



Mayor Javier Villalobos
Mayor Pro Tem/Commissioner Joaquin Zamora
Commissioner Tony Aguirre, Jr.
Commissioner J. Omar Quintanilla

Commissioner Rodolfo "Rudy" Castillo
Commissioner Victor "Seby" Haddad
Commissioner Pepe Cabeza de Vaca
City Manager Roel "Roy" Rodriguez, P.E.

**NOTICE OF WORKSHOP TO BE HELD BY THE
MCALLEN BOARD OF COMMISSIONERS
MONDAY, AUGUST 8, 2022 – 4:00 PM
MCALLEN CITY HALL
CITY COMMISSION CHAMBERS; 3RD FLOOR
1300 HOUSTON AVENUE
MCALLEN TEXAS, 78501**

AGENDA

<https://zoom.us/j/5087553077?pwd=TjduYjR4U2l3cWU1NjlsZzlsM2hJUT09>

Members of the public that wish to listen to the meeting can log in to the virtual Zoom meeting or dial (346) 248-7799 US (Houston) Meeting ID: 508 755 3077 Passcode: 878576.

Individuals that wish to participate in the meeting or comment on an agenda item should call (956) 681-1020 by 3:30 pm. Any individual dialing in acknowledges his or her phone number may be visible to the public.

"At any time during the course of this meeting, the City Commission may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the City Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at any time during the course of this meeting, the City Commission may retire to Executive Session to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more of the exceptions to the Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code."

CALL TO ORDER

1. Present questions to staff relating to the August 8, 2022 Regular Meeting Agenda, to be discussed at such meeting.
2. Discussion of Municipal Court of Record.
3. Discussion of Property and Casualty Coverage Options.
4. **EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY), SECTION 551.074 (PERSONNEL MATTERS) AND SECTION 551.087 (ECONOMIC DEVELOPMENT)**

- A) Discussion and possible lease, sale or purchase of Real Property, Tract 1. (Section 551.072, T.G.C.)
- B) Consultation with City Attorney regarding legal issues regarding use of public funds or credit for private purposes. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney regarding legislative process. (Section 551.071, T.G.C.)
- D) Consideration of Economic Development Matters. (Section 551.087, T.G.C.)

ADJOURNMENT

IF ANY ACCOMMODATION FOR A DISABILITY IS REQUIRED (OR INTERPRETERS FOR THE DEAF), NOTIFY THE CITY SECRETARY'S DEPARTMENT AT 681-1020 FORTY-EIGHT (48) HOURS PRIOR TO THE MEETING DATE. WITH REGARD TO ANY ITEM, THE BOARD OF COMMISSIONERS MAY TAKE VARIOUS ACTIONS INCLUDING BUT NOT LIMITED TO RESCHEDULING AN ITEM IN ITS ENTIRETY FOR A FUTURE DATE OR TIME.

C E R T I F I C A T I O N

I, the Undersigned Authority, do hereby certify that the attached agenda of the meeting of the McAllen Board of Commissioners is a true and correct copy and that I posted a true and correct copy of said notice on the bulletin board in the Municipal Building, a place convenient and readily accessible to the general public at all times, and said Notice was posted on August 5, 2022 at 3:30 PM and will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

/s/
Perla Lara, TRMC/CMC, CPM
City Secretary



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.

DATE SUBMITTED

MEETING DATE

8/8/2022

1. Agenda Item: Present questions to staff relating to the August 8, 2022 Regular Meeting Agenda, to be discussed at such meeting.
2. Party Making Request:
3. Nature of Request:
4. Routing:
Cindy Gonzalez
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:

Created -



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.

DATE SUBMITTED

MEETING DATE

8/8/2022

1. Agenda Item: Discussion of Municipal Court of Record.

2. Party Making Request:

3. Nature of Request:

4. Routing:
Connie Rodriguez

Created -

5. Staff Recommendation:

6. Advisory Board:

7. City Attorney:

8. Manager's Recommendation:

BECOMING A COURT OF RECORD

AUGUST 8, 2022

CITY COMMISSION WORKSHOP



AGENDA



- **WHAT IS A COURT OF RECORD?**
- **HOW IS A MUNICIPAL COURT CREATED?**
- **BENEFITS & DOWNSIDES**
- **MCALLEN MUNICIPAL COURT GOING FORWARD**



WHAT IS A MUNICIPAL COURT OF RECORD?

**DIFFERENCES BETWEEN NON-
RECORD AND RECORD COURTS**

JURISDICTION

Tex. Code of Crim. Proc. § 18.01

- Expanded power to sign warrants

Tex. Gov't Code § 30.00005

- All jurisdiction of non-record municipal courts;
- Criminal cases relating to the protection of watersheds and streams, parks, lakes, speedways and boulevards, nuisances, dairy and slaughterhouses;
- Concurrent jurisdiction with district and justice courts to expunge fine only offenses;
- (if granted by ordinance)
 - Concurrent jurisdiction with justice courts in criminal cases that arise within the territorial limits and are punishable by fine only;
 - Civil jurisdiction for dangerous structures/nuisances and junked/abandoned vehicles
 - Concurrent jurisdiction with a district or county court at law to enforce health, safety, and nuisance abatement ordinances;
 - Authority to issue search warrants for health and safety/nuisances abatement investigations and seizure warrants for securing, removing, or demolishing offending property/debris

JUDGES

Tex. Gov't Code § 30.00006

- Judges must:
 - Reside in Texas;
 - Be US citizens;
 - Be a licensed attorney in good standing;
 - Have two or more years of experience practicing law.
- Judges have a term of office of 2 or 4 years;
- Can grant writs of mandamus, attachment, and may issue writs of habeas corpus;
- May issue administrative search warrants;
- Salary determined by the governing body;
- Upon vacancy, the commission may appoint someone for the remainder of the term;
- Judges may be removed by the governing body.

RECORDINGS

TEX. GOV'T CODE § 30.00010

- INSTEAD OF A COURT REPORTER, THE PROCEEDINGS MAY BE RECORDED BY ELECTRONIC DEVICE.
- RECORDINGS BY ELECTRONIC DEVICE ARE NOT REQUIRED TO BE CERTIFIED BY A COURT REPORTER.
- IF APPEALED, THE PROCEEDINGS ARE THEN TRANSCRIBED AT THE COST OF THE REQUESTING PARTY.
- THE RECORD MUST BE RETAINED FOR 20 DAYS OR UNTIL ANY APPEAL IS FINAL, WHICHEVER OCCURS LAST.
- A RECORD IS NOT REQUIRED UNLESS A JUDGE OR ONE OF THE PARTIES REQUEST A RECORD.



APPEALS



TEX. GOV'T CODE §30.00014

- COUNTY COURTS AT LAW HAVE JURISDICTION OVER APPEALS
- APPEALS ARE DETERMINED ONLY BY ALLEGED ERRORS OF LAW
- DEFENDANTS STILL HAVE 10 DAYS TO FILE A MOTION FOR NEW TRIAL
- DEFENDANTS MUST GIVE NOTICE OF APPEAL
- DEFENDANTS ARE LIABLE FOR THE TRANSCRIPTION OF THE PROCEEDINGS.

HOW IS A MUNICIPAL COURT OF RECORD CREATED?

Tex Gov't Code § 30.00003(a)

The governing body (McAllen City Commission) may create a court of record by ordinance.

Tex Gov't Code § 30.00003(c)

The ordinance shall give each court a numerical designation, beginning with Municipal Court of Record No. 1



BENEFITS & DOWNSIDES

BENEFITS

- Reduction in the amount of appeals
- No more “leap frog” appeals
- Expanded jurisdiction for Code Enforcement
- Higher levels of transparency and accountability
- Considered the more “professional” court model
- Greater access to the court for citizens & offenders

DOWNSIDES

- Would need to purchase a recording system
- May need to hire additional staff in the future
- All judges are required to be attorneys

The background of the slide is a photograph of the McAllen Municipal Court building. The building is a modern, multi-story structure with a prominent arched roofline and large windows. It is set against a blue sky with some clouds. The entire image is covered with a semi-transparent blue overlay. On the far left, there is a solid dark blue vertical bar.

McALLEN MUNICIPAL COURT GOING FORWARD

MCALLEN MUNICIPAL COURT – PLANNING FOR THE FUTURE

- Technology Upgrades ✓ *(further upgrades pending)*
- Courtroom Renovation ✓
- Digital Blood Warrants ✓ *(beta testing done; aiming to implement full time in September)*
- Become a court of record
- Revamp the MC website *(pending; December 2022)*
- Develop & head a local municipal judges coalition ✓
- Start a local training program *(pending; October 2022)*
- Revamp the Teen Court program *(pending; December 2022)*
- Become paperless
- Expand services & hearings available outside of working hours
- As numbers increase, hire a second full time judge



QUESTIONS? CONCERNS?

CONTACT ME!

lsepulveda@mcallen.net

ORDINANCE NO. 2022- _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCALLEN AT CHAPTER 34 (“COURT”) TO AMEND REGULATIONS, STANDARDS, AND DEFINITIONS; TO MAKE CLARIFICATIONS, RENAME, RENUMBER AND REARRANGE THE CHAPTER AS APPLICABLE; PROVIDING FOR PENALTIES AS APPLICABLE; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of McAllen seeks to promote the public health, safety, morals and general welfare of the municipality and the safe, orderly, and healthful development of the municipality,

WHEREAS, the City of McAllen currently has a municipal court that is not a court of record,

WHEREAS, the City Commission has determined that establishing the Municipal Court Of Record In The City of McAllen, Texas is necessary to provide a more efficient disposition of the cases arising in the City and a more effective enforcement of the ordinances of the City, and is in the best interests of the citizens of McAllen,

WHEREAS, the City Commission finds that it is in the public interest to amend Chapter 34 of the McAllen Code Of Ordinances as provided below.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS, THAT:

SECTION I: The Code of Ordinances, City of McAllen, Chapter 34 (“Court”), is hereby amended as follows:

Sec. 34-1. Municipal Court Of Record Created.

- a) In accordance with the provisions of the City Charter and applicable State law, there is hereby created a municipal court in and for the city the municipal court of record In the City of McAllen, Texas. The municipal court of record shall be comprised of as many divisions as the city council deems as necessary.
- b) The Court shall have no term and may sit at any time for the transaction of business of the Court. Where the term “municipal court” is used in this Code of Ordinances, it shall mean the municipal court of record in the City of McAllen, Texas created under this chapter. Any provision of the City Charter, city ordinances, or state law that is applicable to a municipal court shall be applicable to the municipal court of record created herein, unless the provision is in conflict or inconsistent with Chapters 29 or 30 of the Texas Government Code, as amended, which governs the municipal courts of record.

Sec. 34-2. Jurisdiction.

(a) The municipal court of record shall have jurisdiction within the city with the power to hear and determine all cases of violation of this Code, the ordinances of the city, and all other cases of which the municipal courts are given jurisdiction by the Charter and state law.

(b) The municipal court of record shall also have:

- 1) Concurrent jurisdiction with a justice court in any precinct in which the municipality is located in criminal cases that arise within the territorial limits of the city and are punishable by fine only;
- 2) Civil jurisdiction for the purpose of enforcing municipal ordinances enacted under Subchapter A, Chapter 214, Local Government Code, or Subchapter E, Chapter

683, Transportation Code, as amended;

- 3) Concurrent jurisdiction with a district court or a county court at law under Subchapter B, Chapter 54, Local Government Code, within the City of McAllen's territorial limits and property owned by the municipality located in the municipality's extraterritorial jurisdiction for the purpose of enforcing health and safety and nuisance abatement ordinances; and
- 4) Authority to issue:
 - a. Search warrants for the purpose of investigating a health and safety or nuisance abatement ordinance violation; and
 - b. Seizure warrants for the purpose of securing, removing, or demolishing the offending property and removing the debris from the premises.

Sec. 34-3. Judge.

- a) The municipal court of record is presided over by the presiding municipal judge who shall be appointed by the City Commission by ordinance for a term of (2-4) years and who must at minimum be: a resident of this State; a citizen of the United States; a licensed attorney in good standing; and have two or more years of experience in the practice of law in this state. A person may not serve as a municipal judge if the person is employed as an employee of the City of McAllen. A municipal judge who accepts employment with the municipality vacates the judicial office.
- b) The municipal court judge appointed by the board of commissioners shall be known as the "presiding judge." Any alternate municipal court judge appointed under the City Charter shall be known as and serve as an "associate municipal judge." Associate municipal judges shall meet the same qualifications as the presiding

municipal judge.

- c) The presiding judge and associate municipal judges appointed hereunder are entitled to receive compensation and other benefits as set by the City Commission.
- d) The compensation of the presiding judge and associate municipal judges may not be diminished during the term of office and may not be based directly or indirectly on fines, fees, or costs collected by the court.
- e) A judge of the municipal court of record may be removed from office by the City Commission for the reasons stated and by the procedures provided by the City Charter or as provided by section 1-a, Article V, Texas Constitution.
- f) If a vacancy occurs in the office of the presiding judge or associate municipal judge, the City Commission shall appoint a qualified person to fill the office for the remainder of the unexpired term.
- g) The presiding judge and any associate municipal judge, prior to taking office, shall take the requisite oath of office required by the constitution and state law to be taken by the mayor.
- h) The presiding judge may assign an associate judge to act for the presiding judge who is temporarily unable to act for any reason. An associate municipal judge has all of the powers and duties of the office while acting for the presiding judge.
- i) The presiding judge and the associate municipal judges have all other powers and duties assigned to a municipal judge by the City Charter, other city ordinance, Chapters 29 and 30 of the Texas Government Code, Chapter 45 of the Code of Criminal Procedure, or other state law.
- j) The presiding judge and associate municipal judge may grant writs of mandamus,

attachment, or other writs necessary to the enforcement of a jurisdiction of the court and may issue writs of habeas corpus in cases in which the offense charged is within the jurisdiction of the court. A municipal judge is a magistrate and may issue administrative search warrants.

Sec. 34-4. Clerks

(a) Appointment. There is hereby created by the board of commissioners the office and position of the municipal court clerk and municipal court deputy clerks of the municipal court, who shall be appointed by the presiding judge of the municipal court. The municipal court clerk shall be known as the court administrator. The court administrator and other court personnel perform their duties under the direction and control of the presiding judge.

(b) Powers and duties. The clerk, and the deputy clerks, of the court shall perform all the duties and have all the powers bestowed upon the clerks of municipal courts by state law and by the Charter. ~~Any clerk or deputy clerk so appointed may act as the official clerk of the municipal court and perform all acts incident to such office.~~ The clerk or a deputy clerk shall keep and preserve the records of the municipal court of record, issue process, and generally perform the duties that a clerk of a county court exercising criminal jurisdiction is required by law to perform for that court. The clerk shall also maintain an index of all Court judgments in the same manner as county clerks are required by law to prepare for criminal cases arising in county courts.

Sec. 34.17. Record Of Municipal Court Proceedings

- 1) Upon request of the judge or upon written request of one of the parties to a trial, proceedings of the Municipal Court Of Record, limited to trial testimony and hearings on motions before the Court, shall be recorded. Court proceedings shall be recorded by a good quality electronic recording device. A court reporter is not required to be present to certify the reporter's record. The recording shall be kept for the 20-day period beginning the day after the last day of the court proceeding, trial, or denial of motion for new trial, whichever occurs last. If a case is appealed, the proceedings shall be transcribed from the recording by an official court reporter.

Sec. 34.18. Appeal; Appeal Bond; Fees.

- a) A defendant has the right of appeal from a judgment or conviction in the municipal court of record. The state has the right to an appeal as provided by Article 44.01, Texas Code of Criminal Procedure, as amended.
- b) The appellate court shall determine each appeal from the court on the basis of the errors that are set forth in the appellant's motion and that are presented in the clerk's record and reporter's record, if any, prepared from the proceedings leading to the appeal. An appeal from the court shall not be by trial de novo.
- c) To perfect an appeal, the defendant must file a motion for new trial not later than ten days after the date on which the judgment and sentence are rendered. The motion must set forth the points of error of which the appellant complains. The motion or an amended motion may be amended by leave of court at any time before action on the motion is taken, but not later than the 20th day after the date on which the original or amended motion is filed. The court may for good cause extend the time for filing or amending, but the extension may not exceed 90 days

from the original deadline. If the court does not act on the motion before the expiration of the 30 days allowed for determination of the motion the original or amended motion is overruled by operation of law.

- d) To perfect an appeal, the appellant must also give notice of the appeal. If the appellant requests a hearing on the motion for new trial, the appellant may give the notice of appeal orally in open court on the overruling of the motion. If there is no hearing, the appellant must give a written notice of appeal and must file the notice with the court not later than the tenth day after the date on which the motion is overruled. The court may for good cause extend that time period, but the extension may not exceed 90 days from the original filing date.
- e) If the defendant is not in custody, the defendant may not take an appeal until the defendant files an appeal bond with the municipal court of record. The bond must be approved by the court and must be filed not later than the tenth day after the date on which the motion for new trial is overruled. If the defendant is in custody, the defendant shall be committed to jail unless the defendant posts the appeal bond.
- f) The appeal bond must be in the amount of one hundred dollars (\$100.00) or double the amount of the fines and costs adjudged against the defendant, whichever is greater.
- g) The bond must:

(1) State that the defendant was convicted in the case and has appealed; and,

(2) Be conditioned on the defendant's immediate and daily personal appearance in the court to which the appeal is taken.

- h) After an order overruling a motion for new trial, the defendant shall give written notice of appeal and pay a fee for the preparation of the clerk's record of twenty-five dollars (\$25.00) not later than ten days after the date on which the motion is overruled. The court shall note the payment of the fee on the docket of the court. If the case is reversed on appeal, the fee shall be refunded to the defendant. The defendant shall pay the fee for the preparation of the clerk's record and the fee for an actual transcription of the proceedings.
- i) The appellant shall pay for any reporter's record containing a transcription of the proceedings unless the court finds, after a hearing in response to an affidavit by the defendant, that the defendant is unable to pay or provide security for the reporter's record. If the court so finds, the court shall order the reporter to prepare the record without charge to the defendant. Before the recorded proceedings are transcribed, the defendant shall, unless found by the court to be unable to pay for the reporter's record, post a cash deposit with the municipal court for the estimated cost of the record. The cash deposit shall be based on an estimate provided by the court reporter or the length of proceedings as indicated by the amount of tape used to electronically record the proceedings, if any, the cost of the court reporter, typing, and other incidental services. The municipal court may post a current schedule of the charges for transcription fees, including deposits. If the cash deposit exceeds the actual cost of the reporter's record, the court reporter shall refund the difference to the defendant. If the cash deposit is

insufficient to cover the actual cost of the transcription, the defendant must pay the additional amount to the court reporter before the transcription may be submitted. If a case is reversed on appeal, the court shall promptly refund to the defendant any amounts paid for the reporter's record.

- j) The record on appeal must substantially conform to the provisions relating to the preparation of a record on appeal in the Texas Rules of Appellate Procedure and the Texas Code of Criminal Procedure, as amended.

Section II: The City Secretary of the City of McAllen is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in McAllen, Hidalgo County, Texas in accordance with the Code of Ordinances of the City of McAllen, Section 2-56. Publication of ordinances.

SECTION III: The City Secretary of the City of McAllen is hereby authorized and directed to cause the language in Chapter 34 of the McAllen Code of Ordinances, as amended by Section I, hereinabove, to be published in the appropriate location in the said Code of Ordinances.

SECTION IV: This Ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners, and execution by the Mayor.

SECTION V: If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

CONSIDERED, PASSED and **APPROVED** this ____th day of _____ 2022, at a regular meeting of the Board of Commissioners of the City of McAllen, Texas at which a quorum was present, and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this ____ day _____, 2022.

CITY OF MCALLEN

By: _____

Javier Villalobos, Mayor

Attest:

Perla Lara, TRMC, City Secretary

Approved as to form:

Isaac Tawil, City Attorney



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

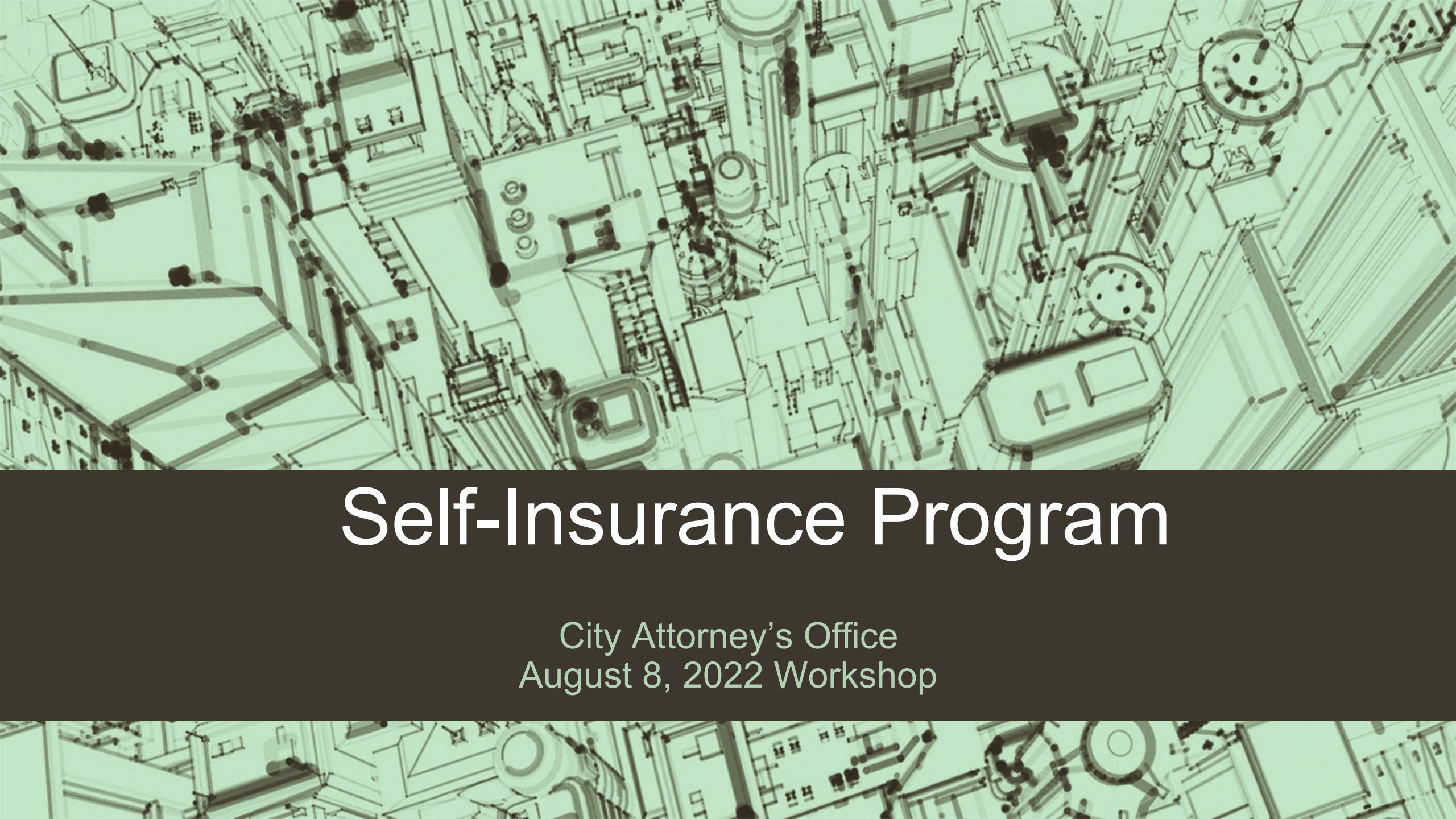
3.

DATE SUBMITTED

MEETING DATE

8/8/2022

1. Agenda Item: Discussion of Property and Casualty Coverage Options.
2. Party Making Request: Isaac Tawil
3. Nature of Request: "Discussion of property and casualty coverage options."
4. Routing:
Leilani Estrada Colima Created -
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:

An aerial, top-down view of a city street grid, rendered in a monochromatic green tint. The image shows a complex network of streets, buildings, and urban infrastructure, with a central area featuring a large, circular plaza or park. The perspective is from directly above, looking down on the city.

Self-Insurance Program

City Attorney's Office
August 8, 2022 Workshop

Agenda



- Brief History of the Self-Insurance Program
- Overview of the Program's Performance
- Options Moving Forward

History of the Self-Insurance Program

- Prior to Self-Insurance:
 - McAllen purchased property coverage from TML and was part of the TML Intergovernmental Risk Pool for casualty coverage.
 - Trend of McAllen's annual contributions to the Risk Pool significantly exceeded TML's annual expenditures

	2011-2012*	2012-2013	2013-2014
City's Contribution (Premium)	\$982,434.00	\$1,058,482.00	\$1,073,178.00
TML Expenditures**	\$2,812,066.20	\$608,468.20	\$112,656.40

- City Commission adopted an ordinance creating the Self-Insurance Program and establishing a Claims Review Board, effective October 1, 2015.

* Hailstorm

**Amount TML Spent – City Deductible

Self-Insurance Program Overview

- Objectives
 - Process all claims made against the City
 - Represent the City's subrogation interests
 - Defend lawsuits brought against the City or its employees/officials serving in their official capacity
- Administration
 - Two full-time, in-house claims adjusters
 - Two in-house attorneys*
- Oversight and Reporting
 - The City's Claims Review Board, which consists of the City Manager, Finance Director, Risk Management Director, City Attorney and MPU General Manager, reviews all claims.
 - City Attorney's Office provides periodic reports to the City Commission and requests authorization to settle any claims/suits of \$50,000 or more

*Legal services are funded through the City Attorney's Office Budget.

Settlement-Subrogation Analysis 2015-2021

Fiscal Year	Settlement Payments	Subrogation Recoveries
2015-2016	\$25,177.25	\$27,561.04
2016-2017	\$293,636.51	\$133,841.51
2017-2018	\$219,668.26	\$445,912.53
2018-2019	\$264,920.87	\$101,646.65
2019-2020	\$444,479.62	\$206,609.98
2020-2021	\$384,358.17	\$174,871.40
Average	\$326,448.14	\$218,088.62
Total	\$1,632,240.68	\$1,090,443.11

Enhanced Features of the Program

- Improved Customer Service
- Subrogation Recoveries
- Control
- Fiscal Responsibility

Why Now?



First-Party Property Coverage Update

- The City has maintained its property coverage with TML despite leaving the Risk Pool and implementing the Self-Insurance Program
- Effective October 1, 2022, TML will **ONLY** offer property coverage if the City has all eligible liability coverages through the Risk Pool.

Coverage Options 1-3

Option 1: TML (Traditional)		Option 2: TML (Modern)		Option 3: Conventional	
Property Premium	\$378,687	Property Premium	\$378,687	Property Premium	\$760,000
Deductible (per claim)	\$500,000 AOP* 1% Wind/Hail	Deductible (per claim)	\$500,000 AOP* 1% Wind/Hail	Deductible (per claim)	500% AOP 2% Wind/Hail
Casualty Premium	\$893,147	Casualty Premium	\$173,835	Casualty Premium	Remains in-house
Casualty Deductibles	\$10k Gen. Liab. \$25k LE and E&O \$1k Auto Liab.	Casualty Deductibles	\$500,000 <u>each claim</u>	Casualty Deductibles	N/A

*AOP- All Other Perils

Total Value of Property Schedule: \$383,351,642

Coverage Option 4: Modified Conventional

The City could insure less than the full value of its property schedule on the open market (“Maximum Loss Limit”) and continue the Self-Insurance Program. For context, during the catastrophic hailstorm in FY 2011-2012, TML’s losses after the City’s deductible was approximately \$2.8M.

Option 4: Modified Conventional (\$50M Loss Limit)	
Property Premium	\$530,000-\$609,000
Deductible (per claim)	\$500,000 AOP* 2-3% Wind/Hail
Casualty Premium	Remains In-House
Casualty Deductibles	N/A

Summary of Options

1

TML Traditional

Purchase casualty coverage from TML in order to be eligible for continued property coverage. Cease the self-insurance program and the associated benefits.

2

TML Modern

Purchase casualty coverage from TML at a steep discount with a \$500k per claim deductible, essentially remaining self-insured to participate in the favorable property premium.

3

Conventional

Purchase property coverage on the open market for the full value of the property schedule at nearly double what is currently paid to TML and continue to operate the self-insurance program

4

Modified Conventional

Purchase property coverage on the open market for less than the full value of the property schedule, known as a Maximum Loss Limit. Continue to operate the self-insurance program.



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.A.

DATE SUBMITTED

MEETING DATE

8/8/2022

1. Agenda Item: Discussion and possible lease, sale or purchase of Real Property, Tract 1. (Section 551.072, T.G.C.)
2. Party Making Request: Isaac Tawil
3. Nature of Request: Discussion and possible lease, sale or purchase of Real Property, Tract 1. (Section 551.072, T.G.C.)
4. Routing:
Leilani Estrada Colima Created -
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.B.

DATE SUBMITTED

MEETING DATE

8/8/2022

1. Agenda Item: Consultation with City Attorney regarding legal issues regarding use of public funds or credit for private purposes. (Section 551.071, T.G.C.)
2. Party Making Request: Isaac Tawil
3. Nature of Request: Consultation with City Attorney regarding legal issues regarding use of public funds or credit for private purposes. (Section 551.071, T.G.C.)
4. Routing:
Leilani Estrada Colima Created -
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.C.

DATE SUBMITTED

MEETING DATE

8/8/2022

1. Agenda Item: Consultation with City Attorney regarding legislative process. (Section 551.071, T.G.C.)
2. Party Making Request: Isaac Tawil
3. Nature of Request: Consultation with City Attorney regarding legislative process. (Section 551.071, T.G.C.)
4. Routing:
Leilani Estrada Colima Created -
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.D.

DATE SUBMITTED

MEETING DATE

8/8/2022

1. Agenda Item: Consideration of Economic Development Matters. (Section 551.087, T.G.C)
2. Party Making Request: Isaac Tawil
3. Nature of Request: Consideration of Economic Development Matters. (Section 551.087, T.G.C)
4. Routing:
Leilani Estrada Colima Created -
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation: