Opioid Class Action: July 30 Deadline to Submit Proof of Claim in the Purdue Pharma Bankruptcy Case

Texas cities have begun receiving this governmental opioid claimant proof of claim form in the Purdue Pharma bankruptcy proceedings. Purdue Pharma is one of the defendants in the opioid class action, about which the League previously reported. Unless a city opted out of the class action, the city is a party to the action. In order to preserve the city's claim against Purdue in the class action, the city will need to fill out the form in the bankruptcy proceedings by the July 30 deadline.

The plaintiffs in the bankruptcy proceeding have created a website (functions best in Google Chrome) that estimates governmental entities' claims against Purdue, as calculated by an economic expert appointed by the plaintiffs. Interested city officials are encouraged to work with their city attorneys to complete the form.

Annual Voting Systems Report Deadline is July 15

The League received the following emailed information from the Secretary of State's Elections Division, which provides instructions for city elections officials to complete the Annual Voting Systems Report (AVSR) by the July 15 deadline. The link to complete and submit the report online is included near the end of the email:

Dear Election Officials for Cities, Schools and Other Political Subdivisions,

The Texas Election Code (§123.061) requires that all political subdivisions complete the Annual Voting Systems Report (AVSR). <u>The report must be completed between July 1 and July 15 of every year</u>. If you will not be able to complete the report by July 15, please complete it as soon as possible. We understand that many school districts are closed during this time, and many people are taking their summer vacation. However, completion of the report is required.

If your county officials will be assisting you with completion of the AVSR, please note they have been copied on this email.

PLEASE READ THE FOLLOWING INFORMATION <u>BEFORE</u> YOU BEGIN:

<u>There is no password required.</u> You will simply need to click on the link below, answer the questions, and click submit.

We **strongly recommend collecting the information listed below** before you begin. The system will save information if it's accessed from the same computer using the same web browser, but otherwise will not retain information. Therefore, we recommend collecting the information you need and entering it at one time.

1. **Entity Type** (City, School, Hospital, Library, Public Safety, Utility, Water, Other): <u>NOTE</u>: If your type is "other" you may specify your type by writing in the box provided.
2. **Name of Your Entity.** <u>NOTE</u>: The entities that have filed an AVSR in past years are listed on the drop-down menus that are categorized alphabetically. If your entity's name is not on this list, there is a box provided for you to type in the name of your entity.
3. **Entity Mailing Address, City and Zip Code**.
4. **Contact Information for Elections Coordinator:** This includes: first name, last name, title, phone, fax and email. If you do not have a fax number or email address, you may leave those fields blank. <u>NOTE</u>: We use this information to contact you about elections, primarily via email. We send out our advisories, calendars and other memorandums. Therefore, if the person completing the AVSR is not the elections coordinator, or whoever handles elections for your entity, that is fine, but please enter the contact information for the person that is responsible for elections.
5. **Location of Political Subdivision by County/Counties:** This is simply all the counties in which your political subdivision has territory. If your political subdivision is only located in one county, you will select from the drop down menus in the COUNTY 1 line. The list of counties is broken into 2 drop-menus by alphabet. If your political subdivision is located in multiple counties, you will use the additional lines to enter the information.
6. **Voting System Used:** You will need to select one of the following options:
   • Entity Purchased Voting Systems: This is for entities that own their own equipment-you are not leasing it either from the county or a vendor.

- Entity Leased Equipment from County: This is for entities that lease equipment from a county for their elections. If you contract with a county to conduct your election, this would be the correct option.
- Entity Leased from Vendor: This is for entities that lease equipment from a vendor (ES&S or Hart), including a lease of ADA accessible voting equipment such as a ballot marking device (AutoMARK) or a DRE (iVotronic or e-Slate).
- N/A: This is for entities that are not required to use electronic voting systems under Section 61.013 of the Texas Election Code (those that are exempt due to population threshold or those that have shown undue burden).

7. **If your entity held a general election this year**: A general election would be one for electing the members of your governing body that is scheduled to occur at regular intervals (city council, school board trustees, boards of directors for other political subdivisions, etc.)

8. **Month of General Election (May or November)**: If you did not hold a general this year because it was cancelled or it was not set to occur within the past year, please just select the month that you hold your general elections.   If you postponed your election from May to November, please mark "May" as when your elections normally occur and complete the postponement questions that follow.

9. **Year of General Election (Annually, Even-Numbered Year, Odd-Numbered Year):** As with above, please enter the timeframe in which your entity is scheduled to hold its election.

10. **Rate of Pay for Election Judges and Clerks:** If you did not an hold an election this year, please just enter the rate of pay as if you had an election. If your county conducted your election, you will want to work with them on obtaining this information, if not included your contract.

Additional Information to Collect **ONLY** if your entity held a general election:

11. **Number of Polling Places:** You will need the number of polling places used for early voting and on election day. If your county conducted your election, you may want to work with them on obtaining this information.

12. **Number of Election Judges and Clerks:** You will need both the number of election judges and clerks that worked during early voting and on election day. If your county conducted your election, you may want to work with them on obtaining this information.

13. **Total Cost of Election:** If your entity contracted with the county, you will need to enter what your entity paid to the county, plus any other costs incurred by your entity.

Once you have compiled the following information, please click on the following link and complete the AVSR: https://www.surveymonkey.com/r/2020AVSRCSO.

If you have any questions or you need assistance, please contact Tamara Schoonmaker at tschoonmaker@sos.texas.gov.

TWDB Regional Flood Planning Group Nominations Deadline Extended to July 17

The Texas Water Development Board (TWDB) has extended the deadline for nominations for membership on regional flood planning groups to July 17, 2020. The League previously reported that the TWDB was soliciting applications.

Thus far, each of the fifteen flood planning regions has at least one nomination for the municipality interest category for every region. However, some regions have no nominations for water utilities, among other categories.

Regional Flood Planning Group Membership Nominations Received
(as of July 2nd)

Legend: 0 = white, 1-2 = gray, 3+ = black

Flood Planning Region	Agricultural interests	Electric generating utilities	Environmental interests	Flood districts	Industries	Counties	Municipalities	Public	River authorities	Small businesses	Water districts	Water utilities
1. Canadian-Upper Red	0	0	0	0	0	1-2	3+	1-2	1-2	0	1-2	1-2
2. Lower Red-Sulphur-Cypress	1-2	1-2	1-2	1-2	0	1-2	1-2	1-2	1-2	0	3+	0
3. Trinity	1-2	1-2	3+	1-2	1-2	1-2	3+	1-2	3+	3+	1-2	1-2
4. Sabine	1-2	1-2	0	1-2	1-2	1-2	3+	1-2	1-2	3+	1-2	1-2
5. Neches	3+	0	3+	1-2	3+	1-2	3+	1-2	3+	1-2	1-2	1-2
6. San Jacinto	3+	1-2	3+	3+	3+	3+	3+	3+	3+	3+	3+	3+
7. Upper Brazos	3+	0	1-2	0	0	3+	3+	1-2	1-2	0	1-2	0
9. Upper Colorado	1-2	1-2	3+	0	1-2	1-2	1-2	1-2	1-2	1-2	1-2	1-2
8. Lower Brazos	1-2	1-2	3+	3+	1-2	3+	3+	3+	3+	3+	3+	0
10. Lower Colorado-Lavaca	3+	1-2	1-2	3+	1-2	3+	3+	3+	3+	3+	3+	0
11. Guadalupe	3+	0	3+	1-2	0	3+	3+	3+	1-2	1-2	3+	1-2
12. San Antonio	1-2	0	3+	1-2	1-2	1-2	3+	1-2	1-2	1-2	1-2	0
13. Nueces	1-2	1-2	1-2	1-2	1-2	1-2	3+	3+	1-2	3+	1-2	0
14. Upper Rio Grande	1-2	1-2	0	0	1-2	1-2	1-2	1-2	0	1-2	1-2	0
15. Lower Rio Grande	3+	0	3+	3+	3+	1-2	3+	1-2	1-2	3+	1-2	3+

Number of nominations received as of July 2nd: 0 | 1-2 | 3+   **TOTAL: 470+**

City officials interested in additional information regarding this solicitation and submission instructions may review the regional flood planning group member solicitation document and use the online member nomination form.

Don't Forget: Emergency Management Resources Available

In Texas, local governments – including cities – are the first line of defense during a disaster. Because of that, the League has prepared emergency management resources that cities may find helpful in the event of a disaster. This information, which consists of legal FAQs, example documents, and helpful resources, is available here.

A new development in the area is the release of the Federal Emergency Management Agency's 2020 Hurricane Pandemic Plan, which provides guidance to state and local officials to prepare for response and recovery operations, and it encourages personal preparedness measures amidst the ongoing COVID-19 pandemic. While the document focuses on hurricane season preparedness, most planning considerations can be applied to any disaster operation in the COVID-19 environment, including no-notice incidents, spring flooding, and wildfire seasons.

Coronavirus (COVID-19) Updates

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

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

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