

Overview

- ▶ **Overview of City's Legislative Program and TML**
- ▶ **Background of Problem**
- ▶ **IG Committee**
- ▶ **Next Steps**
- ▶ **Recommendation**
- ▶ **Questions**



City's Legislative Program

- ▶ **Texas Legislature can greatly impact Texas cities**
- ▶ **Legislative Program aims to protect and enhance the City's ability to deliver priorities of residents, such as:**
 - 1. Quality services and programs, and**
 - 2. Health, safety and welfare of the public**

...by actively participating in the legislative process
- ▶ **Publically created & adopted by City Council for citizens**



Texas Municipal League (TML)

- ▶ **TML's purpose is to advance and sustain the interests of cities in Texas – 1,159 member cities statewide**
- ▶ **TML's Legislative Program is developed in two ways:**
 - 1. Resolutions process**
 - 2. Committee process**
- ▶ **TML Resolutions Committee will consider submissions at the 2018 TML Annual Conference held in October**
 - **Council Member Gandhi will represent Sugar Land**
- ▶ **Resolutions due by 5 PM on Aug. 27, 2018**



Legislative Timeline

Action	Date
Adopt City Council Resolution No. 18-26	Aug 21
Workshop 2019 Legislative Agenda	Sept 25
TML Annual Conference / <u>Resolutions Committee</u>	Oct 10-12
<u>Adopt 2019 Legislative Agenda</u>	Oct 16
<u>Pre-filing</u> Begins	Nov 12
<u>1st Day</u> of 2019 Legislative Session	Jan 8, 2019
Sine Die or <u>Last Day</u> of 2019 Legislative Session (140 th Day)	May 27, 2019



Background of Problem

- ▶ **Accidental release of low levels radioactive material in the SL Business Park in April 2015**
- ▶ **City was not notified by the State – informed by media**
- ▶ **City took proactive, deliberate measures to obtain answers from property owner and Department of State Health Services (DSHS)**
- ▶ **City found that radio-active particles found on neighboring properties and City-owned ditch (non-harmful, but in violation of City regulations)**



Background of Problem

- ▶ **City also confirmed by independent environmental consultants that there were no risks to general public**
- ▶ **City entered into a settlement agreement with property owner for violation of Chapter 11 of City's Development Code prohibiting illicit discharges**
- ▶ **Property owner has removed contamination from 14 properties and City's ditch – surveys of surrounding properties continue**



What did we learn?

- ▶ **Cities do not enjoy interagency status with state agencies on public health issues outside of their regulatory jurisdiction**
- ▶ **State not required to notify cities of incidents involving certain hazardous materials below “acceptable” levels**
- ▶ **Cities are not provided with:**
 - **List of properties that handle certain hazardous materials OR**
 - **List of which of these types of materials are being stored**
- ▶ **City is provided with Material Safety Data Sheets (MSDS), but radioactive materials are not shared with the City due to Homeland Security**



What did we learn?

- ▶ **Instead of notifying the City, DSHS policy is to inform the media**
- ▶ **Lack of information puts public and first responders at risk**
 - **First responders need to be prepared**
 - **Cities have first-hand knowledge of critical infrastructure that can be compromised**



What can we do?

- ▶ **Pass legislation that:**

- 1. Grants cities the right to obtain information on incidents within their jurisdiction that affect the public health of the general public and first responders**

AND

- 2. Requires state agencies to provide immediate notice to cities when incidents occur that may result in an immediate public health risk or compromise critical infrastructure within the city**



Recap

- ▶ Resolution No. 18-26 does not seek additional regulatory authority, only the right to be informed
- ▶ All hazardous material releases and spills are local
- ▶ Prepare first responders when responding to incidents
- ▶ Partners with the State
 - Cities know the area and local infrastructure systems
 - State has expertise as the regulatory agency



IG Committee

- ▶ **IG Committee met on July 17, 2018 to discuss staff's recommendation to pursue Resolution No. 18-26**
- ▶ **IG Committee reviewed the draft resolution via email**
- ▶ **Upon approval, Council Member Himesh Gandhi will present Resolution No. 18-26 to the TML Resolutions Committee on Oct. 11, 2018 at the TML Annual Conference in Fort Worth**



Next Steps

- ▶ **IGR Staff will submit Resolution to TML by Aug. 27th**
- ▶ **City will present resolution at TML Resolutions Committee held on Oct. 11th at the TML Annual Conference**
- ▶ **City legislative team will work with partners, such as**
 - **TML,**
 - **Other Texas cities,**
 - **and Fort Bend County State Legislators****...to pass legislation accomplishing Resolution No. 18-26.**



Recommendation

- ▶ **Staff recommends City Council approve Resolution 18-26, requesting TML to Seek Introduction and Passage of legislation granting cities the right to obtain information on incidents within their jurisdiction that affect the public health of the general public and first responders and obligating state agencies to provide immediate notice to cities when incidents occur that may result in an immediate public health risk or compromise critical infrastructure within the city.**



QUESTIONS

