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RESOLUTION NO. 19-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, EXPRESSING OPPOSITION TO THE USE OF UNFUNDED FEDERAL AND STATE MANDATES TO ADDRESS NATIONAL AND STATE ISSUES.

WHEREAS, federal and state governments have increased the number of unfunded mandates in recent years; and

WHEREAS, such mandates are placing a heavy burden on local governments for non-direct benefits; and

WHEREAS, local governments are having difficulty finding fiscal resources to meet these mandates; and

WHEREAS, this situation is projected to increase in the coming years; and

WHEREAS, these mandated programs are based on a worst case scenario, in some cases without empirical evidence; and

WHEREAS, mandates are unilaterally applied to all cities without fail, not allowing flexibility for local exceptions; and

WHEREAS, the Environmental Protection Agency's NPDES storm water program alone will cost the City of Mesquite approximately \$1.42 million in the next four years; and

WHEREAS, the state government has stated that the drinking water testing must be done by their personnel rather than the North Texas Municipal Water District, which will increase the City of Mesquite's planned costs; and

WHEREAS, the Americans with Disabilities Act enforced by the Equal Employment Opportunity Commission and the Department of Justice, although admirable in intent, placed a fiscal burden on cities which is so large that its final costs cannot be determined at this time, but may be in the range of millions of dollars; and

WHEREAS, the recently promulgated Sub-title D regulations which regulate landfills have placed a burden on the City of Mesquite's budget; and

WHEREAS, this burden was compounded by the Texas Department of Health's promulgation of landfill tipping fees now governed by the Texas Water Commission; and

WHEREAS, citizens are particularly upset with government for increasing tax and fee rates; and

WHEREAS, the City of Mesquite will have to "pass through" all of these costs to the citizens to keep the City in a responsible fiscal condition; and

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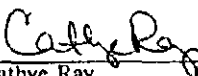
WHEREAS, the City of Mesquite will communicate both verbally and in writing at every opportunity that these increased costs are a result of federal and state governments' increased reliance on unfunded local mandates to shift the fiscal burden onto local governments and their citizens for mandated programs which tend to satisfy small interest groups.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the City of Mesquite, Texas goes on record as opposing the use of unfunded federal and state mandates to address national and state issues.

Further, as an expression of the City of Mesquite's strong opposition to this issue, copies of this resolution shall be provided to President George Bush, Democratic Candidate Governor Bill Clinton, Senator Lloyd Bentsen, Senator Phil Gramm, Representative John Bryant, Representative Sam Johnson, State Senator John Leedom, State Senator David Sibley, State Representative Bill Blackwood, State Representative Al Granoff, the Environmental Protection Agency, the Texas Water Commission, the Equal Employment Opportunity Commission, and the Department of Justice.

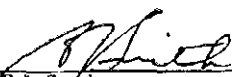
DULY RESOLVED by the City Council of the City of Mesquite, Texas, on this 3rd day of August, 1992.

  
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Cathye Ray  
Mayor

ATTEST:

APPROVED:

  
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Lynn Prugel  
City Secretary

  
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B.J. Smith  
City Attorney