

Bond Case Briefs

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MUNICIPAL CORPORATIONS - TEXAS

In re City of Galveston

Supreme Court of Texas - May 7, 2021 - S.W.3d - 2021 WL 1822939

Municipality petitioned for writ of mandamus to compel state officials to refer claim for reimbursement of settlement with contractor that performed disaster relief work to State Office of Administrative Hearings (SOAH) for administrative law judge to hear it.

The Supreme Court held that:

- Referring agency did not have any authority to interpret provisions of statute establishing mediation process for certain disputes between state agencies and their contractors;
- Municipality's petition was related proceeding within meaning of municipality's agreement to not sue Commissioner of General Land Office in "any related proceeding," and therefore Supreme Court would not issue mandamus relief; and
- Denial of municipality's petition did not prevent municipality from seeking reimbursement through legislative appropriation.