanding debt; (iii) the principal of the bonds to be authorized; and (iv) the estimated combined principal and interest required to pay the bonds to be authorized; (b) the purpose for which the bonds are to be authorized; (c) the estimated rate of interest for the bonds to be authorized; and (d) the maturity date of the bonds to be authorized; and (2) require a political subdivision issuing a bond to post a sample ballot on its website as soon as practicable after the ballot is prepared. (Companion bill is **H.B. 1794** by **Pitts**.)

S.B. 1652 (Williams) – City Debt: would, among other things: (1) provide that the attorney general may not approve a local security until the attorney general receives written notification from the Bond Review Board that the board has received information on the local security from the issuing governmental body or has agreed to a later date of submission of the information; (2) require the state bond finance office to publish an annual report on local securities; (3) require an issuer of a local security to annually provide information that the state bond finance office considers necessary for the preparation of any report; (4) require every political subdivision to prepare an annual financial report that contains financial information for each city fund, as well as a significant amount of information relating to the city’s debt obligations; and (5) require a city to maintain an Internet website on which to post the annual financial report continuously along with the city’s relevant contact information.

S.B. 1678 (Deuell) – Major Events Trust Fund: would, among other things: (1) provide that an event is eligible for funding from the major events trust fund if a site selection committee selects a site in this state as the sole site for the event in a region composed of this state and one or more adjoining states and the incremental increase in tax receipts is at least \$1 million; (2) provide that a request for a determination of the amount of incremental increase in tax receipts may be submitted to the comptroller not later than 45 days before the date the event begins (as opposed to not later than three months before the event under current law); (3) provide that for either the major events trust or the events trust fund, if an obligation is incurred under an event support contract to make a structural improvement to the site or add a fixture to the site for purposes of an event and the improvement or fixture is expected to derive most of its value in subsequent uses of the site for future events, a disbursement from the trust fund made for purposes of that obligation is limited to five percent of the cost of the improvement or fixture; (4) provide that the comptroller may not consider a subsequent request to participate in the major events trust fund program for the same event in the same endorsing city until a post event study is completed for a preceding event; (5) limit an endorsing city to only submitting one request for participation in the events trust fund in a calendar year, except for any additional events that would result in a minimum of \$375,000 in incremental tax gain or draw 25,000 or more out of state visitors to an event; and (6) provide that if the comptroller determines that actual attendance count is significantly less than the projected attendance count, the comptroller may

proportionately reduce the total amount that an endorsing city may be eligible to receive in total disbursement distributions from the events trust fund.

S.B. 1689 (Rodriguez) – Payday Lending: would: (1) require an application for a credit access business license to contain the names, physical addresses, mailing addresses, and telephone numbers of the business’s principal parties in interest, and the nature and extent of their interests in the business; (2) prohibit a credit access business license from being transferred or assigned; (3) require a credit access business to maintain a complete set of records of all extensions of consumer credit that the business assisted the consumers in obtaining; and (4) prohibit a credit access business from charging a fee or other consideration to assist a consumer in obtaining a payday or motor vehicle title loan in which the loan is being renewed, rolled over, or otherwise consolidated by the lender.

S.B. 1700 (Taylor) – Texas Windstorm Association: this bill is the same as H.B. 3622, above.

S.B. 1716 (Davis) – Payday Lending: would subject payday and motor vehicle title lenders to a number of regulations, including:

1. a requirement that all credit services organizations provide documents to a consumer must be written in English, and Spanish if requested by the consumer, and read aloud to the consumer if the consumer cannot read;
2. a prohibition on a credit services organization to assist a consumer with, or charge a consumer a fee in connection with, a loan or other extension of credit that is not in the form of a payday transaction or motor vehicle title loan;
3. a requirement that an extension of consumer credit obtained for a consumer may not exceed 180 days;
4. a provision that a loan by a credit access business on or before the seventh day after the date the consumer pays the debt on a previous loan is considered a refinance of the previous debt;
5. a provision stating that the proceeds of the sale of a repossessed vehicle secured by a motor vehicle title loan shall satisfy all outstanding and unpaid indebtedness;
6. a requirement that a credit access business consider the ability of the consumer to repay the debt within the term before assisting the consumer with obtaining a loan;
7. a provision stating that a consumer may have only one outstanding debt from a previous loan from a credit access business at any given time, and that in order to secure a loan the consumer may not have received a loan from a credit access business within the preceding 14 days or gone into default on a debt resulting from a credit access business loan within the preceding 30 days;
8. a provision stating that if there are insufficient funds in the account to pay a check under a payday loan, that the consumer may not be charged more than \$25 in the aggregate, regardless of how many times presentation is made for payment on the account;
9. limitations on single-payment payday loans, including: (a) a requirement that the loan not exceed 20 percent of the consumer’s gross monthly income; (b) a requirement that the loan have a term of not less than 10 days; and (c) a requirement that the loan may not be refinanced more than three times, and once refinanced three times a credit access

- business must offer an extended payment plan to the consumer that complies with specific requirements;
10. limitations on multiple-payment payday loans, including: (a) a requirement that the sum of all scheduled payments on such a loan not exceed: (i) 15 percent of the consumer's gross monthly income, if the consumer's income is not more than 125 percent of the federal poverty level for a family of four; or (ii) 20 percent of the consumer's gross monthly income if the consumer is not described by (i), above; (b) a requirement that the loan may not be payable in more than 12 installments; (c) a requirement that the loan be payable on a fully amortizing, declining principal balance basis with substantially equal payments; (d) a requirement that the first installment payment may not be due before the 10th day after the consumer enters into the loan agreement, and that an installment may not be due before the 14th day or after the 31st day after the date a previous installment is due; and (e) a requirement that the loan may not be refinanced;
 11. limitations on single-payment motor vehicle title loans, including: (a) a requirement that the principal amount of the loan may not exceed the lesser of: (i) three percent of the consumer's annual income or (ii) 70 percent of the retail value of the motor vehicle securing the debt; (b) a requirement that the term of the loan not be less than 30 days; (c) a requirement that the loan may not be refinanced more than three times, and once refinanced three times a credit access business must offer an extended payment plan to the consumer that complies with specific requirements;
 12. limitations on multiple-payment motor vehicle title loans, including: (a) a requirement that the sum of all scheduled payments on such a loan not exceed 70 percent of the retail value of the motor vehicle securing the debt; (b) a requirement that a scheduled payment not exceed: (i) 15 percent of the consumer's gross monthly income if the consumer's annual income is not more than 125 percent of the federal poverty level for a family of four; or (ii) 20 percent of the consumer's gross monthly income, if the consumer is not described by (i), above; (c) a requirement that the loan be payable on a fully amortizing, declining principal balance basis with substantially equal payments; (d) a requirement that the loan may not be payable in more than 6 installments; (e) a requirement that the first installment payment may not be due before the 10th day after the consumer enters into the loan agreement, and that a subsequent installment may not be due before the 30th day after the date the previous installment was due; (f) a requirement that the loan may not be refinanced; and (g) a requirement that a credit access business may not initiate any activities to repossess the vehicle securing the debt before offering the consumer an extended payment plan that complies with specific requirements.

S.B. 1750 (Uresti) – Diseased Animals: would provide that a person commits an offense if the person knowingly fails to handle, in accordance with rules adopted by the Texas Animal Health Commission, livestock, exotic livestock, domestic fowl, or exotic fowl: (1) that are infected with or exposed to certain diseases; or (2) whose movement is restricted. (Companion is **H.B. 2525** by **Kleinschmidt.**)

S.B. 1783 (Zaffirini) – Hotel Occupancy Tax: would, for a hotel located in a Railroad Commission of Texas oil and gas division district with 315 or more total completions in the preceding year, allow a city to adopt an ordinance defining "permanent resident" as a person who

has the right to use or possess a room in the hotel for at least 120 consecutive days, so long as there is no interruption of payment for the period.

S.B. 1800 (Watson) – Major Events Trust Fund: would: (1) establish an event oversight committee consisting of the comptroller, state auditor, and one representative with significant experience in auditing procedures or fiscal matters relevant to an event from each endorsing county or city for the event; (2) provide that the event oversight committee has authority over determining the amounts of incremental increase in tax receipts related to the event if the members of the committee unanimously agree on the amounts; and (3) provide that, if an obligation is incurred under an event support contract to make a structural improvement to the site or add a fixture to the site for purposes of an event and the improvement or fixture is expected to derive most of its value in subsequent uses of the site for future events, a disbursement from the major events trust fund made for purposes of that obligation is limited to five percent of the cost of the improvement or fixture.

S.J.R. 60 (Ellis) – Dedicated State Fee Diversions: this bill is the same as **H.J.R. 135**, above.

MUNICIPAL COURTS

H.B. 3371 (Giddings) – Juvenile Record Expunction: would: (1) entitle a person who before the person's 17th birthday has been convicted of a Class C misdemeanor, other than a traffic offense, to have the conviction and records related to the conviction expunged on the individual's 17th birthday; and (2) entitle a person whose 17th birthday is before the law takes effect to submit a petition to the convicting court for an expunction without payment of a fee.

H.B. 3561 (Murphy) – Court Proceedings: would allow the municipal court of a city with a population of 3,500 or less to conduct its proceedings within the city limits of a contiguous incorporated city.

H.B. 3632 (Canales) – Alcohol or Substance Abuse Program: would allow a municipal court judge to require a defendant as a condition of deferred disposition to participate in an alcohol or drug abuse treatment or education program approved by the Texas Commission on Alcohol and Drug Abuse.

H.B. 3637 (Hughes) – Jury: would require the court to inform the jury of its role to judge the facts and to apply the law in relation to the facts in controversy.

H.B. 3674 (Munoz) – Municipal Courthouse: would allow a city to apply for a grant or loan for its courthouse from the state historic courthouse preservation program.

H.B. 3769 (Cleman) – Civil Offenses: would allow cities to authorize parking enforcement officers to issue civil parking violations to vehicles parked on the public right-of-way for an expired license or inspection certificate violation.

H.B. 3790 (Perry) – Judicial Branch Certification Commission: would establish the Judicial Branch Certification Commission to oversee the regulatory programs for court reporters, appointed guardians, and court interpreters. (Companion bill is **S.B. 966** by **West**.)

S.B. 1419 (West) – Truancy Prevention Fund: would require a person convicted of the offense of Failure to Attend School to pay an additional \$20 court cost, which will be deposited in a dedicated account for truancy prevention and diversion.

S.B. 1448 (Hinojosa) – Order of Nondisclosure: would: (1) require a filing fee of \$50 for a petition for an order of nondisclosure of criminal history record information; (2) allow a defendant to petition a municipal court for an order of nondisclosure, if the defendant was convicted or granted a dismissal by the municipal court; and (3) allow the court to require the defendant to perform community service, pay a fee, or both as a condition to granting the petition. (Companion is **H.B. 2230** by **Wu**.)

S.B. 1607 (Zaffirini) – Court Costs: would require the clerk of a municipal court to collect from a defendant an emergency medical air transportation surcharge of \$5 on conviction of a moving violation. (Companion is **H.B. 1656** by **Eiland**.)

S.B. 1611 (Ellis) – Discovery: would require a municipal prosecutor, upon request by a defendant, before or during a trial, and subject to certain exceptions and existing rules of evidence, to make available to the defendant multiple types of discovery records related to the case.

COMMUNITY AND ECONOMIC DEVELOPMENT

H.B. 3087 (Workman) – Regulatory Takings: would provide that the application of any law, rule, policy, ordinance or regulation that has the effect of requiring that more than fifty-percent of the surface area of an owner's private real property remain in a natural or undeveloped state, exclusive of the 100-year floodplain as determined by agencies of the United States government, is a conservation easement, the establishment and enforcement of which will require: (1) the consent of the owner; or (2) the exercise of the power of eminent domain.

H.B. 3088 (Workman) – Permit Vesting: would provide that Chapter 245 of the Local Government Code (the "Permit Vesting" Statute) may be enforced by any means (Note: Current law authorizes enforcement only through mandamus, declaratory relief, or injunction.)

H.B. 3089 (Workman) – Permit Vesting: would provide that Chapter 245 of the Local Government Code (the "Permit Vesting" Statute) applies to municipal zoning regulations.

H.B. 3090 (Workman) – Permit Vesting: would provide that any amendments to Chapter 245 of the Local Government Code (the "Permit Vesting" Statute) are retroactive.

H.B. 3091 (Workman) – Permit Vesting: would provide that: (1) Chapter 245 of the Local Government Code (the "Permit Vesting" Statute) applies to municipal zoning regulations; (2) a city is liable for actual damages, consequential damages, and attorneys' fees related to a violation

of Chapter 245; and (3) although current law would appear to already do so, a city may not revise or modify a vested permit or limit the allowable uses of the a vested project.

H.B. 3135 (Lucio) – Spaceport Development Corporations: would authorize the members of a city council to serve as the board of directors of a spaceport development corporation.

H.B. 3159 (Isaac) – Emergency Services Districts: would: (1) authorize a city and an emergency services district (ESD) to agree, before or after an annexation, on an allocation between the city and the ESD of revenue from the sales and use tax imposed in an area annexed by the city for full purposes that is not removed from an ESD; (2) provide that if an agreement cannot be reached under (1), above, that the sales and use tax rate for the city and the ESD in the annexed area shall both be reduced in an amount equal to one half of the amount that the combined sales and use tax rate in the area from all sources exceeds two percent; and (3) require the comptroller to pay the revenue from the sales and use tax imposed in the annexed area based on the tax rates determined by (1) or (2), above.

H.B. 3320 (Coleman) – Takings Claims: would provide that: (1) a city action that regulates a public or private nuisance or in response to a threat to public health and safety is subject to the Private Real Property Rights Preservation Act; (2) a person asserting a taking claim against a city shall give written notice of such claim by certified mail to the city against which such claim is being made at least 60 days before the filing of a suit in any court; (3) no fewer than 45 days after receipt of a notice required by (2), above, the city shall deliver to the sender in person, by third-party delivery or by certified mail, a response including various items; and (5) expert reports are required in judicial actions that are subject to the bill.

H.B. 3360 (Dutton) – Building Permit Fees: would abolish a building permit fee on the tenth anniversary after the date the fee is adopted or most recently reauthorized unless the city council holds a public hearing on the reauthorization of the fee and reauthorizes the fee by vote of the city council.

H.B. 3361 (Dutton) – Texas Department of Housing and Community Affairs: this is the Texas Department of Housing and Community Affairs sunset bill. Of particular interest to cities, the bill would: (1) continue the department until 2025; (2) provide that the department shall adopt a policy providing for the debarment of a person from participation in programs administered by the department if certain conditions are met; (3) require the department, when scoring applications for low income housing tax credits, to consider quantifiable community participation with respect to the development, evaluated on the basis of – among other things – a resolution concerning the development that is voted on and adopted by the governing body of a city; and (4) make numerous administrative changes to the department’s manufactured housing regulations. (Companion bill is **S.B. 214** by **Birdwell**.)

H.B. 3501 (Raymond) – Extraterritorial Jurisdiction: would change the extraterritorial jurisdiction of: (1) a city with fewer than 3,500 inhabitants to one-half mile; and (2) a city with 3,500 to 24,999 inhabitants to one mile.

H.B. 3513 (Guillen) – Comprehensive Development: would provide that: (1) the governing body of a city shall adopt by resolution or ordinance a comprehensive plan that details current and future land uses and serves as a basis for making planning or zoning decisions of the city; (2) the governing body shall review its comprehensive plan not less often than every five years; (3) the governing body shall appoint an advisory committee to make recommendations regarding the adoption, amendment, and review of its comprehensive plan; (4) the advisory committee is composed of at least five members appointed by a majority vote of the governing body, and at least 40 percent of the membership of the advisory committee must be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or governmental entity; (5) the advisory committee shall issue a written report to the governing body detailing its findings and recommendations regarding the comprehensive plan; (6) the governing body may not adopt or amend the comprehensive plan until it conducts at least one public hearing on the recommendations made by the advisory committee, and may not amend or adopt the comprehensive plan before the 30th day after the date the governing body receives the advisory committee's report, unless each of the landowners affected by the plan or amendment consents to the plan or amendment; (7) at the public hearing, a landowner may object to any land use applied to the landowner's tract by the comprehensive plan; (8) if a landowner's tract has not been sold or developed in conformity with a comprehensive plan for land use within five years after adoption or amendment of the plan, a landowner may petition the governing body of the city to designate the landowner's tract on the comprehensive plan for land use for a less intense use or uses chosen by the landowner; (9) if the governing body fails or refuses to amend the comprehensive plan for land use in accordance with a landowner's petition, the landowner may file suit in the district court in the county where the tract is located to enforce by mandamus or declaratory judgment the landowner's rights under the bill; and (10) the bill's provisions are retroactive. (Note: This bill is sought by a particular developer each session to punish one particular city. However, it would apply to every city in the state.)

H.B. 3551 (Oliveira) – Annexation: would prohibit a city in a county that contains an international border from annexing area other than an unincorporated area that is entirely surrounded by the incorporated territory of the city until all of the unincorporated areas that are entirely surrounded by the incorporated territory have been annexed. (Companion bill is **S.B. 1698** by **Lucio**.)

H.B. 3763 (Coleman) – Emergency Services Districts: would reduce the number of qualified voters needed to petition a city council to make fire control and emergency medical and ambulance services available to an area, if the city council does not consent to inclusion within a proposed emergency services district, from a majority of the qualified voters and the owners of at least 50 percent of the territory in the city limits or city's extraterritorial jurisdiction to five percent of the qualified voters and the owners of at least five percent of the territory in the city limits or city's extraterritorial jurisdiction.

H.B. 3779 (Issac) – Affordable Housing: would provide that: (1) a private activity bond used to finance all or part of a residential development may not be issued unless the issuance is approved by all local governments whose boundaries contain the development; and (2) a local government whose boundaries contain a proposed residential development with respect to which the issuance of a private activity bond is sought must consider any public comment made at a hearing held

required by the Tax Equity and Fiscal Responsibility Act of 1982 and, following the hearing, may refuse to approve the issuance of a private activity bond for purposes of financing the development.

H.B. 3793 (Coleman) – County Powers and Duties: this is an omnibus county authority bill. Of interest to cities, the bill would provide that: (1) before a community may incorporate, a comprehensive inventory of police, fire, and emergency medical services provided by public or private entities in the area proposed to be incorporated must be prepared and filed with the county clerk; (2) additional land use authority is granted to counties along the international border; (3) a city within such a county may, by ordinance, regulate residential land development in the city's extraterritorial jurisdiction; and (4) a county, on behalf of water rate payers in unincorporated areas of the county, may intervene as a party in a water rate proceeding at the Texas Commission on Environmental Quality.

H.B. 3803 (McClendon) – Property Owners Associations: would: (1) make various changes to the laws governing property owners associations; and (2) provide that a city may regulate the conduct of an association that manages property located wholly or partly in the city or the city's extraterritorial jurisdiction, with respect to matters of municipal concern, including matters relating to land use, health and safety, sanitation, infrastructure, and law enforcement.

H.J.R. 131 (Menendez) – Gambling: would amend the Texas Constitution to authorize certain forms of gambling and provide that a city would be entitled to a small portion of a gaming tax on casinos located within the city.

H.J.R. 149 (Coleman) – Emergency Services Districts: would amend the Texas Constitution to repeal the provision limiting a property tax imposed by an emergency services district to ten cents per \$100 valuation.

S.B. 1503 (Lucio) – Eight Liners: would provide: (1) for the state licensing and regulation of "amusement redemption machines" at certain locations; and (2) that no more than 10 amusement redemption machines may be operated on a particular premises unless the operator holds a location license issued under the bill for the premises. (Note: It is unclear whether the bill would preempt municipal regulations.)

S.B. 1554 (Lucio) – Rural Economic Development: would require the Office of Rural Affairs in the Texas Department of Agriculture to create a rural area regional planning and implementation matching grant program to foster regional collaboration for community and economic development in rural areas.

S.B. 1569 (Hinojosa) – Comprehensive Plans: would require a city council to review the city's comprehensive plan, in its entirety, not less than every five years.

S.B. 1596 (Zaffirini) – Emergency Services Districts: would: (1) clarify current law to require that a city must provide an emergency services district written notice of removal of territory from the district only if the city intends to be the sole provider of emergency services to the territory; and (2) provide that an annexation plan that includes the annexation of territory of an emergency

services district may provide that the required fire and police protection and emergency medical services in the area of the district be provided by the district or by cooperation of the city and the district.

S.B. 1599 (Zaffirini) – Colonias: would, among other things: (1) require the secretary of state's classification system that allows the secretary of state to track and report on the progress of state-funded projects in providing water or wastewater services, paved roads, and other assistance to colonias to include a method for a city or county to nominate an area for identification as a colonia; (2) provide that a utility may not serve or connect any residential structure in the unincorporated area of the county with permanent water, sewer, electricity, gas, or other utility service unless the utility receives a certificate issued by the commissioners court certifying that the residential structure complies with all county regulations applicable to the structure; and (3) provide that, before an application for colonia funding through the Texas Water Development Board may be considered by the board for a project in the extraterritorial jurisdiction of a city, the applicant must demonstrate that the state's model subdivision rules have been adopted and are enforced in the extraterritorial jurisdiction by the city or the county. (Companion bill is **H.B. 1650** by **Raymond**.)

S.B. 1673 (Taylor) – Industrialized Housing: would: (1) transfer the regulation of industrialized housing (but not industrialized buildings) from the Texas Department of Licensing and Regulation to the Texas Department of Housing and Community Affairs manufactured housing division; and (2) retain current municipal authority over industrialized housing. (Companion bill is **H.B. 2955** by **Guillen**.)

S.B. 1673 (Taylor) – Industrialized Housing: this bill is the same as **H.B. 2955**, above.

S.B. 1698 (Lucio) – Annexation: this bill is the same as **H.B. 3551**, above.

S.B. 1779 (Zaffirini) – Economic Development: would require facilities to recycle water used in oil or gas drilling or production permissible projects for tax increment financing and property tax abatement purposes.

S.B. 1784 (Zaffirini) – Property Rights: would provide that: (1) the Land Commissioner shall establish a landowner ombudsman office within the General Land Office for the purpose of protecting and promoting the rights of landowners; and (2) the duties of the ombudsman are to develop and maintain legal expertise regarding landowners' property rights relating to the taking of property by a governmental or private entity through the use of the entity's eminent domain authority.

PERSONNEL

H.B. 3082 (Collier) – Minimum Wage: would increase minimum wage in Texas to \$7.75 an hour (Federal minimum wage is currently \$7.25 an hour).

H.B. 3148 (Anchia) – Fire Pensions: would transfer the responsibilities of the Firefighters' Pension Commissioner to the Texas Emergency Services Retirement System and the local firefighters retirement systems. (Companion bill is **S.B. 220** by **Birdwell.**)

H.B. 3292 (Martinez) – Fire Fighters' Pension Commissioner: would: (1) continue the officer of Fire Fighters' Pension Commissioner; and (2) require additional training and conflicts of interest provisions for members of the pension commissioner.

H.B. 3323 (Coleman) – Unlawful Employment Practices: would allow a person who has a case before a court or administrative agency regarding an alleged unlawful employment incident to also file suit in state court if the incident would also constitute an unlawful employment practice under state law.

H.B. 3356 (Callegari) – Retirement Systems: would: (1) require each actuarially funded retirement system to be funded at 100% by 2045; (2) require each actuarially funded retirement system to provide reports regarding its funding to its plan members, beneficiaries, plan sponsors, and board; (3) require certain retirement systems that have over \$100 million in total assets to do an actuarial experience study; and (4) require each public retirement system to adopt ethical standards and conflict-of-interest policies at least as strict as state law.

H.B. 3488 (Burkett) – Pensions: would provide that pensions, including city pensions, comply with certain accounting requirements that other postemployment benefits must already comply with under state law.

H.B. 3628 (M. Gonzalez) – Employment Discrimination: would require an employer, including a city, to provide any technology, hardware, or software needed as a reasonable accommodation if that would enable an employee with a visual or hearing impairment to function properly in the workplace.

H.B. 3739 (Burnam) – Employee Candidates: would: (1) prohibit a city from prohibiting an employee from running for public office; (2) prohibit a city from taking disciplinary action, including termination, against an employee who runs for public office; (3) allow a city to suspend, with or without pay, an employee while they run for office; and (4) require a city to reinstate an employee to their position after the election, unless they are elected and the office would interfere with the person's duties as a city employee.

H.B. 3740 (Burnam) – Minimum Wage: would adjust minimum wage based on the consumer price index.

H.B. 3817 (Collier) – Employment Discrimination: would: (1) establish an unlawful employment practice if retaliation is a motivating factor for an employment practice, even if other factors also motivated the practice; and (2) provide for attorneys fees and costs, but not damages, if the employer can show the action would have been taken even in the absence of the motivating factor.

S.B. 1537 (Deuell) – Unemployment Compensation: would require the commission to charge an employer, including a city, for unemployment payments made to an individual even if the decision to make the payments is later overturned, if the employer does not provide adequate documentation under the statute within a specified time. (Companion bill is **H.B. 1914** by **Cortez.**)

PUBLIC SAFETY

H.B. 400 (Crownover) – Smoking Ban: would: (1) prohibit smoking in most public places and places of employment; (2) provide that the bill's provisions preempt and supersede a local ordinance, rule, or regulation that prohibits smoking to a lesser degree; (3) provide that a local ordinance, rule, or regulation that prohibits or restricts smoking to a greater degree than the bill is not preempted; (4) require the Texas Department of State Health Services to annually request other government agencies to establish local operating procedures to comply with the bill, including urging all federal, state, county, and municipal governments as well as independent school districts to update existing smoking control regulations to be consistent with the current health findings regarding secondhand smoke; and (5) require any entity that grants business licenses, including a city, to provide notice of the state smoking law to each license applicant. (Companion bill is **S.B. 86** by **Ellis.**)

H.B. 3094 (Fletcher) – Overweight Vehicles: would: (1) add an additional law enforcement fee court cost of \$500 to the offense of operating or loading an overweight vehicle; (2) add an additional affirmative defense based on the gross weight; (3) add an additional law enforcement fee court cost of \$1 per pound on certain other offenses involving required vehicle weight limits; and (4) add an additional law enforcement fee court cost of \$5,000 for a shipper who provides false information on a certificate of weight.

H.B. 3164 (Stickland) – Search Warrant for Stored Communications: would: (1) provide that an authorized peace officer may require a provider of electronic communications service to disclose the contents of a wire communication or an electronic communication in electronic storage by obtaining a warrant; and (2) repeal some of the existing provisions in state law regarding a peace officer's ability to gain access to stored communications.

H.B. 3165 (Stickland) – Photo Monitoring System: would: (1) require a city that employs an active photographic monitoring system to install signs adjacent to or within ten feet of each camera which is part of the system; (2) require the signs in (1), above, to contain the following: "Warning: You are under Surveillance by the City of [name of city.]" ; (3) provide that a city that fails to comply with (1) and (2), above, may not use any images captured by the system in the investigation or prosecution of any individual and may not be used in any investigation or prosecution by any political subdivision; and (4) require a live video feed composed of the images captured by a system described in (1), above, to be published and otherwise made available in real time on the Internet and accessible through the city's website.

H.B. 3172 (Bohac) – Red Light Camera Signs: would require that a red light camera sign include the range of the dollar amounts of the monetary penalties that may be imposed for a violation recorded by the camera.

H.B. 3178 (Phillips) – Mutual Aid: would: (1) repeal the requirement for a political subdivision, including a city, to provide mutual aid procedures on request of another political subdivision within a state planning region; and (2) provide that a requesting political subdivision, including a city, does not have to reimburse a responding governmental entity providing mutual aid assistance during a disaster if the assistance is for less than 12 hours.

H.B. 3194 (King) – City Consolidation: would, in regard to two noncontiguous cities located in the same county where the distance between the cities is less than 2.5 miles and each city is located within one mile of an international boundary: (1) provide that in a consolidation, the city that is the more fiscally established, as determined by the cities using certain criteria, is the “principal municipality” and the other is the “secondary municipality;” and (2) require that in a consolidation as described in (1), above, the secondary municipality: (a) adopts the charter, the ordinances, and unless otherwise provided at the time of the consolidation, the name of the principal municipality; (b) is included in the territory of the principal municipality; and (c) is subject to the laws and regulations of the principal municipality.

H.B. 3199 (L. Gonzales) – First Responder Licenses: would require the Department of Public Safety to create and supply special secure driver’s licenses for first responders, including police officers, fire fighters, and others.

H.B. 3208 (Alonzo) – Arrest Records: would provide that a person placed under arrest is entitled to have all records and files relating to the arrest expunged regardless of whether any statute of limitations period exists for the offense and whether any limitations period has expired, if an indictment or information charging the person with the commission of an offense has not been presented against the person at any time following the arrest and at least 30 days have elapsed from the date of the offense if the offense for which the expunction is sought was for a Class C misdemeanor and there is no felony charge arising from the same transaction.

H.B. 3218 (Springer) – Concealed Handguns: would provide that: (1) a concealed handgun license holder is authorized to carry a concealed handgun essentially anywhere; and (2) authorize a concealed handgun license holder to display a handgun under circumstances in which he or she would have been justified in the use of force or threat of force (current law allows the display only if the license holder would have been justified in using deadly force).

H.B. 3219 (Springer) – Concealed Handguns: would provide that a concealed handgun license holder who is an elected official is authorized to carry a concealed handgun essentially anywhere.

H.B. 3221 (Springer) – Fire Safety Inspections: would provide that a fire safety inspection required by a state or local law, rule, regulation, or ordinance may be conducted by an individual certified by: (1) the Texas Commission on Fire Protection; (2) the State Firemen's and Fire Marshals' Association; (3) the National Fire Protection Association; (4) the International Code Council, or (5) any other state agency with authority over fire safety inspections. (Companion bill is **S.B. 1506** by **Schwertner**.)

H.B. 3236 (Ritter) – Fireworks: would: (1) repeal a county’s authority to regulate fireworks in the unincorporated area of a county; and (2) give additional authority to the state fire marshal to regulate fireworks.

H.B. 3238 (McClendon) – Disease Control Pilot Programs: would create county-funded pilot programs for the prevention of communicable diseases including the distribution of syringes.

H.B. 3240 (Phillips) – Controlled Substance: would create the offense of delivery of a controlled substance to a child.

H.B. 3246 (Callegari) – Fines for Speeding: would provide that a person may not be assessed a fine for driving within 10 miles per hour of the posted speed limit, unless in the opinion of the officer, adverse weather or traffic conditions, or other hazardous situations constitute an imminent danger to the general public; would not apply to violations in school crossing zones.

H.B. 3261 (Cortez) – Disaster Identification System: would allow a person to use a disaster identification system with certain lights and colors to signal to disaster relief personnel who in their home needs assistance, if any. (Companion bill is **S.B. 1540** by **Van de Putte**.)

H.B. 3268 (Creighton) – Peace Officer Tuition: would expand free tuition for peace officers from only law enforcement courses to any course in certain degree programs.

H.B. 3277 (N. Gonzalez) – Felony Forfeiture: would: (1) require a law enforcement agency, including a city, to send annual reports to the state auditor regarding the seizure, forfeiture, expenditure, and proceeds of property received through felony forfeiture; (2) require a city that did not engage in any felony forfeiture to send a report to the auditor indicating that fact; (3) provide that the reports were public information; (4) require the state auditor to create a form and to post the reports on its website; and (5) allow the state auditor to charge each law enforcement agency a fee for this service.

H.B. 3290 (Martinez) – Vulnerable Road Users: would create a Class C misdemeanor offense for operating a motor vehicle in the vicinity of a vulnerable road user.

H.B. 3304 (Geren) – Red Light Cameras: would prohibit the county assessor-collector and the Texas Department of Motor Vehicles from refusing to register a motor vehicle when the owner of the motor vehicle is delinquent in the payment of a civil penalty imposed under a photographic traffic signal enforcement system.

H.B. 3325 (Coleman) – Firearms: would provide that a person: (1) must apply for and receive a license from the Texas Department of Public Safety to purchase an assault weapon; (2) must meet various criteria in order to receive a license; and (3) to obtain a license, must obtain a background check and confirmation of various other items from the local law enforcement authority in the city in which the person resides or the county in which the person resides.

H.B. 3377 (Turner) – Prostitution Prevention Program: would: (1) allow a city, or group of cities, to establish a prostitution prevention program for defendants charged with prostitution; (2)

authorize a program to collect a fee from a participant in the program; and (3) require a commissioners court of a county to establish a prostitution prevention program if the county has a population of more than 200,000. (Companion is **S.B. 484** by **Whitmire**.)

H.B. 3400 (Raymond) – Child Abuse: would require a law enforcement agency, and others, to provide a system that allows a professional to make an anonymous report of suspected child abuse or neglect.

H.B. 3410 (Flynn) – License Plate Requirement: would provide that operation of a vehicle without front and back license plates is a Class C misdemeanor.

H.B. 3413 (Flynn) – Emergency Vehicles: would: (1) provide that on the approach of an authorized emergency vehicle or police vehicle using an audible or visual signal, an operator, unless otherwise directed, must yield the right-of-way, move as far as possible to the right edge or curb of the road, and stop until the authorized emergency vehicle has passed; and (2) provide that an authorized emergency vehicle may only proceed through a signal, exceed the speed limit, and disregard a regulation governing the direction of movement or turning if the vehicle is: (a) responding to an emergency call; (b) pursuing a violator; (c) responding to a fire alarm; (d) directing or diverting traffic for public safety; or (e) conducting a police escort.

H.B. 3420 (Lavender) – Concealed Handguns: would, among other things, provide that a concealed handgun license holder is authorized to carry a concealed handgun on the premises of a church, synagogue, or other established place of worship.

H.B. 3430 (Cortez) – Emergency Medical Services Equipment: would require the Department of State Health Services to write rules requiring EMS personnel to use particular nighttime triage equipment for treating patients at night or during adverse conditions.

H.B. 3467 (Bohac) – Crafted Precious Metal Dealers: would: (1) authorize a county or city to require a person to obtain a license or permit, and pay a related fee, before engaging in the business of purchasing and selling crafted precious metal in that county or city; (2) provide that failure to obtain a metal dealer permit or license required by a county or city is a class B misdemeanor; (3) require dealers to provide certain reports; and (4) allow a county or city to require that such reports be submitted electronically through the internet.

H.B. 3478 (Allen) – School Bus Monitoring: would allow a school district to create a school bus photographic monitoring system that uses photographs to determine violations of certain transportation laws related to buses.

H.B. 3479 (Simpson) – Written Statements: would add a requirement to allow a written statement made by an accused to be admissible as evidence that it be shown on the face of the statement that the police did not employ any interrogation technique that can be shown to result in false or unreliable confessions.

H.B. 3491 (Deshotel) – School Peace Officers: would require school district peace officers and school resource officers to receive additional training on mental illness issues unless the officer has completed a comparable education, training, or certification program as listed in the statute.

H.B. 3493 (Moody) – Intercepting Communications: would: (1) allow certain investigative or law enforcement officers to assist in the operation and monitoring of certain communications under the direction, but outside the presence of, a commissioned officer of the Department of Public Safety (DPS); (2) define, for purposes of intercepting wire, oral, or electronic communications: (a) “designated law enforcement office or agency” to include a sheriff’s department in a county with a population of 500,000; (b) “pen register” to mean a device or process that records or decodes pen register information; and (c) “pen register information” to mean the dialing, routing, addressing, or signaling information transmitted by an instrument or facility from which a wire or electronic communication is transmitted, if the information does not include the contents of the communication; (3) authorize a judge to order the installation and use of a trap and trace device by an electronic communications service provider, direct the same to furnish certain information, facilities, and assistance to install the device or equipment, and deliver to an appropriate law enforcement agency pen register information; and (4) provide that separate applications are not required under (3) above in order to obtain pen register information and information from a trap and trace device.

H.B. 3494 (Moody) – Graffiti: would modify the punishment for the offense of graffiti and create a graffiti pretrial diversion program.

H.B. 3521 (Carter) – Alcohol Offenses: would require the use of an ignition interlock device on conviction of certain driving while intoxicated offenses.

H.B. 3556 (Kolkhorst) – Non-emergency Ambulances: would require non-governmental, non-emergency ambulances to be licensed by the state and meet various conditions before being allowed to operate.

H.B. 3575 (Fallon) – Offenses Against Public Administration: would: (1) provide for the investigation and prosecution of offenses against public administration, including certain ethics offenses, offenses involving insurance fraud, and offenses involving motor fuels tax; and (2) require, to the extent allowed by law, local law enforcement to cooperate with the attorney general’s public integrity unit by providing information requested by the unit as necessary in carrying out an investigation and prosecution described in (1), above.

H.B. 3641 (Harper-Brown) – Bike Helmets: would prohibit a city from enacting or enforcing an ordinance that requires a bicycle operator who is at least 21 years of age to wear a helmet.

H.B. 3660 (Simmons) – Texas Commission on Fire Protection: would administratively attach the commission to the Texas Department of Insurance.

H.B. 3673 (Fletcher) – Disposition of Seized Firearms: would: (1) authorize a peace officer who takes a person into custody without a warrant under mental illness emergency detention to immediately seize any firearm found in possession of the person, but absent exigent

circumstances or if a warrant is not otherwise required by law, require the officer to obtain a warrant before conducting a search or seizure for any firearms not in the immediate control of the person detained; (2) require an officer who seizes a firearm as described in (1), above, and not in connection with an offense involving the weapon, to provide the person a written receipt and notice of the procedure for return of the firearm; (3) establish procedures for notice to the person and the person's family regarding the process for return of a firearm seized under (1), above, and provide that a copy of the notice along with an inventory of each firearm seized be delivered to a certain magistrate; (4) establish procedures to let a person know that the person is prohibited from owning, possessing, or purchasing a firearm and the options regarding the firearm seized in (1), above; (5) provide that one option under (4), above, is to dispose of the firearm by releasing it to the person's designee if the designee meets certain requirements; (6) establish procedures for the disposition of a firearm seized in (1), above, when the firearm is wholly or partly owned by a person other than the person taken into custody; (7) provide for the sale of a firearm seized under (1), above, if no eligible person makes a claim for return of the firearm and provide that the proceeds from the sale, less certain costs, shall be given to the person taken into custody under (1), above; and (8) prohibit a firearm seized under (1), above, from being destroyed or forfeited to the state. (Companion bill is **S.B. 1189** by **Huffman.**)

H.B. 3689 (Carter) – DNA Specimen: would provide that a warrant issued to collect a DNA specimen for the purpose of connecting a person to an offense may be executed in any county in the state, regardless of whether the issuing court's jurisdiction extends outside the county in which that court is located. (Companion is **S.B. 970** by **Huffman.**)

H.B. 3725 (Naishtat) – Subpoenas: would require each law enforcement agency to designate an individual within the agency to receive subpoenas for the attendance of a law enforcement agency employee; would also require the designated individual to provide the subpoena to the employee named in the subpoena as soon as practicable.

H.B. 3738 (Burnam) – Peace Officers: would prohibit peace officers from asking the nationality or immigration status of a witness or victim of a criminal offense except: (1) as necessary to investigate the offense; or (2) to provide information about federal visas for individuals providing assistance to law enforcement. (Companion bill is **S.B. 526** by **Rodriguez.**)

H.B. 3747 (Farrar) – Animal Cruelty: would, among other things: (1) establish a registration system similar to that in place for sex offenders for those convicted of certain animal cruelty offenses, including a requirement that such offenders register with the city police department where they live; and (2) create a procedure by which a peace officer may check certain identifying information against a state database to determine if a person is required to register under this system.

H.B. 3748 (Farrar) – Animal Cruelty: would allow a court in certain proceedings regarding cruelly treated animals to award attorney's fees and court costs to a county or city, as applicable.

H.B. 3770 (Coleman) – Registration of Motor Vehicles: would allow a county assessor-collector or the Department of Motor Vehicles to refuse to register a motor vehicle if the owner

of the vehicle is past due in the payment of a fine from a city on a complaint that involves the violation of a traffic law.

H.B. 3772 (Coleman) – Firearms: would provide for state regulation of firearms transfers by the Texas Department of Public Safety. (Companion bill is **S.B. 1526** by **Ellis.**)

H.B. 3773 (Coleman) – Castle Doctrine: would provide for a “rollback” of the state’s Castle Doctrine, which allows a person to use deadly force in certain circumstances.

H.B. 3815 (Carter) – Driver’s License Suspension: would require a court to order the Department of Public Safety to suspend the person’s driver’s license if it is shown at trial that the person has been previously convicted four or more times of DWI.

H.B. 3818 (Collier) – Expunctions: would require the court to enter an order of expunction not later than the 30th day after the date of acquittal, pardon, dismissal, or filing of the motion by the attorney representing the state; would also require the court to include in the order a listing of each official, agency, or other entity of the state or political subdivision of the state and each private entity that there is reason to believe has any record or file that is subject to the order.

H.J.R. 148 (Coleman) – Disaster response Districts: would amend the constitution to: (1) create disaster response districts as governmental agencies that deal with protection and prevention of damage and injuries during natural disasters and emergency situations; (2) require notice and a chance to respond by counties and cities within a proposed disaster response district before the district can be created; and (3) provide for additional notice to the public and counties and cities before a bill creating a district is passed. (Companion resolution is **S.J.R. 62** by **Hinojosa.**)

S.B. 17 (Patrick) – Concealed Handguns: would, among other things, provide that the Department of Public Safety shall establish and maintain a training program in school safety and the protection of students for employees of a school district or an open-enrollment charter school who hold a license to carry a concealed handgun and selected by the board of trustees of a school district or the governing body of an open-enrollment charter school to attend the training program.

S.B. 86 (Ellis) – Smoking Ban: this bill is the same as **H.B. 400**, above.

S.B. 220 (Birdwell) – Fire Fighters Pension Commissioner: would transfer the responsibilities of the fire fighters’ pension commissioner to the Texas Emergency Services Retirement System and the local firefighters retirement systems. (Companion bill is **H.B. 3148** by **Anchia.**)

S.B. 1349 (West) – Deadly Force: would modify the standards for the use of deadly force to protect persons or property, and would provide that: (1) a law enforcement agency shall adopt a written policy regarding the investigation of an incident in which a person claims a justification for the use of deadly force against another; (2) the policy must state that the claim of a justification does not prohibit a peace officer employed by the agency from investigating an incident in which deadly force is used, including taking possession of any weapon or firearm

used in the incident, or questioning or taking into custody the person who used deadly force; and (3) the Office of Court Administration shall collect and maintain data, must include information regarding the outcome of any law enforcement investigation and the disposition of any charges resulting from the incident, from law enforcement agencies and district and county attorneys relating to incidents in which a person claims a justification for the use of deadly force against another.

S.B. 1358 (W. Davis) – Peace Officer Animal Training: would require a peace officer to take training on animal encounters including eight hours of live training initially and then again every 3 years.

S.B. 1400 (Estes) – Air Guns: would provide that a city may not adopt or enforce a regulation relating to the transfer, private ownership, keeping, transportation, use, licensing, or registration of an air gun or an accessory for an air gun or the discharge of an air gun: (1) at a sport shooting range or a range associated with a Reserve Officers' Training Corps program of a school, an institution of higher education, or a private or independent institution of higher education or a hunter education program; (2) a commercial or sporting event by a participant in the event; (2) at a private indoor or outdoor range located on residential property if traps are used to capture the projectile of the air gun, any person younger than 18 years of age discharging the air gun is supervised by a parent or a person 18 years of age or older who is acting in loco parentis, and the projectile does not cross the property line; or (3) on the premises of an agricultural operation.

S.B. 1405 (Nichols) – Emergency Assistance: would: (1) allow a city to request and accept assistance, equipment, and donations during a disaster; and (2) provide for immunity for anyone who provides such assistance.

S.B. 1418 (Davis) – Sobriety Checkpoints: would: (1) authorize the police department of a city with a population of 350,000 or more to operate a temporary sobriety checkpoint; (2) prohibit a law enforcement agency from operating a sobriety checkpoint on: (a) a limited-access or controlled-access highway, (b) an overpass, (c) a bridge or causeway, or (d) the singles ingress to or egress from a designated area; (3) require the police chief of a municipality to approve the procedures to be used in operation of the checkpoint before the police department begins operating the sobriety checkpoint; (4) require the police department to record the procedures in writing and publish them on the police department's website or, if the department does not have a website, (a) request the secretary of state to post the notice on the secretary of state's website or (b) post the notice on a bulletin board in the city hall at a location convenient and clearly visible to the public; (5) require the secretary of state to post notice on the secretary of state's website of the day, time, location, and duration of the sobriety checkpoint continuously for a three day period; (6) provide that the procedures used for the operation of the sobriety checkpoint must ensure that the selection of motor vehicles to be stopped is reasonably predictable and non arbitrary; (7) require that the criteria for selecting the location for a sobriety checkpoint must include the number of traffic accidents in the vicinity in which the use of alcohol was a factor and that occurred in the preceding 12 months and the number of arrest for intoxication-related offenses in the preceding 12 months; (8) require the peace officer who makes the initial traffic directive to or other communication with the operator of a motor vehicle at the sobriety checkpoint to wear a uniform of the law enforcement agency; (9) require the law enforcement

agency to establish procedures governing encounters between motor vehicle operators and peace officers to ensure that: (a) a video and audio recording is made of each encounter, (b) intrusion on the operator is minimized, and (c) any inquiry by the peace officer is reasonably related to determining whether the operator is intoxicated; (10) prohibit a peace officer from requesting a motor vehicle at the sobriety checkpoint to display the operator's driver's license, except in certain instances; (11) limit the time during which an officer makes an inquiry of an operator to three minutes; (12) require the law enforcement agency to publicize through the use of the media, the date and time for the operation of the checkpoint; (13) prohibit a law enforcement agency from operating a sobriety checkpoint at one location for more than four hours; (14) require the law enforcement agency to maintain a record of the operation of the checkpoint until at least the fifth anniversary of the date of the checkpoint; and (15) require a law enforcement agency that operated a sobriety checkpoint during the preceding calendar year to submit a report on the operation of the checkpoint to the Texas Department of Transportation.

S.B. 1438 (Paxton) – Emergency Detention: would provide that person apprehended under mental illness emergency detention must be transported for a preliminary examination to: (1) the nearest appropriate inpatient mental health facility in the county in which the person is apprehended; (2) a facility deemed suitable by the local mental health authority when an inpatient facility is not available; or (3) if there is no appropriate inpatient facility in the county in which the person is apprehended, the nearest appropriate mental health facility outside the county in which the person is apprehended.

S.B. 1439 (West) – Abandoned Property: would: (1) create an evidence technician certification training program and prohibit a person from being employed as an evidence technician without being certified; (2) allow a person already performing the duties of an evidence technician and serving under permanent appointment on or before September 1, 2013, to continue employment without obtaining the certification; (2) allow any person to prevent the consequences of theft by seizing any personal property that has been stolen and bringing it, with the person suspected of committing the theft, before a magistrate for examination; (3) provide for the disposal of the following types of evidence by a law enforcement agency: (a) biological material, (b) alcohol beverages, and (c) controlled substances; (4) require a law enforcement agency to adopt a policy regarding the destruction of certain types of property; and (5) provide that a chain of custody affidavit is admissible in evidence to establish the chain of custody of physical evidence without the necessity of any person in the chain of custody personally appearing in court.

S.B. 1506 (Schwertner) – Fire Safety Inspections: this bill is the same as **H.B. 3221**, above.

S.B. 1516 (West) – Alcohol/Sexually Oriented Businesses: would create a new “on-premises consumption only” alcoholic beverage permit to be administered by the Texas Alcoholic Beverage Commission and authorize various regulations for an establishment holding such a permit.

S.B. 1526 (Ellis) – Firearms: this bill is the same as **H.B. 3772**, above.

S.B. 1536 (Van de Putte) – Texas Military: would: (1) change the department for Texas military affairs from Adjutant General's Office to the Texas Military Department; (2) repeal the

provision giving a city or county the authority to call up the state military forces in an emergency situation if the governor could not be reached; and (3) repeal provisions giving certain state and local officers exemptions from enlistment in the state military.

S.B. 1540 (Van de Putte) – Disaster Identification System: would allow a person to use a disaster identification system with certain lights and colors to signal to disaster relief personnel who in their home needs assistance, if any. (Companion bill is **H.B. 3261** by **Cortez**.)

S.B. 1591 (Zaffirini) – Detention of Persons with Mental Illness: would: (1) provide that if a physician determines that a patient meets the criteria for court-ordered mental health services or emergency detention, the physician may arrange for the patient to be apprehended by a peace officer or transported for emergency detention, and the physician must notify the patient of the same; (2) require a peace officer to take a person into custody if the officer has reason to believe and does believe the person is mentally ill and there is a substantial risk of serious harm to the person or to others unless the person is immediately restrained; (3) repeal the procedure under which a judge may order the emergency apprehension and detention of a person; and (4) repeal the authority for certain criminal law hearing officers to issue a magistrate’s order for emergency apprehension and detention.

S.B. 1592 (Zaffirini) – Warrantless Apprehension: would require a police officer to transport persons apprehended for emergency detention to a medical facility if the person suffers from certain conditions or injuries. (Companion bill is **H.B. 1856** by **Burkett**.)

S.B. 1593 (Zaffirini) – Detention of Persons with Mental Illness: would: (1) require a peace officer to provide a “notification of detention” to a facility to which the peace officer transports a person to be included in the person’s clinical file; (2) require the notification of detention to be in a specific form and include, among other things: (a) that the peace officer has reason to believe the person evidences mental illness; (b) that the peace officer believes the person evidences a substantial risk of serious harm to himself/herself or others; (c) that the peace officer believes the risk of harm is imminent; (d) specific information about the person’s behavior, acts, attempts, statements, or threats observed by the peace officer; and (e) specific information about third parties who reported or observed the person’s behavior; and (3) prohibit a mental health facility or hospital emergency department from requiring a peace officer to execute any form other than the form described in (2), above, as a predicate to accepting for temporary admission a person under emergency detention. (Companion bill is **H.B. 1738** by **Naishtat**.)

S.B. 1627 (Lucio) – Big Cats and Primates: would: (1) prohibit a person in a county or city with a population of at least 75,000 from: (a) owning, possessing, harboring, selling, transferring, breeding, or having custody or control of a big cat or nonhuman primate; and (b) allowing a member of the public to come in direct contact with or to be in proximity to a big cat or nonhuman primate without ensuring there is sufficient distance between the animal and person and providing protective barriers to separate the animal from the person; (2) exempt from the prohibition in (1)(a), above, various persons, including a county, a city, an agency of the state, a zoo or aquarium or related facility, a research facility, a wildlife sanctuary, an animal shelter, a licensed veterinarian, a law enforcement officer, a circus, certain colleges or universities, a television or movie production company, a person temporarily transporting a big cat or

nonhuman primate, and a person who lawfully possesses the big cat or nonhuman primate before September 1, 2013, if they meet certain requirements; (3) provide for a criminal penalty; (4) require a municipal court to order the seizure of an animal and hold a hearing on a sworn complaint and showing of probable cause to believe there has been a violation of (1), above; (5) provide that a big cat or nonhuman primate may be forfeited by judicial determination or voluntarily and placed with a zoo or aquarium or euthanized; and (6) while unclear, appear to preempt city ordinances that are less restrictive than state law, but allow ordinances that are more restrictive as related to big cats and primates.

S.B. 1676 (Ellis) – Firearms: would create an offense for the unlawful possession or transfer of a large-capacity magazine.

S.B. 1677 (Ellis) – Firearms: would provide that: (1) a law enforcement agency that receives a report of a lost or stolen firearm shall provide a copy of the report to the Texas Department of Public Safety in the form and manner and at regular intervals as prescribed by rules adopted by the department; (2) the department shall analyze information received under this section and shall make the analysis required by this section available to any local law enforcement agency, political subdivision, or state agency to the extent the analysis is reasonably necessary or useful to the agency or subdivision in carrying out duties imposed by law on the agency or subdivision; and (3) a person commits an offense if the person fails to report a lost or stolen firearm to a peace officer or law enforcement agency.

S.B. 1735 (Campbell) – Concealed Handguns: would authorize a concealed handgun license holder to carry a concealed handgun: (1) in a polling place, an amusement park, and on the premises of a racetrack or a hospital, or church, synagogue, or other established place of religious worship; and (2) at a meeting of a governmental body if the license holder has not received effective notice that carrying at the meeting is prohibited.

S.B. 1754 (Uresti) – Emergency Medical Services Personnel: would: (1) require the Department of State Health Services to create a standardized training program and tests for emergency medical services personnel; and (2) require the commissioner to choose only three statewide standardized certification examinations for EMS personnel. (Companion bill is **H.B. 2426** by **Martinez.**)

S.B. 1757 (Uresti) – License Plate Flipper: would: (1) make it a Class B misdemeanor offense for a person to possess a “license plate flipper,” defined to mean a manual, electric, or mechanical device that allows an individual to flip, replace, hide, obscure, or inhibit the visibility of one or both vehicle license plates; and (2) provide that the offense in (1), above, is a Class A misdemeanor in certain instances.

S.B. 1798 (Watson) – Obstruction or Retaliation: would: (1) provide that a person commits an offense if the person posts the residence address or phone number of an individual the actor knows is a public servant or a member of a public servant’s family or household on a publicly accessible website with the intent to cause harm or a threat of harm to the individual, family member, or household member in retaliation for or on account of the service or status of the individual as a public servant; (2) make an offense under (1), above, a third degree felony unless

the conduct results in bodily injury of a public servant or a member of the public servant's family or household, in which case the offense is a second degree felony; and (3) provide that certain acts constitute prima facie evidence of the intent to cause harm or a threat of harm under (1), above.

S.J.R. 62 (Hinojosa) – Disaster Response Districts: would amend the constitution to: (1) create disaster response districts as governmental agencies that deal with protection and prevention of damage and injuries during natural disasters and emergency situations; (2) require notice and a chance to respond by counties and cities within a proposed disaster response district before the district can be created; and (3) provide for additional notice to the public and counties and cities before a bill creating a district is passed. (Companion resolution is **H.J.R. 148** by **Coleman.**)

UTILITIES AND ENVIRONMENT

H.B. 2105 (Lucio) – Municipally Owned Utilities: would provide that: (1) a municipally owned utility system may operate a "water system;" (2) a water system means any one or a combination of the following: (a) an untreated or partially treated water diversion, impoundment, and delivery system, including a stream, channel, resaca, or canal; (b) a treated water production, storage, and distribution system; or (c) a reclaimed water transmission, storage, and distribution system; and (3) the governing body of the city or the board of trustees having management and control of a utility system shall impose and collect charges for services provided by a utility system in amounts at least sufficient to cover the costs of the system. (Companion bill is **S.B. 1817** by **Lucio.**)

H.B. 3013 (Larson) – Aquifer Storage and Recovery: would make various changes to the permit process for the underground storage of water for later retrieval and beneficial use, from an aquifer.

H.B. 3096 (Thompson) – Emergency Notification: would provide that the requirements of state law relating to contracts for an emergency notification system used by a public service provider (e.g., any entity producing heat, light, power, or water) do not apply to a public service provider serving 250,000 or fewer customers or an emergency notification system that is in use by a public service provider prior to June 1, 2011.

H.B. 3119 (Burkett) – Environmental Enforcement: would provide that a city may not enter into a contingent fee contract for legal services associated with a civil suit to enforce environmental laws.

H.B. 3137 (Lucio) – Regional Facility Construction: would allow the Texas Water Development Board to enter into contracts with political subdivisions to pay, from the research and planning fund, all or part of the cost of constructing a regional water facility; would also allow the Rio Grande Regional Water Authority board to increase the fee or assessment by no more than 20 percent in any two-year period, not to exceed 15 cents per acre-foot.

H.B. 3167 (King) – Emergency Assistance Program: would allow the Texas Water Development Board to use funds to provide technical or financial assistance to an eligible political subdivision for a project designed to alleviate a severe water shortage affecting the political subdivision that is caused by an emergency condition such as a drought of public calamity.

H.B. 3214 (Strama) – Renewable Energy: relates to the creation of an incentive program for solar and wind-powered distributed electric generation for public school property. Of interest to certain cities with municipally owned electric utilities that had retail sales in 2009 of more than 500,000 megawatt hours, the bill would provide that: (1) beginning not later than September 1, 2014, the utility must report annually to the State Energy Conservation Office information regarding the utility's efforts related to increasing renewable energy under the bill; and (2) the utility may recover the costs related to the bill through a nonbypassable fee or another cost recovery mechanism. (Companion bill is **S.B. 1453** by **Rodriguez**.)

H.B. 3222 (Springer) – Environmental Enforcement: would provide that, for a penalty imposed against a city, the Texas Commission on Environmental Quality shall develop a penalty schedule that takes into account the population of the city, charging all cities proportionally equal.

H.B. 3233 (Ritter) – Interbasin Transfers: would: (1) remove the requirement to include the projected effect on user rates and fees for each class of ratepayers on an application for an interbasin transfer; (2) limit the evidentiary hearing for an application to transfer water to contested issues related to the requirements in the section; and (3) exempt a proposed transfer from the part of the service area of a retail water utility that is within the basin of origin for use in that part of the territory of the service area not within the basin of origin from the permit requirement.

H.B. 3234 (Ritter) – Water Rights: would make various changes to the Texas Commission on Environmental Quality's procedures for acting on an application for a water right.

H.B. 3239 (Phillips) – Water Supply Corporations: would remove the requirement that a person present a petition, signed by the lesser of 20 members or shareholders or five percent of the members or shareholders, requesting that the person's name be placed on the ballot in order to be listed on the ballot as a candidate for a director's position of a water supply corporation.

H.B. 3244 (Callegari) – Beverage Container Recycling: would: (1) create the Texas Beverage Container Recycling Consortium to administer incentives for recycling; (2) permit a city to establish and operate a redemption center and receive a handling fee from the Consortium; and (3) make violation of certain recycling provisions a class C misdemeanor.

H.B. 3249 (Callegari) – Fracking: the purpose of this bill is unclear, but it would appear to provide that the Railroad Commission has jurisdiction over recycled materials related to hydraulic fracturing.

H.B. 3255 (Kacal) – Sale of Compost: would prohibit a city, county, or other political subdivision from selling for use outside the boundaries of the political subdivision compost, mulch, or other soil products.

H.B. 3289 (Martinez) – Stormwater Licensing: would: (1) require a person who engages in a Texas Pollutant Discharge Elimination System (TPDES) related stormwater activity to hold a license issued by the Texas Commission on environmental Quality; (2) require the commission to appoint a TPDES-related stormwater professionals advisory board to guide, advise, and make recommendations to the commission about matters related to licensing of TPDES-related stormwater professionals; (3) provide that the advisory board is composed of five members who are licensed as TPDES-related stormwater professionals, of who at least four members must also be licensed as professional engineers with experience in civil engineering, two members who are active members of an organization promoting environmental protection, and two members who are active members of an organization promoting business interests.

H.B. 3293 (Martinez) – Call Before You Dig: would, among other things, make class B facilities (e.g., municipal water and sewer lines) subject to many provisions of the state's call before you dig statute, including the payment of a \$50 annual fee.

H.B. 3315 (Keffer) – Oil and Gas Water Wells: would provide that a water well used to supply water for drilling or exploration operations, including completions, for an oil or gas well permitted by the Railroad Commission is exempt from a groundwater conservation district's permit requirements. (Companion bill is **S.B. 1749** by **Uresti**.)

H.B. 3382 (Hilderbran) – Office of Public Utility Counsel: would provide that the independent office of Public Utility Counsel represents the interests of residential and small commercial consumers in water rate cases under Chapter 13 of the Water Code.

H.B. 3419 (Lavender) – Water Projects: would prohibit a regional water plan from including a proposal for the construction of a water project in another regional water planning area unless at least two-thirds of the members of the regional water planning group for that area have consented to the inclusion of the proposal in the plan.

H.B. 3468 (Bohac) – Certificates of Convenience and Necessity: would require the Texas Commission on Environmental Quality to revoke or amend a certificate of convenience and necessity (CCN) to remove a geographic area from the area covered by the CCN not later than 60 days after the commission receives a petition that requests that a geographic area be removed and that is signed by at least 60 percent of the customers whose service addresses are located in that geographic area.

H.B. 3511 (Ritter) – Contractual Immunity: would provide that a written contract, including a right of first refusal, regarding the sale or delivery of not less than 1,000 acre-feet of reclaimed water intended for industrial use, is subject to the current law waiving immunity from suit on contracts.

H.B. 3535 (Price) – Groundwater Conservation Districts: would, among other things, provide that a groundwater conservation district’s groundwater management plan requires approval by the Texas Water Development Board. (Companion is **S.B. 302** by **Seliger**.)

H.B. 3537 (R. Gutierrez) – Hydraulic Fracturing: would provide that flowback and produced water from an oil or gas well on which a hydraulic fracturing treatment has been performed be treated to a degree that would allow the fluid to be used to perform a hydraulic fracturing treatment on another oil or gas well, used for another beneficial purpose, or discharged into or adjacent to water in the state.

H.B. 3537 (R. Gutierrez) – Hydraulic Fracturing: would exempt certain water wells used in the oil and gas industry from permitting requirements of a groundwater conservation district.

H.B. 3547 (Oliveira) – Gas Pipelines: would enact a procedure for the Railroad Commission to determine whether a company qualifies as a common carrier pipeline.

H.B. 3583 (Strama) – Renewable Energy: would increase that state’s goals for renewable energy.

H.B. 3584 (Strama) – Renewable Energy: would authorize an electric utility, including a municipally owned utility, to grant credits to persons who have on-site solar generation.

H.B. 3596 (Burnam) – Oil and Gas Wells: would provide that the Railroad Commission shall adopt rules to minimize emissions of air contaminants resulting from activities associated with the drilling or reworking of oil or gas wells.

H.B. 3598 (Burnam) – Gas Pipelines: would increase the administrative penalties that the Railroad Commission may seek from a gas pipeline operator.

H.B. 3599 (Burnam) – Oil and Gas Wells: would enact various restrictions on the siting, drilling, completion, and operation of oil and gas wells in certain high-density areas.

H.B. 3603 (Burnam) – Water Conservation: would: (1) require the Water Conservation Advisory Council to include recommendations for legislation in their report to the legislature; (2) require all retail public utilities, which includes cities, to perform, review, and file an annual water loss audit; (3) provide that on receipt of notice by the county, an entity required to develop a drought contingency plan shall immediately implement the plan; and (4) would require a retail public utility, which includes a city, to amend the utility’s application for financial assistance to include a plan to reduce the system’s water loss, if an evaluation conducted by the Texas Water Development Board indicates that a system’s water loss exceeds 15 percent annually.

H.B. 3604 (Burnam) – Drought Contingency Plan: would provide that on receipt of notice by the county, an entity required to develop a drought contingency plan shall immediately implement the plan.

H.B. 3605 (Burnam) – Water Loss: would require a retail public utility, which includes a city, to amend the utility’s application for financial assistance to include a plan to reduce the system’s water loss, if an evaluation conducted by the Texas Water Development Board indicates that a system’s water loss exceeds 15 percent annually.

H.B. 3607 (Burnam) – Water Loss Audits: would require a retail public utility, which includes a city, to perform and file with the Texas Water Development Board an annual water audit computing the utility’s system water loss during the preceding year.

H.B. 3608 (Burnam) – Financial Assistance Applications: would require the Texas Water Development Board, in passing on an application for financial assistance from a retail public utility, which includes a city, to evaluate the utility’s water conservation plan for compliance with the board’s best management practices and issue a report to the utility detailing the results.

H.B. 3645 (Harper-Brown) – Utility Relocation: would provide that a municipally owned utility shall make a relocation of a utility facility at the expense of the state if the relocation is required by the improvement of a turnpike project or toll project.

H.B. 3652 (Vo) – Drainage Charges: would prohibit a city from imposing an assessment, charge, or fee on property for drainage or stormwater control, if the property has a retention pond or other retention device that benefits the city by preventing the necessity for city expenditures for drainage or stormwater control in the property’s location.

H.B. 3678 (Farney) – Sludge: would provide that class B sludge includes septage, which is the waste content stored in a septic tank. (Note: the effect of the bill is to prohibit the land application of septage without a permit from the Texas Commission on Environmental Quality.)

H.B. 3701 (Lucio) – Municipally Owned Electric Utilities: relates to distributed renewable generation and would provide that a municipally owned utility shall allow interconnection and metering to account for electricity produced by distributed renewable generation owners and provide the utility’s customers access to interconnection and metering of distributed renewable generation. (Companion bill is **S.B. 1239** by **Rodriguez**.)

H.B. 3760 (Farrar) – Municipally Owned Electric Utilities: would provide that the Public Utility Commission shall establish a nonbypassable surcharge for an electric utility, municipally owned utility, electric cooperative, or transmission and distribution utility to use to recover reasonable and necessary costs incurred in deploying advanced metering.

H.B. 3780 (Isaac) – Liquid Propane Tanks: would provide that: (1) a city or county may not enact or enforce an order or ordinance that prohibits, restricts, or has the effect of prohibiting or restricting a property owner from installing a liquid propane gas tank above ground on the owner's residential property if the tank is a size reasonably necessary to meet the gas requirements of the residence; but (2) the city or county may require the owner to screen the tank from view with reasonable screening materials.

H.B. 3783 (Isaac) – Scrap Tires: would enact various regulations related to the storage and disposal of scrap tires.

H.B. 3822 (Carter) – Electricity Purchases: would prohibit the use of an interlocal contract between a purchasing cooperative and a governmental entity for the purchase of electricity or electricity-related services.

H.B. 3857 (Lucio) – Water Utility Rate Cases: would provide for “periodic rate adjustments (PRAs)” of a water or sewer utility, which would: (1) authorize the Texas Commission on Environmental Quality, or a city acting as the regulatory authority, on the petition of a water or sewer utility, to approve a tariff or rate schedule in which a nonfuel rate may be periodically adjusted upward or downward, based on changes in the parts of the utility’s invested capital that serves the utility’s certificated service area; and (2) the Public Utility Commission shall adopt rules as necessary to implement the bill, modeled on rules implementing PRAs for electric Utilities, by September 1, 2015, providing that: (a) the utility’s revenue may not increase or decrease by more than five percent; (b) the facilities described in the petition have been placed into service by the utility; (c) the return on invested capital, depreciation rate, and income tax rate is up to the amount authorized in the utility’s most recent rate order; (d) does not include the operating expenses associated with the facilities described in the petition, (e) the utility has not filed a petition authorized by this section in the prior 12 months, and (f) the utility has not filed four petitions authorized by the bill since the utility’s last general rate application.

S.B. 1364 (Schwertner) – Electric Rate Cases: would provide that a city or the Texas Railroad Commission, when computing an electric utility’s federal income tax expenses in a rate case, must include with an allowable expense or investment the applicable reduction in income tax liability. (Companion bill is **H.B. 711** by **Murphy**.)

S.B. 1374 (Hinojosa) – Fire Hydrants and Flush Valves: would modify the provision in current law providing that an entity that owns a fire hydrant or similar device shall paint it black if it is nonfunctioning or otherwise unavailable for use by an entity providing fire suppression services in a fire emergency by: (1) defining a “hydrant” as a fire hydrant or a metal flush valve that has the appearance of a fire hydrant and is located in a place that an entity responsible for providing fire suppression services in a fire emergency would expect a fire hydrant to typically be located; (2) providing that each public water system responsible for any hydrant shall: (a) paint all or the cap of the hydrant white if the hydrant is available to be used only to fill a water tank on a fire truck used for fire suppression services; and (b) paint all or the cap of the hydrant black if the hydrant is unavailable for use by the entity providing fire suppression services in a fire emergency; (3) providing that a hydrant is “unavailable for use in a fire emergency” if it is unavailable for pumping directly from the hydrant or is unavailable for use in filling a water tank on a fire truck used for fire suppression services; (4) allowing a public water system to place a black tarp over the hydrant or use another means to conceal the hydrant instead of painting all or the cap of the hydrant black if the hydrant is temporarily unavailable for use in a fire emergency for a period not to exceed 45 days; (5) providing that, not later than the 45th day after the date a hydrant is concealed in the manner allowed by (4), above, the public water system responsible for the hydrant shall paint all or the cap of the hydrant black if it continues to be unavailable for use in a fire emergency; (6) providing that a hydrant is considered to be unavailable for use by an

entity responsible for providing fire suppression services in a fire emergency if: (a) the public water system is not obligated by ordinance, regulation, or contract to provide water for fire suppression services and elects not to provide water for those services; or (b) the hydrant delivered less than 50 gallons of water per minute during its most recent flow test under normal conditions; (7) stating that the fact that all or the cap of a hydrant for which a public water system is responsible under this section is not painted black does not constitute a guarantee by the public water system that the hydrant will deliver a certain amount of water flow at all times; (8) exempting a public water system from liability for a hydrant's inability to provide adequate water supply in a fire emergency; (9) providing that the bill does not apply within the jurisdiction of a governmental entity that maintains its own system for labeling or color coding its hydrants; and (10) limiting the application of the law as amended by the bill to certain counties in the Rio Grande Valley. (Companion bill is **H.B. 1768** by **Canales**.)

S.B. 1384 (Hancock) – Local Water Bonds: would allow an independent school district to purchase, sell, and invest funds in local water bonds issued by a city or county in which the investing school district is located.

S.B. 1453 (Rodriguez) – Renewable Energy: this bill is the same as **H.B. 3214**, above.

S.B. 1454 (Taylor) – Plumbers: would provide that: (1) the installation, repair, and service of equipment for rainwater harvesting is considered “plumbing” for purposes of state law; and (2) a water supply protection specialist is authorized to treat rainwater or repair rainwater harvesting systems. (Companion bill is **H.B. 2062** by **J. Davis**.)

S.B. 1456 (Taylor) – Backflow Prevention: would require an individual to have a certificate from the Texas State Board of Plumbing Examiners to engage in the repair or testing of a backflow prevention assembly. (Companion bill is **H.B. 2179** by **J. Davis**.)

S.B. 1462 (Duncan) – Hazardous Liquid Pipelines: would provide that: (1) except as otherwise provided by federal law, the Railroad Commission has jurisdiction over all pipeline transportation of hazardous liquids or carbon dioxide and over all hazardous liquid or carbon dioxide pipeline facilities, including the movement of hazardous liquids or carbon dioxide through gathering lines in rural locations or production, refining, or manufacturing facilities or storage or in-plant piping systems associated with any of those facilities; (2) the commission by rule shall establish factors for determining whether the commission will regulate such a pipeline or facility; and (3) to the extent consistent with federal law, the commission by rule may determine which facilities and activities are subject to safety standards and practices subject to the power of the commission. (Companion bill is **H.B. 2982** by **Keffer**.)

S.B. 1465 (Estes) – Cable Television Tax Exemption: would provide an exemption from the state sales tax for the first \$75 of a cable television bill if the provider is paying a franchise fee to a city pursuant to a state-issued certificate of franchise authority. (Companion bill is **H.B. 1900** by **Eiland**.)

S.B. 1500 (Rodriguez) – Prioritizing Water Projects: would add the following to the criteria that the Texas Water Development Board uses to give priority to applications for funds for the

implementation of water supply projects: (a) state funding is needed for the project, (b) the project is designed to address a water supply need that has already arisen or will arise in the short term, (c) improved efficiency in the use of water will not achieve the same results as the project, (d) the project is cost-effective, (e) the applicant has ensured that the water supplied by the project will be used efficiently, (f) the effect of the project on the environment will be minimal, (g) the project will not impair existing supplies of surface water or groundwater, and (h) the project will not impair springflows or instream flows.

S.B. 1501 (Rodriguez) – Water Project Funding: would provide that, in providing financial assistance in a state fiscal biennium to political subdivisions for water supply projects, the Texas Water Development Board must: (1) allocate at least one-third of the total amount allocated for that purpose for water conservation or reuse projects; and (2) allocate at least one-half of the amount allocated under (1), above, for projects designed to improve efficiency in the use of water.

S.B. 1624 (Davis) – Regional Water Banks: would require the Texas Commission on Environmental Quality to establish regional water banks to facilitate water transactions to provide sources of adequate water supplies for use during times of drought or water shortage in each of the various river basins or regions.

S.B. 1625 (Davis) – Gas Pipelines: would enact a procedure for the Railroad Commission to determine whether a company qualifies as a common carrier pipeline.

S.B. 1637 (Duncan) – Gas Pipelines: would enact a procedure for the Railroad Commission to determine whether a company qualifies as a common carrier pipeline.

S.B. 1749 (Uresti) – Oil and Gas Water Wells: this bill is the same as **H.B. 3315**, above.

S.B. 1763 (Uresti) – Permits for Wells: would allow a groundwater conservation district to require that the location of the water use be included in a permit or permit amendment application; would prohibit a district from imposing more restrictive permit conditions on transfers out of the district than in-district uses. (Companion is **H.B. 2739** by **Martinez Fischer**.)

S.B. 1817 (Lucio) – Municipally Owned Utilities: this bill is the same as **H.B. 2105**, above.

S.B. 1819 (Deuell) – Sand Mines: would prohibit a person from extracting sand from the earth through a mining operation unless the site of the mining operation is more than three miles from the boundary of any property included in an identifiable unincorporated community that uses groundwater from an aquifer for all or part of its drinking water; would provide penalties for an offense.

TRANSPORTATION

H.B. 2875 (Harper-Brown) – Motor Vehicle Inspection: would provide for a new, electronic system of motor vehicle inspections. Of particular interest to cities, the bill would provide that, for purposes of junked vehicle abatement by a city, the requirement that such a vehicle have an

invalid inspection certificate, or no inspection certificate, is repealed. (Companion bill is **S.B. 1350** by **West**.)

H.B. 3157 (Harless) – Transportation Funding: would provide that: (1) by 2019, 50 percent of the state's gas tax shall go to the credit of the state highway fund and 50 percent to the credit of the general revenue fund; and (2) beginning in 2016, the state's gas tax will be linked to the highway cost index, which is defined as the 12-month moving average of the price of materials and labor compiled by the Texas Department of Transportation and incorporated into state highway projects.

H.B. 3363 (Callegari) – Transportation Funding: would provide for the issuance of general obligation bonds of the State of Texas to provide funding for state highways, publicly owned toll roads, and other publicly owned transportation projects. (Please see **H.J.R. 139**, below.)

H.B. 3424 (Lavender) – Travel Information Centers: would provide that: (1) the Texas Department of Transportation (TxDOT) may: (a) transfer to a local government the operation of a travel information center located in the local government's boundaries; or (b) issue a request for proposals to private and nonprofit entities for the operation of a travel information center; and (2) TxDOT may maintain and operate the center as a rest area without staff if: (a) a local government does not assume the operation of a center; or (b) none of the private offers to its request for proposals are acceptable. (Companion bill is **H.B. 2101** by **Guillen**.)

H.B. 3481 (Fletcher) – Transportation Funding: would provide that the amount of \$400 million is appropriated from the state's Rainy Day Fund to the Department of Transportation in each fiscal year of the state fiscal biennium ending August 31, 2015, for the purpose of repairing roadways and bridges damaged by oversize vehicles or overweight loads used in the development and production of energy or by above-normal usage of roadways and bridges by vehicles used in the development and production of energy.

H.B. 3639 (Keffer) – Transportation Funding: would, among other things, provide that: (1) the commissioners court of a county, after determining that an area is affected by oil and gas exploration and production activities, may designate one contiguous geographic area in the jurisdiction of the county to be a county energy transportation reinvestment zone to promote a transportation project; (2) provide detailed procedures for a county's creation of a zone; (3) funding of a project may be made through an ad valorem tax increment account from the county's ad valorem taxes and through a sales tax increment account generated from the sales and use taxes imposed by the city and/or the county be used to fund a project; (4) create a state Transportation Infrastructure Fund; and (5) the Texas Department of Transportation shall provide grants from the funds to for state or county roads for transportation infrastructure projects. (Companion bill is **S.B. 1747** by **Uresti**.)

H.B. 3665 (Darby) – Transportation Funding: would, among other things: (1) modify several provisions relating to state debt financing of transportation projects; (2) provide that the Texas Transportation Commission shall create a transportation infrastructure credit enhancement account in the state infrastructure bank; (3) authorize the commission to establish a program to guarantee the payment of debt service on bonds issued by a public entity, including a city, to

finance or refinance a public transportation project that will develop or expand transportation; and (3) provide that, if required by the commission, a public entity whose application is approved shall enter into a credit agreement with to further secure the public entity's obligation to repay amounts drawn from the account to pay debt service on guaranteed bonds. (Companion bill is **S.B. 1632** by **Hinojosa**.)

H.B. 3834 (Harper-Brown) – Transportation Funding: would repeal the state gas tax effective September 1, 2016.

H.B. 3835 (Harper-Brown) – Transportation Funding: would provide that revenues obtained from unclaimed refunds on state motor fuel taxes shall be deposited to the credit of the state highway fund.

H.B. 3836 (Harper-Brown) – Transportation Funding: would require the Texas Department of Transportation to establish and implement a statewide program to assess owners of electric motor vehicles and liquefied fuel motor vehicles a vehicle mileage fee that is based on the number of miles traveled on public roads by those motor vehicles.

H.B. 3837 (Phillips) – Driver's License and Crash Report: would make various changes in regard to driver's licenses and accident crash reports, including: (1) authorizing the Department of Public Safety (department) to appeal if the department's suspension or revocation of a driver's license is not sustained and providing requirements as to that appeal; (2) prohibiting the department from recording an accident in the driving record of a person who is employed as a peace officer, firefighter, or emergency medical services employee that occurs while the employee is driving an official vehicle in the course and scope of the license holder's official duties if: (a) the traffic accident resulted in damages to property of less than \$1,000; or (b) an investigation of the accident by a peace officer, other than a peace officer involved in the accident, determines that the peace officer, firefighter, or emergency medical services employee involved in the accident was not at fault.

H.J.R. 136 (Harless) – Transportation Funding: would amend the Texas Constitution to limit the use of the state highway fund.

H.J.R. 139 (Callegari) – Transportation Funding: would amend the Texas Constitution to provide that the legislature may authorize the Texas Transportation Commission to issue general obligation bonds of the State of Texas in an aggregate amount not to exceed \$3 billion and enter into related credit agreements to provide funding for state highways, publicly owned toll roads, and other publicly owned transportation projects. (Please see **H.B. 3363**, above.)

S.B. 1350 (West) – Motor Vehicle Inspection: this bill is the same as **H.B. 2875**, above.

S.B. 1383 (Hancock) – Billboards: would provide that a city must pay just compensation to a billboard owner and a landowner who leases property to a billboard owner if a billboard has to be removed from a city or a city's extraterritorial jurisdiction because: (1) of the widening, construction, or reconstruction of a highway that is part of a state highway project; and (2) it

cannot be moved to another place in the city because of a city ordinance or regulation. (Companion bill is **H.B. 2244** by **Harper-Brown.**)

S.B. 1515 (Ellis) – Pedestrian Safety: would: (1) require a driver to operate a car safely around pedestrians and others who are not in vehicles; and (2) increase the penalties for violations of this section if the violation results in property damage or personal injury. (Companion bill is **H.B. 2225** by **McClendon.**)

S.B. 1632 (Hinojosa) – Transportation Funding: this bill is the same as **H.B. 3665,** above.

S.B. 1636 (Deuell) – Liability: would, among other things, limit a city's liability for space flight activities conducted on property owned by a city. (Companion bill is **H.B. 1791** by **J. Davis.**)

S.B. 1648 (Williams) – Transportation Funding: would, among other things; (1) impose a state motor fuels tax on the sale of compressed natural gas or liquefied natural gas that is delivered into the fuel supply tank of a motor vehicle; (2) provide for certain exemptions, not including city vehicles, and refunds of the tax; and (3) provide that three-fourths of the tax shall be deposited to the credit of the state highway fund. (Companion bill is **H.B. 2148** by **Hilderbran.**)

S.B. 1664 (Nichols) – Commercial Vehicles: would enact various safety provisions related to commercial vehicle operations, including a ban on texting while driving by the operator of a commercial motor vehicle.

S.B. 1671 (Nichols) – Overweight Vehicles: relates to the operation of oversize or overweight vehicles and would: (1) increase various misdemeanor fines for offenses; and (2) authorize civil penalties against the operator for certain offenses, the revenue from which would go to the county in which the violation occurred.

S.B. 1707 (Campbell) – Transportation Funding: would provide that each fiscal year the comptroller shall deposit to the credit of the Texas Mobility Fund the amount of revenue from the state tax on the sale, rental, and use of motor vehicles that exceeds the amount the comptroller received for fiscal year 2011.

S.B. 1747 (Urest) – Transportation Funding: this bill is the same as **H.B. 3639,** above.

S.B. 1778 (Zaffirini) – Transportation Funding: would: (1) create the Transportation Infrastructure Fund to be supported by a partial diversion of the state's oil and gas tax revenue; and (2) provide that the Texas Department of Transportation shall provide grants from the funds to counties for transportation infrastructure projects.

S.B. 1790 (Watson) – Transportation Funding: would: (1) provide for an additional \$50 motor vehicle registration fee; and (2) authorize the use of revenue bonds secured from the fee.

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 their time to travel to Austin to speak out on important city issues should be applauded by us all.

Among the city officials who recently testified in front of legislative committees are the following:

- Sgt. James Jones, Police Department, San Antonio
- Paul Harpole, Mayor, Amarillo
- Marcus Norris, City Attorney, Amarillo
- Robert Taylor, Chief of Police, Amarillo
- Art Acevedo, Police Chief, Austin
- Asst. Chief Troy Gay, Police Department, Austin
- Carl Richie, Vice-Chair of Housing Authority, Austin
- Kris Thompson, Police Department, Austin
- Stephen DonCarlos, Mayor, Baytown
- Tony Martinez, Mayor, Brownsville
- Dr. Cate McManus, Animal Services, Dallas
- Ken Nolan, Chief Appraiser, Dallas
- Pat Walsh, Police Department, Dallas
- Wayne Riddle, Mayor, Deer Park
- Mark Burroughs, Mayor, Denton
- Susie Byrd, City Representative, El Paso
- Alan Shubert, City Engineer, El Paso
- Danny Scarth, City Council, Fort Worth
- Marie Robb, City Council, Galveston
- Ronald E. Jones, Mayor, Garland
- Michael Wolfe, Mayor, Hempstead
- Stephen Costello, City Council, Houston
- Michael Lee, Police Department, Houston
- Larry Schenk, Sr. Assistant City Attorney, Houston
- Captain David Gonzalez, Fire Department, Laredo
- Raul Salinas, Mayor, Laredo
- Clayton Chandler, City Manager, Mansfield
- Peter Phillis, Director of Business Services, Mansfield
- Keith Stretcher, City Attorney, Midland
- Michel Bechtel, City Council, Morgan's Point
- Darrell Morrison, City Council, Pasadena
- Steve Cote, City Council, Pasadena
- Bill Eisen, City Manager, Pearland
- Fred Reyes, City Manager, Pecos
- Alan Hugley, Mayor, Red Oak
- Diego Bernal, City Council, San Antonio

- Kathy Davis, Director of Animal Control, San Antonio
- Troy Elliott, Finance Director, San Antonio
- James Jones, Police Department, San Antonio
- Anthony Trevino, Police Department, San Antonio
- Sgt. Carl Bailey, Police Department, Seagoville
- David Stall, City Administrator, Shoreacres
- Dale Fisseler, Deputy City Manager, Waco

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Legislative UPDATE

March 29, 2013
Number 12

Open Meetings Act Lawsuit Comes to an End

Last Monday, the U.S. Supreme Court denied the petition for writ of *certiorari* (i.e., request to hear the case) in *Asgeirsson v. Abbott*. The court's denial brings eight years of litigation to a close. The lawsuit, commonly referred to as "TOMA II," was the second challenge brought by several city councilmembers who claimed – with amicus support from the League – that the criminal closed meeting provision of the Texas Open Meetings Act unconstitutionally infringes upon their right to freedom of speech.

The legal result of the court's decision is that a previous Fifth Circuit Court of Appeals opinion upholding the Act is the law of the land in Texas. The practical result is that city attorneys still can't clearly advise on the legality of speaking with other councilmembers outside of a properly-posted open meeting.

After the trial court rejected the city officials' original claim that the criminal provision in the Act is unconstitutional, they appealed to the U.S. Court of Appeals for the Fifth Circuit. In September 2012, the Fifth Circuit Court of Appeals held that the Act is constitutional because it is aimed at prohibiting the negative "secondary effects" of closed meetings. According to the court, closed meetings: (1) prevent transparency; (2) encourage fraud and corruption; and (3) foster mistrust in government.

The next step was to ask the U.S. Supreme Court to overturn the Fifth Circuit's opinion. TML and the National League of Cities filed a brief in support of the appeal, but to no avail.

City officials are now left in the same place as before the appeal: They should use caution when communicating outside of an open meeting to avoid possible criminal prosecution.

Senate Committee Considers Revenue Caps

On March 25, the Senate Finance Subcommittee on Fiscal Matters heard two revenue cap bills (S.B. 102 and S.B. 144) that would restrict the ability of a city council to govern its own fiscal affairs.

S.B. 102 (Patrick) would lower the property tax rollback rate from eight percent to five percent, and would require a mandatory ratification election of the citizens before the city could exceed the lowered rollback rate.

S.B. 144 (Williams) would lower the rollback rate from eight to five percent, and allow the council to raise it back to eight percent during certain disasters or upon a finding that a higher rollback rate is necessary to protect health or safety.

Over a dozen city officials attended the hearing to testify against the bills, highlighting numerous problems including the negative impact the bills would have on economic development, bond ratings, and on local control in general. City witnesses correctly pointed out that not only are city officials equally as concerned with keeping property taxes low as members of the state legislature, but that they are in a much better position to determine the appropriate amount of property taxes needed to respond to the needs of their citizens.

The two bills were left pending in the Senate Finance Subcommittee on Fiscal Matters. To view the public testimony on the bill, click [here](#) and fast forward to 33 minutes and 10 seconds into the hearing.

TCEQ Releases Updated Wastewater Treatment Guidelines

The Texas Commission on Environmental Quality has updated its guidelines for initiating enforcement actions against wastewater treatment plants. Enforcement action is now triggered when the effluent level of a wastewater treatment plant exceeds its permitted limits for bacteria and certain non-bacterial contaminants. Implementation of these changes will be phased in, and enforcement efforts will initially focus on discharges that are impacting impaired water bodies.

The changes to the enforcement criteria are available online at:
<http://www.tceq.texas.gov/assets/public/agency/eic-rev-14-120112.pdf>

A facility that does not yet have bacteria limits in its permit will need to begin sampling and troubleshooting to ensure compliance when the limits go into effect. More information about bacteria limits and testing is available at:

<http://www.tceq.texas.gov/assistance/water/wastewater/ww-bac-t.html>

Significant Floor Actions

H.B. 1600 (Cook), relating to the continuation and functions of the Public Utility Commission of Texas, and to the transfer of certain functions from the Texas Commission on Environmental Quality to the Public Utility Commission of Texas. Passed the House.

S.B. 158 (Carona), relating to the average price below which a newspaper is exempt from the sales tax. Passed the Senate.

S.B. 188 (Huffman), relating to interception of wire, oral, or electronic communications for law enforcement purposes. Passed the Senate.

S.B. 531 (Duncan), relating to self-insurance funds established by governmental units. Passed the Senate.

S.B. 581 (Carona), relating to procedures for securing the deposit of public funds. Passed the Senate.

S.B. 764 (Watson), relating to a limitation on liability for prescribed burning conducted on land owned by, leased by, or occupied by certain self-insured governmental units. Passed the Senate.

S.B. 902 (Fraser), relating to the operation, powers, and duties of certain water districts. Passed the Senate.

Significant Committee Actions

H.B. 434 (Riddle), relating to the person authorized to take a blood specimen from a vehicle operator to test for alcohol concentration or other intoxicating substances. Reported from the House Committee on Homeland Security and Public Safety.

H.B. 561 (Workman), relating to an exemption for land owned by a school from the additional tax imposed on the change of use of land appraised for ad valorem tax purposes as qualified open-space land. Reported from the House Committee on Ways and Means.

H.B. 898 (Creighton), relating to standards for power lines. Reported from the House Committee on State Affairs.

H.B. 1478 (Eiland), relating to the selection of certain members of the board of directors of an appraisal district. Reported from the House Committee on Ways and Means.

H.B. 1658 (P. King), relating to requiring the arrest and collection of a breath or blood specimen of persons operating a motor vehicle or watercraft while intoxicated under certain circumstances. Reported from the House Committee on Homeland Security and Public Safety.

S.B. 1 (Williams), relating to general appropriations. Reported from the House Committee on Appropriations. [Note: this is the state budget bill. Of particular interest to cities, the House committee substitute includes \$307 million in mixed beverage tax reimbursements (\$61.3 million more than the current biennium), \$4.1 million in local library aid (\$5.6 million less), \$23.6 million in library resource sharing (\$9.1 million more), \$1.9 million in local parks grants (\$987,500 more), and \$29.8 million in automobile theft prevention funding (\$15,059 less).]

S.B. 204 (Nichols), relating to the continuation and functions of the Texas Board of Professional Engineers. Reported from the Senate Committee on Business and Commerce.

S.B. 249 (Patrick), relating to the prosecution of the offense of breach of computer security. Reported from the Senate Committee on Criminal Justice.

S.B. 262 (Huffman), relating to the reporting of criminal disposition completeness percentage data. Reported from the Senate Committee on Criminal Justice.

S.B. 360 (Watson), relating to methods used by an animal shelter to euthanize a dog or cat. Reported from the Senate Committee on Health and Human Services. [Note: this bill would ban dog and cat euthanasia by carbon monoxide; if your city shelter is concerned by this provision, you should contact your legislators immediately.]

S.B. 476 (Hinojosa), relating to installment agreements for the payment of delinquent ad valorem taxes. Reported from the Senate Committee on Intergovernmental Relations.

S.B. 567 (Watson), relating to rates for water service and to the transfer of functions relating to the economic regulation of water and sewer service from the Texas Commission on Environmental Quality to the Public Utility Commission of Texas. Reported from the Senate Committee on Business and Commerce.

S.B. 633 (Ellis), relating to liability of certain electric utilities that allow certain uses of land that the electric utility owns, occupies, or leases. Reported from the Senate Committee on State Affairs.

S.B. 654 (West), relating to the enforcement of water conservation and animal care and control ordinances of a municipality by civil action or quasi-judicial enforcement. Reported from the Senate Committee on Intergovernmental Relations.

S.B. 742 (Carona), relating to reports of missing children or attempted child abduction and to education and training for peace officers regarding missing or exploited children. Reported from the Senate Committee on Criminal Justice.

S.B. 809 (Carona), relating to Public Utility Commission of Texas consideration of the rates for certain equalization surcharges and emergency service fees. Reported from the Senate Committee on Business and Commerce.

S.B. 1107 (Zaffirini), relating to the preference given by state and local governmental entities to agricultural products produced or grown in this state. Reported from the Senate Committee on Government Organization.

S.B. 1110 (Nichols), relating to the purposes and designation of a transportation reinvestment zone. Reported from the Senate Committee on Transportation.

City-Related Bills Filed

FINANCE/ADMINISTRATION

S.J.R. 64 (Carona) – Gambling: would: (1) authorize the operation of casino games and slot machines by a limited number of licensed operators and certain Indian tribes; (2) tax poker proceeds; and (3) provide that part of the proceeds be allocated to a city in which a casino is located.

PUBLIC SAFETY

S.B. 1857 (Estes) – Firearms: would provide that: (1) the Texas Department of Public Safety shall establish and maintain a school safety certification for qualified handgun instructors; and (2) the certification shall be used to instruct a person who holds a concealed handgun license and who is an employee of a school district or an open-enrollment charter school in the following: (a) best practices in the protection of students; (b) how to interact with the first responders on their arrival; (c) tactics to deny an intruder entry into a classroom or school facility; and (d) accuracy with handgun under duress.

City Officials Testify

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Among the city officials who recently testified in front of legislative committees are the following:

- Detective Eric Vickers, Police Department, Abilene
- P.D. Jackson, Police Department, Allen
- Mike Bass, Assistant Director Code Compliance, Arlington
- Jimmy Bennett, City Council, Arlington
- Commander Donald Baker, Police Department, Austin
- Greg Canally, Deputy CFO, Austin
- Virginia Collier, City Planner, Austin
- Sam A. Listi, City Manager, Belton

- Bruce Hanson, City Council, Corinth
- Tom Tagliabue, Director of Intergovernmental Relations, Corpus Christi
- Patrick Welsh, Police Department, Dallas
- Bryan Langley, Assistant City Manager, Denton
- Chris Watts, City Council, Denton
- James Mauldin, City Treasurer, Fort Worth
- Christa Lopez Reynolds, Assistant City Attorney, Fort Worth
- Steven Catskill, Police Department, Houston
- Ron Walker, Police Department, Houston
- Sameera Kapasi Mahendru, Senior Assistant Attorney, Houston
- Max Duplant, Chief Financial Officer, Irving
- Jack Pratt, Mayor, Kerrville
- Raul Salinas, Mayor, Laredo
- David Hillock, Mayor, Little Elm
- Clayton Chandler, City Manager, Mansfield
- Bill Lane, Public Safety Director and Senior Staff Attorney, Mansfield
- Steve Lindsey, City Council, Mansfield
- Ramon Navarro, Deputy Director of Engineering, McAllen
- Bryan Easum, City Administrator, Mont Belvieu
- Ruben Villarreal, Mayor, Rio Grande City
- Ben Gorzell, Jr., Chief Financial Officer, San Antonio
- John Jacks, Assistant Director of Development, San Antonio
- James Jones, Police Department, San Antonio
- Roderick Sanchez, Development Department Director, San Antonio
- Gregory Wortham, Mayor, Sweetwater
- Dave Claunch, Mayor, West Lake Hills

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