



Policy Committee Meeting
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January 28, 2021

AGENDA

9:00 A.M. Convene

1. Welcome
2. Administrative items [Gabriela Villareal]
 - a. Next meeting: Thursday, February 25, 2021 @ 9:00 A.M. at the Travis County Administrative Building (700 Lavaca Street, Austin)
3. Policy Committee Attendance Record 2021

Policy Committee Attendance Record 2021

Policy Committee Members		County	01/06/21	01/28/21	02/25/21	03/04/21	03/25/21	04/22/21	05/20/21	06/10/21	08/19/21	11/18/21
1	Judge Eddie Treviño (Chair)	Cameron	V									
2	Judge David Blackburn	Bell	V									
3	Comm. Justin Rodriguez	Bexar	V									
4	Judge Matt Sebesta	Brazoria	V									
5	Comm Susan Fletcher	Collin	V									
6	Comm. Theresa Daniel	Dallas	V									
7	Comm. Bobbie Mitchell	Denton	X									
8	Comm David Stout	El Paso	V									
9	Comm. Andy Meyers	Fort Bend	V									
10	Comm. Ken Clark	Galveston	X									
11	Judge Bill Magers	Grayson	V									
12	Judge Lina Hidalgo	Harris	P									
13	Judge Richard Cortez	Hidalgo	X									
14	Comm. Bo Alfred	Jefferson	X									
15	Judge Hal Richards	Kaufman	X									
16	Comm. Robin Donnelly	Midland	X									
17	Judge Barbara Canales	Nueces	X									
18	Judge Glen Whitley	Tarrant	V									
19	Comm. Margaret Gomez	Travis	V									
20	Judge Bill Gravell	Williamson	X									
21	Comm Kevin Burns	Wise County	X									

V - Present | P - Present by Proxy | X - Absent | E - Excused Absence

Chairman

Judge Matt Sebesta
Brazoria County

Chairperson-Elect

Comm. Theresa Daniel
Dallas County

Immediate Past Chair

Comm. Kevin Burns
Wise County

Vice-Chairpersons

Judge Eddie Treviño Jr.
Cameron County

Comm. Andy Meyers
Fort Bend County

Judge Lina Hidalgo
Harris County

Comm. Robin Donnelly
Midland County

Judge Glen Whitley
Tarrant County

Directors

Comm. David Stout
El Paso County

Comm. Bo Alfred
Jefferson County

Executive Director

John B. Dahill

Policy Director

Adam P. Haynes

Member Counties

Bell · Bexar
Brazoria · Brazos
Cameron · Chambers
Collin · Comal
Dallas · Denton
El Paso · Fort Bend
Galveston · Grayson
Harris · Hays
Hidalgo · Jefferson
Johnson · Kaufman
Lubbock · McLennan
Midland · Nueces
Potter · Randall
Rockwall · San Patricio
Smith · Tarrant
Travis · Webb
Williamson · Wise

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4. Consider the minutes from the January 6, 2021 meeting. [pg. 3]

5. Policy Director's Report [Adam Haynes]

a. Senate Committees

b. Senate Bill 1

6. Consideration of "Whistleblower" Legislation [John Dahill] [pg. 6]

Recommended Resolution:

RESOLVED by the Urban Counties Policy Committee that the Governance and Finance section of the Policy Platform is amended as follows:

Oppose granting whistleblower status to employees unless they report illegal conduct to a person designated by the employing governmental entity to receive such reports, the attorney general, or an appropriate law enforcement authority.

7. Discussion of Legislation Regarding Hiring Government Experts [Adam Haynes] [pg. 8]

8. New Business

9. Adjourn

Policy Committee Meeting

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January 6, 2021

Minutes

Members Present

Judge Eddie Trevino, Cameron County
Judge David Blackburn, Bell County
Commissioner Justin Rodriguez, Bexar County
Judge Matt Sebesta, Brazoria County
Commissioner Susan Fletcher, Collin County
Commissioner Theresa Daniel, Dallas County
Commissioner David Stout, El Paso County
Commissioner Andy Meyers, Fort Bend County
Judge Bill Magers, Grayson County
Judge Glen Whitley, Tarrant County
Commissioner Margaret Gomez, Travis County

Others Present

Commissioner Devan Allen, Tarrant County
Melissa Shannon, Bexar County
Darcy Cohen, Dallas County
Lily Painter, Dallas County
Charles Reed, Dallas County
Daniel Collins, El Paso County
Betsy Keller, El Paso County
Carlos Martinez, El Paso County
Ariana Campos, Harris County
Tammy Narvaez, Harris County
Ender Reed, Harris County (Proxy for Judge Hidalgo)
King Hillier, Harris Health
Chandler Merritt, Tarrant County
Russell Schaffner, Tarrant County
John Dahill, Texas Conference of Urban Counties

Andrea Godoy, Texas Conference of Urban Counties
Adam Haynes, Texas Conference of Urban Counties
Windy Johnson, Texas Conference of Urban Counties
Gabriela Villareal, Texas Conference of Urban Counties
Julie Wheeler, Travis County

Chairman Trevino called the meeting to order at 9:05 AM.

The Committee considered agenda **item 2**, the minutes from the November 19, 2020 meeting. On a motion by Commissioner Gomez and a second by Commissioner Daniel the minutes were approved.

The Committee discussed agenda **item 3**, administrative items, the next meeting date of 9:00am on Thursday, January 28, 2021.

The Committee discussed agenda **item 4**, the Policy Director's Report.

The Committee discussed Pre-filed Bills.

The Committee considered agenda **item 5**, Proposed Amendments to the Policy Platform.

The Committee considered amendments to the Policy Platform. On a motion by Commissioner Gomez and a second by Commissioner Daniel the principles were amended as follows:

1. Support property tax transparency and information proposals, ~~including but not limited to:~~
 - a. ~~Removing projected tax assessment information from the central appraisal district (CAD) notice of assessed value;~~
 - b. ~~Requiring proposed tax rates and hearing information be provided to the CAD where they would be made available to taxpayers online;~~
 - c. ~~Renaming the "effective" tax rate as the "no new revenue" tax rate;~~
 - d. Improving training and education requirements for appraisal review board members;
 - e. ~~Establishing a property tax administration advisory board to help with uniformity of appraisal forms, systems, and reports across districts;~~
and
 - f. Streamlining notice procedures for taxpayers, including separation of individual taxing entities' rates and respective tax amounts.
2. ~~Support the repeal of the Drivers Responsibility Program and the replacement of state funding for trauma care.~~

The Committee discussed agenda **item 6**, Legislation Regarding Hiring Government Experts.

The meeting adjourned at 10:20 AM.

Judge Eddie Trevino
Vice Chairperson of Policy

Date



Chairman

Judge Matt Sebesta
Brazoria County

January 28, 2021

Chairperson-Elect

Comm. Theresa Daniel
Dallas County

To: Urban Counties Policy Committee

From: John B. Dahill, Executive Director

Immediate Past Chair

Comm. Kevin Burns
Wise County

Re: **Consideration of “Whistleblower” Legislation**

Vice-Chairpersons

Judge Eddie Treviño Jr.
Cameron County

Comm. Andy Meyers
Fort Bend County

Judge Lina Hidalgo
Harris County

Comm. Robin Donnelly
Midland County

Judge Glen Whitley
Tarrant County

Directors

Comm. David Stout
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Comm. Bo Alfred
Jefferson County

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Adam P. Haynes

Member Counties

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Potter · Randall
Rockwall · San Patricio
Smith · Tarrant
Travis · Webb
Williamson · Wise*

Background:

Current Texas law provides “whistleblower” status to an employee of a state or local government who in good faith reports a violation of law by their employing entity or another public employee to “an appropriate law enforcement authority.” An appropriate law enforcement authority is one with jurisdiction to investigate and take action regarding the reported violation of law.

Rep. Celia Israel (D – Austin) has filed House Bill 550 to give whistleblower status if an alleged violation of law is reported in good faith to:

1. the reporting employee's supervisor at the employing governmental entity;
2. an individual or office designated by the employing governmental entity as the appropriate individual or office for reporting such grievances;
3. a member of the human resources staff of the employing governmental entity; or
4. the office of the attorney general; or
5. an appropriate law enforcement authority.

Rep. Israel filed a similar bill in 2015, and we joined the Texas Municipal League in opposition. We are concerned that inclusion of supervisors and any level of Human Resources (HR) staff as those who may receive reports of illegality will lead to false claims of such reports being made. The purpose of granting whistleblower protection is to encourage reporting of illegal conduct so that it may be stopped. Permitting such reports to be made to supervisors and HR staff at any level within the organization does not advance that goal, and creates too many chances for “he said – she said” fact disputes.

Recommended Resolution:

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RESOLVED by the Urban Counties Policy Committee that the Revenue, Budget, and Miscellaneous section of the Policy Platform is amended as follows:

Oppose granting whistleblower status to employees unless they report illegal conduct to a person designated by the employing governmental entity to receive such reports, the attorney general, or an appropriate law enforcement authority.



Chairman

Judge Matt Sebesta
Brazoria County

January 28, 2021

Chairperson-Elect

Comm. Theresa Daniel
Dallas County

To: Urban Counties Policy Committee

From: Adam Haynes, Policy Director

Immediate Past Chair

Comm. Kevin Burns
Wise County

Re: **Discussion of Legislation Regarding Hiring Government Experts**

Vice-Chairpersons

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Cameron County

Comm. Andy Meyers
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Judge Lina Hidalgo
Harris County

Comm. Robin Donnelly
Midland County

Judge Glen Whitley
Tarrant County

Bills have been filed to ban lobbying for all political subdivisions.

HB 749 by Middleton and SB 234 by Hall include a prohibition on

membership in CUC and provide for residents to seek relief if

a political subdivision engages a lobbyist or is a member of an

association that lobbies.

Directors

Comm. David Stout
El Paso County

Comm. Bo Alfred
Jefferson County

Executive Director

John B. Dahill

Policy Director

Adam P. Haynes

Member Counties

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- Smith · Tarrant*
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- Williamson · Wise*

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Principles of the Urban Counties Policy Platform

1. Urban Counties believe local government is more responsive and accountable to the citizens, advocates for the best interests of our constituents and communities, and should be utilized for service delivery whenever practical.
2. Urban Counties believe permissive authority provides better policy options while state mandates, revenue restrictions, and one-size-fits-all directives undermine voter self-determination and local responsibility.
3. Urban Counties believe the State increases local property taxes when it imposes obligations on local governments without providing adequate funding.
4. Urban Counties believe State funds collected for specific programs should be used for that purpose; allocated based upon population, number of clients, or other appropriate measure of the need for that program or service; and utilized for the benefit of Texans rather than being held to balance the State budget.
5. Urban Counties believe promoting the best interests of our communities involves advocating for legislation important to our local interests and limiting our ability to participate in the deliberative process is detrimental to the benefits of our constituents.

1 Taxation

1. Support the significant reduction of property tax rates by measures to reduce the cost of government and by replacing property tax revenue with revenue from other sources.
2. Require sales price disclosure on sale or transfer of real property.
3. Oppose any expansion of the pollution control property tax exemption that would include property used to produce goods or services.
4. Oppose expansion of tax exemptions for property owned by a taxpayer to include leased property other than property leased to a charter school for one or more grades from kindergarten through grade 12.
5. Support allowing local taxing units to set a residence homestead exemption as a percentage, a flat-dollar level, or a percentage with a minimum or maximum individual value.
6. Support reforms to the process for equity appeals of appraisals.
7. Oppose reducing the penalty when land that was previously appraised as agricultural or other open space property is converted to another use.
8. Oppose all new property tax exemptions, expansion of existing exemptions, or any other narrowing of tax base unless approved by the Urban Counties.
9. Support a significant increase in the school homestead exemption and ensure adjustments are made in state funding to schools to account for the exemption.
10. Support property tax transparency and information proposals, including but not limited to streamlining notice procedures for taxpayers, including separation of individual taxing entities' rates and respective tax amounts.

11. Support allowing school districts to increase their tax rate to a previously approved level after a decrease rather than having to hold a second increase ratification election;
12. Support protections for innocent and unwitting taxpayers that acquire property subject to governmental errors in previous tax years from having to pay back taxes due to those errors.
13. Oppose arbitrary limits on local governments to undermine fiscal resources that enable officials to meet their obligations and local priorities.
14. Support clarifying the calculation of the no new revenue rate to provide transparency.

2 Crime and Courts

1. Support full state funding for all mandatory Juvenile Justice Alternative Education Program placements in an amount adequate for year-round programs.
2. Support an increase in state funding for indigent defense purposes to cover increased costs incurred by local county taxpayers since the passage of the Fair Defense Act in 2001.
3. Support additional state funding for juvenile probation departments if the age of criminal responsibility is raised to 18.
4. Support sufficient State funding for local juvenile probation departments to pay for the full costs of keeping in local programs, or in regional detention facilities, all children diverted from State facilities through a restructuring of the State Juvenile Justice Department.
5. Support state payment to counties for costs of detaining in county jails technical parole violators and new-offense violators held solely for parole revocation purposes to end the practice of the state pushing costs associated with state prisoners onto local county taxpayers.
6. Oppose changes in court costs in criminal cases that are expected to have a negative fiscal impact to counties.
7. Support changes to pre-trial release to require the use of locally verified evaluation tools to determine a criminal defendant's risk of flight or danger to the community. Promote: (1) establishing pretrial risk assessments; (2) the elimination of bond schedules; (3) greater discretion for magistrates regarding pre-trial release; and (4) rebuttable presumptions in favor of personal bond.
8. Maintain current fee structure for the district court records and archives fee, the county court records management and preservation fee, and the records archive fee through 2029.
9. Support granting counties authority to judicially designate as uncollectible certain fees and costs of court.
10. Support expanded testing opportunities for court interpreter certification.
11. Support authorizing the issuance of temporary restraining orders in nuisance abatement cases.
12. Support the following revisions to the protective order process:
 - a. Permit any adult to file for a protective order on behalf of a minor or intellectually disabled victim of crime;

- b. Permit civil and criminal enforcement of agreed protective orders notwithstanding absence of a finding of family violence; and
- c. Permit default judgments in protective order cases upon 48 hours' notice of the application.

3 Transportation

1. Oppose eliminating local tolling options.
2. Support enhanced funding for freight transportation infrastructure projects to address economic growth and an ever-increasing population.
3. Support current weight requirements for vehicles operating on county roads, except for localized proposals supported by the local commissioners court.
4. Support local option fees for road improvements/additions if the fees are approved by the county's commissioners court.
5. Support the development of real-time scofflaw database maintained by DMV.

4 Health and Human Services

1. Support increased funding for mental health and substance abuse services state-wide.
2. Expand capacity of both forensic and civil beds in the state hospital system.
3. Support the continuation of the 1115 Medicaid Transformation Waiver.
4. Support state action related to state participation in the funding of indigent health care to maximize access to available federal funds.

5 Environment/Disaster Relief, Recovery, and Resilience

1. Support full funding for the Texas Emissions Reduction Plan (TERP) and maintain the integrity of the TERP program.
2. Support local administration of the LIRAP and LIP programs to ensure funds collected in the county are used in the county.
3. Use the TERP funds only for programs that will assist nonattainment and near nonattainment areas in meeting Environmental Protection Agency (EPA) Ozone standards.
4. Support using state funds for financing disaster mitigation, disaster prevention, disaster recovery, and resilience projects as long as local decision making is preserved to ensure local priorities are met.
5. Oppose any further erosion in the ability of local governments to hold violators of environmental laws and regulations accountable.

6 Development and Infrastructure

1. Oppose efforts to require local governments to pay penalties, including an opposing party's attorney fees and court costs in eminent domain proceedings.

2. Oppose changes to the criteria governments must meet to show “actual progress” on projects to prevent real property acquired through eminent domain to be subject to repurchase.

7 Public Safety and Emergency Management

1. Support giving all counties the option to adopt a fire code and rules necessary to administer and enforce the fire code.
2. Oppose creation of a new fireworks season unless commissioners courts are granted discretion over the sale of fireworks in that county for the new season.
3. Protect county authority to restrict or ban the sale and use of fireworks during drought conditions and when included in a local disaster declaration.
4. Support the current role of local emergency management authorities and the county judge in responding to potential and actual emergencies and disasters.
5. Support efforts to maintain the long-established prohibition of guns in any portion of a building used by court participants.
6. Support additional funding for DPS crime labs provided it does not negatively impact existing local crime labs.
7. Support reaffirming the authority of a county judge to direct response, mitigation, and recovery efforts during potential and actual emergencies and disasters.

8 Elections

1. Support the creation of an online voter registration system.
2. Expand the Countywide Polling Place Program for all counties.
3. Support state funding to counties for the purchase of new election equipment, including reimbursement for purchases made within the last 3 years.
4. Support grandfather provisions for all counties that purchased election equipment, in the last five years, that does not produce a paper audit trail.
5. Retain the current option to hold elections on uniform election dates.

9 Governance and Finance

1. Ensure commissioners court authority over county budgeting and contracting decisions.
2. Protect local taxpayers from unfunded state mandates, which drive local property tax increases, result in reductions in critical services, and infringe local control.
3. Support local control over compensation and benefits paid by the county.
4. Establish that any increase in the fees to be paid to attorneys appointed to represent indigent criminal defendants may not take effect until the adoption of the next county budget and require at least 90-day notice of the proposed increase to be provided to the commissioners court.
5. Support full state funding for representation of indigent parties in child welfare cases.

6. Support financial transparency requirements that permit the use of existing reports and other documents and that minimize the need to express the same information in different manner or reports that are duplicative of reports already required.
7. Support legislation that permits counties to post public notices electronically in lieu of print publication.
8. Oppose requirements to include on bond propositions information other than the total amount of bonds to be issued if approved and the proposed uses of the bonds.
9. Establish that the earliest effective date for any increase in salary budgets outside the control of commissioners court shall be the first day of the next county fiscal year following 90 days notice of the proposed increase to be provided to the commissioners court.
10. Support continued federal funding for local communities to help cover operational costs for holding undocumented criminal aliens in the criminal justice system and the costs to house them.
11. Oppose restrictions on the ability of local governments to effectively and efficiently communicate with the legislature and other state and federal entities.
12. Support proposals to permit public access to public information on the personal devices of public officers and employees that include reasonable provisions to guard against frivolous and abusive lawsuits against public officers and employees.
13. Oppose any measure that interferes with the authority of a county to select its legal counsel and establish the terms of representation.
14. Support using federal and state funds for financing disaster and emergency mitigation, prevention, recovery, and resilience projects provided local decision makers direct funds to meet community priorities.
15. Allow a commissioners court to delegate the authority to select and remove a county chief public defender.
16. Allow county commissioners to complete continuing education online.
17. Allow the county clerk to generate a randomized list of public names, compiled of people who served on a grand jury in the last year, to serve on a salary grievance committee.
18. Expand authority for governments to hold public meetings and briefings remotely.
19. Clarify the Alcoholic Beverage Code to prevent illegal after-hours bars.

Other Issues

Items in this list are legislative positions regarding initiatives of member counties or other groups or organizations.

1. **VSCO Reports** – Support granting commissioners courts discretion regarding oversight of veterans county service officers.
2. **Sheriff and Constable Fees** – Support the ability for a fee for sheriff or constable services that was previously approved by a county’s commissioners court to remain unchanged from the prior fiscal year unless changed by the court.

3. **County Property** - Support granting Bell County's commissioners court the discretion to order a nonbinding referendum in the county on any matter affecting county property.
4. **Sick Leave** - Support lowering the population bracket on the authority to permit county employees to donate their vacation leave to a sick leave pool.
5. **Signatory Authority** - Support the authority of a county judge to delegate to another county officer or employee the ability to sign orders or other official documents associated with the Judge's office.
6. **Spaceport Trust Fund** - Support reducing the local match requirement for the Spaceport Trust Fund.
7. **Drainage Compliance** -Support requiring compliance with drainage requirements before issuance of a certificate of plat compliance.
8. **Platting Requirements** - Support prohibiting a central appraisal district from recording land subdivisions not in compliance with platting requirements.