



AN AFFILIATE OF THE
TEXAS MUNICIPAL LEAGUE

January 14, 2014

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TEXAS 78754-5128
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www.texascityattorneys.org

MEMORANDUM

TO: TCAA Board

FROM: Scott Houston

SUBJECT: January 24, 2014, TCAA Board Meeting

The next TCAA Board meeting will be held on Friday, January 24, 2014, at 10:00 a.m. at the Hyatt Hill Country Resort and Spa in San Antonio. Considering the subject matter of the future summer conference location, the meeting may be slightly longer than usual. TCAA will provide box lunches in case the meeting goes into the lunch hour.

Here is a link to the hotel's website:

<http://hillcountry.hyatt.com/>

Your packet for the agenda is enclosed. The packet is three-hole punched and divided for your convenience.

I look forward to seeing you in San Antonio. Please contact me at 512-231-7464 (office) or 512-791-4158 (mobile) should you have questions.



Texas City Attorneys Association

Board of Directors Meeting

San Antonio
January 24, 2014



TCAA
Board of Directors
2013-2014

President

Mary Kay Fischer
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Angleton, TX 77515-6023
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First Vice President

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Recorder

Karen Horner
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Directors

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palumbodot@cityofgalveston.org

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alan@texasmunicipallawyers.com

Ron Stutes
Potter Minton
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500 Plaza Tower
Tyler, TX 78702
903-597-8311 office
903-593-0846 fax
ronstutes@potterminton.com

Past President

Frank Garza
Davidson, Troilo, Ream &
Garza, P.C.
7550 IH 10 W, Ste. 800
San Antonio, TX 78229-5814
210-349-6484 office
210-349-0041 fax
fgarza@davidsontroilo.com

TML Board Representative

Tyrone Cooper
City Attorney
801 Main Street
Beaumont, TX 77701
409-880-3715 office
409-880-3121 fax
tcooper@ci.beaumont.tx.us

Agenda

TCAA Board of Directors

Friday, January 24, 2014

10:00 a.m.

Hyatt Hill Country Resort – San Antonio

9800 Hyatt Resort Drive

1. Consider the minutes from the October 9, 2013, board meeting.
2. Fifteenth Annual Riley Fletcher Basic Municipal Law Seminar update. Consider skipping 2015 conference.
3. Austin conference evaluations.
4. Consider adding Analeslie Muncy to summer 2014 honorary member inductee list.
5. Consider creation of “TCAA Outstanding Mentor Award.”
6. Approve 2014-2015 TML affiliate services agreement.
7. Approve program for 2014 Summer Conference in South Padre. Consider T-shirt or other commemorative item.
8. Designate location for 2015 and on summer conferences.
9. Next TCAA Board meeting to be held in South Padre at 4:00 p.m. on June 18, 2014.
10. Other business.
11. Adjourn.

Texas City Attorneys Association

Budget Summary

FY 2013 - 2014

INCOME:

Membership Dues	23,080
Investment Income	7,000
Semi-Annual Meeting (Summer)	45,000
Riley Fletcher Seminar	11,250
Sponsor Revenue	<u>17,500</u>
TOTAL:	\$103,830

EXPENSES:

Board Meetings	3,520
Semi-Annual Meeting (TML)	9,200
Semi-Annual Meeting (Summer)	25,850
Riley Fletcher Seminar	8,450
Newsletter	14,280
Web site	4,840
Administrative Services	9,290
Miscellaneous	<u>15,075</u>
TOTAL:	\$90,505

2013 - 2014 BUDGETED SURPLUS: \$13,325
TOTAL RESERVE FUNDS: (Approximate) \$180,000.00

Texas City Attorneys Association

Budget Detail

FY 2013 - 2014

INCOME

Membership Dues:

194 City Attorneys (\$60.00)	11,640
183 Assistant City Attorneys (\$30.00)	5,490
85 Associate Members (\$70.00)	<u>5,950</u>
Total:	\$23,080

Investment Income:

Current Rates	\$7,000
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Semi-Annual Meeting (Summer):

180 Registered (\$250.00)	\$45,000
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Riley Fletcher Seminar:

75 Registered (\$150.00)	\$11,250
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Sponsor Revenue:

\$17,500

TOTAL INCOME: \$103,830

EXPENSES

Board Meetings:

3 Board Meetings (\$420 staff time each), plus board shirts and misc	2,520
Out of town Board Meeting staff travel	<u>1,000</u>
Total:	\$3,520

Semi-Annual Meeting (TML):

MCLE	200
Refreshment Breaks	4,000
AV Charges	4,000
Miscellaneous (Including publicity)	<u>1,000</u>
Total:	\$9,200

Semi-Annual Meeting (Summer):

Conference Gift (e.g. coolers)	3,000
MCLE	200
Refreshment Breaks	8,500
TML Staff Contract	3,990
TML Staff Expenses	1,500
Conference Supplies	1,650
Postage	500
Galen Sparks/ Susan Rocha Attendees	1,350

Texas City Attorneys Association

Budget Detail

FY 2013 - 2014

Speaker Expenses	1,000
Publicity	1,000
Miscellaneous	<u>3,160</u>
Total:	\$25,850

Riley Fletcher Seminar:

MCLE	200
Publicity	1,000
Staff Expenses	800
Refreshment Breaks and Luncheon	3,000
AV Charges	1,560
Administrative Agreement	<u>1,890</u>
Total:	\$8,450

Newsletter:

12 issues (\$1,190 per issue)	\$14,280
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Website:

Annual Service Agreement	840
New Additions	2,000
Video Replay Posting and Admin Costs	<u>2,000</u>
Total:	\$4,840

Administrative Services:

506 Members (\$15.00)	7,590
Financial Charges	<u>1,700</u>
Total:	\$9,290

Miscellaneous:

Printing and Reproduction	300
Awards and Recognition	1,300
Office Supplies	100
Public Relations	300
Professional Fee - Audit	1,000
Telephone	75
LisTCAA Listserv Service Fee	600
Postage	300
IMLA Small City Membership Contributions	3,000
Four IMLA Conference Scholarships	8,000
Miscellaneous	<u>100</u>
Total:	\$15,075

TOTAL EXPENSES: \$90,505

Texas City Attorneys Association
Profit and Loss Statement
For the Five Months Ending November 30, 2013

	September	October	November	YTD	Budget	Variance
Membership Dues	\$3,659.57	\$756.07	\$213.27	\$23,465.33	\$23,080.00	(\$385.33)
Investment Income	397.04	397.03	355.19	1,866.67	7,000.00	5,133.33
Semi-Annual Meeting (Summer)					45,000.00	45,000.00
Sponsor Revenue					17,500.00	17,500.00
Riley Fletcher Seminar					11,250.00	11,250.00
CML Revenue			100.00	100.00		(100.00)
Total Revenue	4,056.61	1,153.10	668.46	25,432.00	103,830.00	78,398.00
Professional Fees	1,000.00			1,000.00	1,000.00	
Telephone	0.37		0.34	17.78	75.00	57.22
Postage	28.38	6.12		266.28	300.00	33.72
Boards and Committees	315.00	2,468.33	105.00	2,888.33	3,520.00	631.67
Semi-Annual Meeting (TML)	900.00	1,842.88	(44.39)	5,182.35	9,200.00	4,017.65
Semi-Annual Meeting (Summer)	997.50	332.50	332.50	1,604.52	25,850.00	24,245.48
Riley Fletcher Seminar	472.50	157.50	157.50	787.50	8,450.00	7,662.50
Public Relations		85.00		362.52	300.00	(62.52)
IMLA Scholarships		5,399.48		5,399.48	8,000.00	2,600.52
IMLA Small Cities Membership Contri	3,000.00			3,000.00	3,000.00	
Printing and Reproduction	18.62	0.28	0.68	38.22	300.00	261.78
Newsletter	1,530.00	1,190.00	1,190.00	5,950.00	14,280.00	8,330.00
Awards & Recognition	103.38			1,103.38	1,300.00	196.62
Office Supplies		168.04		168.04	100.00	(68.04)
LisTCAA Listserve	50.00	50.00	50.00	250.00	600.00	350.00
Web Site Expenses	1,730.00	70.00	70.00	2,652.93	4,840.00	2,187.07
Miscellaneous					100.00	100.00
Administrative Services	1,348.71	367.95	187.95	7,974.75	9,290.00	1,315.25
Total Expenses	11,494.46	12,138.08	2,049.58	38,646.08	90,505.00	51,858.92
Net Income (Loss)	(7,437.85)	(10,984.98)	(1,381.12)	(13,214.08)	13,325.00	26,539.08
Beginning Net Assets				180,642.51		
Ending Net Assets				167,428.43		

TAB

1

Minutes
TCAA Board of Directors
Wednesday, October 9, 2013 – Eddie V's – Austin

Board President Frank Garza called the meeting to order at 6:10 p.m.

Board members present:

Mary Kay Fischer

Sylvia Firth

Dottie Palumbo

Alan Bojorquez

Frank Garza

Tyrone Cooper

Kathy Davis

Paige Mims

Karen Horner

Karen Kennard

Board members absent:

Marcus Norris

TML staff present:

Scott Houston

Heather Mahurin

JJ Rocha

Other guests present:

Diane Wetherbee

Charlie Zech

1. Consider the minutes from the June 5, 2013, board meeting.

Motion was made and seconded to approve the minutes, and the motion was unanimously adopted.

2. Fifteenth Annual Riley Fletcher Basic Municipal Law Seminar: Approve date and speaker program.

Motion was made and seconded to approve the staff-presented seminar with a different speaker for economic development, and the motion was unanimously adopted.

3. Approve honorary members for induction in summer 2014: Carroll Graham – Dallas (Deceased), Jimmy Bray – Corpus Christi (Deceased), Tom Akins – Denison (Retired), and Diane Wetherbee – Plano (Soon-to-be retired).

Motion was made and seconded in accordance with Article III, Section 3, of the TCAA Constitution to submit the following honorary members to the membership at the 2014 summer conference:

- Carroll Graham – Dallas (Deceased)

- Jimmy Bray – Corpus Christi (Deceased)
- Tom Akins – Denison (Retired)
- Diane Wetherbee – Plano (Soon-to-be retired)
- Charlie McNabb – El Paso (Retired)

4. TCAA Summer Conference Location.

President Frank Garza led a discussion of moving the location of the TCAA summer conference after 2014. After discussion, the following motions were proffered:

- Motion was made by Dottie Palumbo and seconded by Kathy Davis to conduct a survey of all TCAA members, to include each respondent's title and position, prioritizing the 2015 summer conference location using the following choices: (1) San Luis, Galveston; (2) Moody Gardens, Galveston; (3) Hyatt Lost Pines, Bastrop; (4) Hyatt Hill Country, San Antonio; (5) A San Antonio river walk hotel, San Antonio; and (6) the Horseshoe Bay Marriott, Horseshoe Bay. The motion passed unanimously.
- Motion was made by Paige Mims and seconded by Sylvia Firth to include the Isla Grand Resort on the list of locations to be prioritized. The motion passed eight to two, with Dottie Palumbo and Mary Kay Fischer voting no.

(Staff clarified that the survey would begin with a brief explanation of the reasons the board has concerns with the Isla Grand Resort and would include the ability of respondents to rank order their choices.)

- Motion was made by Dottie Palumbo to include on the survey a Sunday through Wednesday date option. The motion failed for lack of a second.
- Motion was made by Karen Kennard and seconded by Tyrone Cooper for staff to take from the survey the top three choices and seek proposals for one-year and three-year conferences and to bring those proposals to the board for review in January; the top choice (unless it is the Isla Grand) will be the location of the January board meeting. The motion passed unanimously.

5. Adjourn.

The next TCAA Board meeting will be held at a TBD location in January 2014.

TAB

2

The Fifteenth Annual
Riley Fletcher
Basic Municipal Law Seminar

The Texas City Attorneys Association (TCAA) is proud to announce the Riley Fletcher Basic Municipal Law Seminar. The seminar honors Riley Fletcher, who was an attorney for 25 years with the Texas Municipal League. During much of his tenure,

Mr. Fletcher was the one and only TML attorney handling dozens of questions from city officials each day. By the time he retired in 1987 at the age of 75, he was a part-time "Special Counsel," but was still able to answer virtually any question about municipal law by reciting the appropriate statute or court case from memory.

Mr. Fletcher passed away on September 1, 1998. This seminar is our way of letting his memory live on. He was truly loved by Texas city officials and gained the respect, admiration, and affection of thousands of people.

The
Texas City
Attorneys
Association
Presents

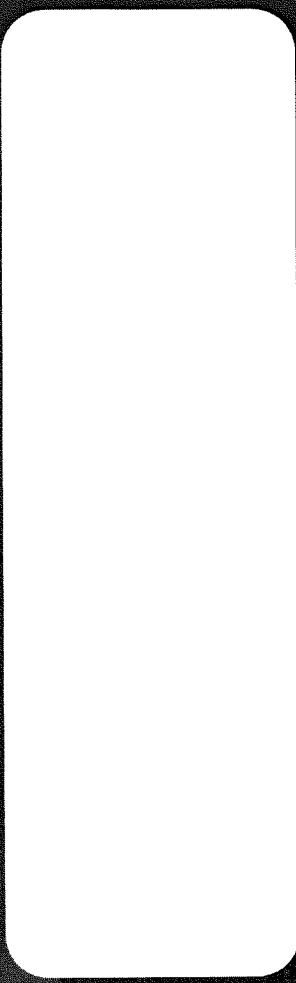
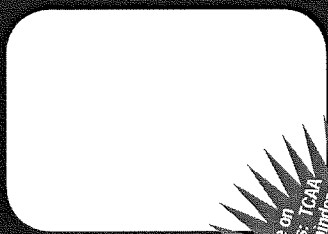


The Fifteenth Annual
Riley Fletcher
Basic Municipal Law Seminar
February 20-21, 2014
Texas Municipal Center
Austin

Special note on
seminar materials: TCAA
does not provide binders
for speaker papers or printed
materials of any kind. Instead,
TCAA puts all seminar materials
on the TCAA website under
"Seminar Materials" for attendees
to download in advance,
if they so desire. No written
materials are provided at the
seminar location.

Two Ways to Attend:
Live: Texas Municipal Center, Austin
or
Live Videocast: www.tcaarileyseminar.org

Earn 8 Hours MCLE (Including .75 Ethics Hour)



Special note on seminar materials: TCAA does not provide binders for speaker papers or printed materials of any kind. Instead, TCAA puts all seminar materials on the TCAA website under "Seminar Materials" for attendees to download in advance, if they so desire. No written materials are provided at the seminar location.

The
Texas City
Attorneys
Association
Presents

The Fifteenth Annual

Riley Fletcher

Basic Municipal Law Seminar

February 20-21, 2014

Texas Municipal Center
Austin

Two Ways to Attend:

Live: Texas Municipal Center, Austin

or

Live Videocast: www.tcaarileyseminar.org

Earn 8 Hours MCLE (Including .75 Ethics Hour)

Agenda

8:30 - 9:20 a.m.

9:20 - 9:30 a.m.

9:30 - 9:45 a.m.

9:45 - 10:15 a.m.

10:15 - 10:45 a.m.

10:45 - 11:00 a.m.

11:00 - 11:30 a.m.

11:30 a.m. - 12:00 p.m.

12:00 - 1:00 p.m.

1:00 - 1:30 p.m.

1:30 - 2:00 p.m.

2:00 - 2:30 p.m.

2:30 - 2:45 p.m.

2:45 - 3:15 p.m.

3:15 - 3:45 p.m.

3:45 p.m.

8:15 - 8:45 a.m.

8:45 - 9:15 a.m.

9:15 - 9:45 a.m.

9:45 - 10:15 a.m.

10:15 - 10:45 a.m.

10:45 - 11:00 a.m.

11:00 - 11:30 a.m.

11:30 a.m.

Thursday, February 20, 2014

Registration

Moderator and Welcome

Mary Kay Fischer, City Attorney, Angleton and TCAA President

Types of City Government (.25 hour)

Heather Mahurin, Legal Counsel, Texas Municipal League

Open Meetings (.5 hours)

Scott Houston, Deputy Executive Director and General Counsel, Texas Municipal League

Public Information Act (.5 hour)

Christy Drake-Adams, Legal Counsel, Texas Municipal League

Break

Economic Development (.5 hour)

Bill Longley, Legal Counsel, Texas Municipal League

Municipal Budget and Tax Rate (.5 hour)

Leela Fireside, Assistant City Attorney, Austin

Box Lunch – Ethics (.75 hour)

Ross Fischer, Denton, Navarro, Rocha & Bernal, Austin

Municipal Finance (.5 hour)

Kuruvilla Oommen, Deputy City Attorney, Irving

Purchasing (.5 hour)

Jeff Moore, Brown and Hofmeister, Richardson

Land Use (.5 hour)

Brad Young, Bickerstaff Heath Delgado Acosta, Austin

Break

Annexation (.5 hour)

Scott Houston, Deputy Executive Director and General Counsel, Texas Municipal League

Municipal Court (.5 hour)

Ryan Turner, General Counsel and Director of Education, Texas Municipal Courts Education Center

Adjourn

Friday, February 21, 2014

Breakfast

Liability (.5 hour)

Ryan Henry, Law Offices of Ryan Henry, PLLC, San Antonio

Personnel Law (.5 hour)

Laura Mueller, Assistant General Counsel, Texas Municipal League

Election Law (.5 hour)

Bob Heath, Bickerstaff Heath Delgado Acosta, Austin

Dealing with the Media (.5 hour)

John Bender, Communications Consultant, Austin

Break

Ordinances (.5 hour)

David Johnson, Assistant City Attorney, Arlington

Adjourn

Seminar Materials: TCAA does not provide binders for speaker papers or printed materials of any kind. Instead, TCAA will put all speaker papers on the TCAA website at www.texascityattorneys.org under "seminar materials" for attendees to download in advance, if they so desire. No written materials will be provided at the seminar location.

resident

Registration Information: Please use the attached form to register or register online at www.texascityattorneys.org. Register by January 24, 2014, and receive the discounted early registration fee of \$149. For registrations received after January 24, the registration fee is \$169.

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- For the on-location seminar, the registration fee includes tuition, access to the handouts online, lunch on Thursday, and refreshment breaks.
- For the Internet Livecast, the registration fee includes tuition, access to the handouts online, and live streaming video.

Cancellation and Substitution Policy: If you are registered and cannot attend, we encourage you to send a substitute. If you cannot send a substitute, a **\$35 cancellation fee** will be assessed if written cancellation is received by **January 24, 2014**. No refunds will be honored after that date.

Location: The on-location seminar will be held at the Texas Municipal Center located at 1821 Rutherford Lane, Austin, Texas 78754. Instructions to access the Internet livecast will be sent to registrants prior to the event.

Hotel Information: The following is a link to some hotel options near the seminar location:

Courtyard Austin-University Area – 2.6 miles to the Texas Municipal Center. The Courtyard Austin-University Area, located at 5660 N IH 35, is offering a room rate of \$95, which includes a complimentary breakfast buffet, onsite parking, and wireless Internet. You can make reservations online at <http://www.marriott.com/hotels/travel/auscy-courtyard-austin-university-area/?corporateCode=TMC&toDate=&fromDate=&app=resvlink> or call 512-458-2340 and ask for the Texas Municipal League corporate rate.

DoubleTree North Hotel – 2.32 miles to the Texas Municipal Center. The DoubleTree North Hotel, located at 6505 North IH 35, is offering a room rate of \$119 single/double with a complimentary breakfast buffet, parking, and high-speed Internet. To receive this rate, call 512-454-3737 and mention the Texas Municipal League corporate account number 0560030697.

Hampton Inn Austin North – 1.3 miles to the Texas Municipal Center. The Hampton Inn Austin North, located at 7619 North IH 35, is offering a room rate of \$108, including a continental breakfast, free Wi-Fi, and parking. To receive this rate, call 512-452-3300 and give the Texas Municipal League corporate number 0560030697.

Holiday Inn Austin Midtown – 2.47 miles to the Texas Municipal Center. The Holiday Inn Austin Midtown, located at 6000 Middle Fiskville Road, is offering a room rate of \$85, which includes a complimentary buffet breakfast, parking, and high-speed wireless Internet. To receive this rate, call 512-451-5757 and ask for the Texas Municipal League rate.

Holiday Inn Express – 3.21 miles to the Texas Municipal Center. The Holiday Inn Express, located at 8500 North IH 35, is offering a room rate of \$92, which includes a complimentary breakfast. To receive this rate, call 512-821-0707 and mention the Texas Municipal League.

Hyatt Place Austin-North Central – 1.72 miles to the Texas Municipal Center. The Hyatt Place Austin-North Central, located at 7522 North IH 35, is offering a room rate of \$108, including a continental breakfast with hot breakfast items, free Internet, and parking. The Gallery Cafe offers entrees, snacks, and drinks available for purchase 24 hours a day. You can make reservations online at <http://www.hyatt.com/hyatt/reservations/flow6/place/propCheckAvailability.jsp?pid=AUSZN&extCorporateId=33233> or call 888-492-8847 and ask for the Texas Municipal League rate.

tonio

La Quinta Inn Austin North – 1.65 miles to the Texas Municipal Center. La Quinta, located at 7622 I-35 North, is offering the Texas State Rate, which also includes breakfast and free high-speed Internet. To receive this rate, call 866-468-3946 and ask for the Texas State Rate. You can also make reservations online at www.lq.com/txstat.

Special Accommodations: Let us know if you need special accommodations of any kind. In order to respond to any special requests, we would appreciate as much advance notice as possible.

Continuing Education Credit: MCLE credit is available for this event for up to 8 hours (including .75 ethics hour).

Elected officials (mayors and councilmembers) can earn Texas Municipal League Institute (TMLI) credits for attending this seminar. CEU forms are available online. For further information on the TMLI program, please call us at 512-231-7400 or log on to TML's Web page at www.tml.org.

Questions: Please call us at 512-231-7400 or email JJ Rocha at jj@tml.org.

Fifteenth Annual Riley Fletcher Basic Municipal Law Seminar

Registration

Two Ways to Attend:

1. **Live at Texas Municipal Center, Austin**
2. **Live Videocast**
www.tcaarileyseminar.org

TWO WAYS TO REGISTER:

(Your registration will not be processed until payment is received.)

- 1 Register online with credit card payment at:
tcaarileyseminar.org or tml.org
- 2 Mail this form with payment to:
TML Administrative Services
1821 Rutherford Lane, Suite 400
Austin, TX 78754-5101

You may copy this form as needed for additional registrations.

Registration Information: Register by **January 24, 2014**, and receive the **discounted early registration fee of \$149**. For registrations received after **January 24, 2014**, the registration fee is **\$169**.

- **For the on-location seminar**, the registration fee includes tuition, access to the handouts online, lunch, and refreshment breaks.
- **For the live videocast**, the registration fee includes tuition, access to the handouts online, and live streaming video.

You may pay by mailing in a check or money order, or register online with a credit card.

Cancellation and Substitution Policy: If you are registered and cannot attend, we encourage you to send a substitute. If you cannot send a substitute, a \$35 registration cancellation fee will be assessed if written cancellation is received by **January 25, 2013**. No refunds will be honored after **January 24, 2014**.

Questions: Please e-mail JJ Rocha at jj@tml.org or call us at 512-231-7400.

Two Ways to Attend:	By January 24	After Jan 24
_____ On-Location Seminar	\$149	\$169
_____ Live Videocast	\$149	\$169

Please type or print below.

Full Name: _____

Badge Name: _____

Title: _____

City/Organization: _____

Address: _____

City: _____ State: _____

Zip: _____ Phone: _____

Fax: _____ E-mail: _____

I need the following special accommodations: _____

TAB

3

Texas City Attorneys Association
Fall Meeting in Conjunction with the Texas Municipal League Annual Conference
4.75 Hours of CLE Credit (Including 1 Ethics Hour)
Thursday, October 10, 2013 – Austin

AGENDA

- | | |
|--------------------|---|
| 8:00 - 9:00 a.m. | Registration |
| 9:00 - 9:15 a.m. | Welcome and Opening Remarks: TCAA President Frank Garza, Davidson, Troilo, Ream and Garza, San Antonio; Karen Kennard, City Attorney, Austin |
| 9:15 - 10:15 a.m. | (1 hr) Overview of Emergency Management Law: Kevin Pagan, City Attorney and Emergency Management Coordinator, McAllen |
| 10:15 - 10:30 a.m. | Break |
| 10:30 - 11:00 a.m. | (.5 hrs) The Forms You Must Have: TCAA Board Member Alan Bojorquez, Bojorquez Law Firm, Austin |
| 11:00 - 11:45 a.m. | (.75 hrs) The Agencies You Will Deal With: FEMA: Jill Igert, Regional Counsel, FEMA Region 6, Denton |
| Noon - 1:45 p.m. | TML Delegates Luncheon and Presentation (Separate Ticketed Event) or Lunch on Your Own |
| 2:00 - 2:15 p.m. | Business Meeting: Election of TCAA Officers and Passing of the Gavel |
| 2:15 - 3:00 p.m. | (.75 hrs) The Agencies You Will Deal With – TDEM: W. Nim Kidd, Division Chief, Texas Department of Emergency Management, Austin |
| 3:00 - 4:00 p.m. | (1 hr) Ethical Responsibilities During an Emergency: Stefanie Albright, Lloyd, Gosselink, Rochelle and Townsend, Austin |
| 4:00 - 4:15 p.m. | Break |
| 4:15 – 5:00 p.m. | (.75 hrs) Personnel Issues During and After a Disaster: Vanessa Gonzalez, Bickerstaff Heath Delgado Acosta, Austin |
| 5:00 p.m. | Adjourn |

Initial Report

Last Modified: 10/17/2013

1. Please provide your name.

Text Response

Kuruvilla Oommen
Kayla Landeros
Steven M. Kean
Monte Akers
Mary Kay Fischer
Mike Hayes
Rob Atherton
JIM L. DEFOYD
Deborah Pullum
Trisha Dang
Jennifer Richie
Julian Grant
Victoria Huynh
Linda Sjogren
Jay Doegey
Matt Durham
Susan Guinn
Theresa James
Jim Wright

Statistic	Value
Total Responses	19

2. Please indicate any topics you would like to be included at future seminars.

Text Response

Ways of Taking Action against Abandoned Buildings
Not crazy about single subject conferences; prefer variety with mix of mainstream (e.g. zoning, TOMA, annexation) and uncommon topics (e.g. TIF, amending charters, incorporating new cities)
CIVIL SERVICE UPDATES, HANDLING EEOC COMPLAINTS, & NUISANCE ABATEMENT
Please go back to the format of different topics, not just one topic. Found this year extremely uninteresting.
I would prefer we return to having a wider variety of city related topics rather than a one subject seminar. This was good information but of limited use. Maybe we could have a theme like this one but still include the state and federal case law updates.
Perhaps more real life stories/presenters ... someone that worked for a municipality during a disaster.
Public Information Act - the minefield of exceptions

Statistic	Value
Total Responses	7

3. Additional comments regarding the seminar:

Text Response

I appreciate the overall theme and goal of each year's seminar, but i did not find this year's seminar relevant to my practice.

TML Staff is Great. Austin is an excellent location.

Prefer not devoting full day, 9 to 5, to less than 5 hours CLE.

W. Mim Kidd's presentation was outstanding. The Forms list and bank was and is very, very helpful. I like the idea of this conference covering a single topic (EM). On minor complaint - maybe less breaks and an earlier dismissal. Other than that, the conference was great.

Kidd is awesome

Everything seemed to be very high altitude. Some high altitude information is great, but more more substance would have been nice too.

Will not attend if the one-topic focus continues.

This single topic conference was invaluable for any municipal attorney.

Relevant topics. Helped me pin down the things I didn't know I didn't know.

Good Job!

Statistic

Value

Total Responses

10

4. Please provide your city or firm if applicable.

Text Response

City of Irving

City of Temple

City of Tyler, Texas

Akers Law Firm

City of Angleton

City of Kerrville

Nacogdoches

CITY OF JACINTO CITY

City of Tyler

City of Missouri City

City of Waco

City of Corpus Christi

City of Plano

City of Big Spring

Arlington, Texas

City of Garland, City Attorney's Office

San Antonio

City of Abilene

Livingston

Statistic

Value

Total Responses

19

5. Please provide your job title.

Text Response

Deputy City Attorney
Deputy City Attorney
Deputy City Attorney
Partner
City Attorney
City Attorney
city Atty.
CITY ATTORNEY
City Attorney
Assistant City Attorney
City Attorney
Senior Assistant City Attorney
Deputy City Attorney
City Attorney
City Attorney
Assistant City Attorney
Assistant City Attorney
Assistant City Attorney
City Attorney

Statistic

Total Responses

Value

19

6. Please rank the following sessions:

#	Question	Excellent	Good	Fair	No Opinion	Total Responses	Mean
1	Overview of Emergency Management (Kevin Pagan)	14	6	1	0	21	1.38
2	The Forms You Must Have (Alan Bojorquez)	14	6	2	0	22	1.45
3	How the TML Intergovernmental Risk Pool helps in an Emergency (Les Horne)	1	13	4	2	20	2.35
4	The Public Information Act and Disaster-Related Documents (Ryan Henry)	4	13	4	0	21	2.00
5	The Agencies You Will Deal With: TDEM (W. Nim Kidd)	9	8	4	0	21	1.76
6	Ethical Responsibilities During an Emergency (Stefanie Albright)	2	13	6	0	21	2.19
7	Personnel Issues During and After a Disaster (Vanessa Gonzalez)	6	11	1	3	21	2.05

Statistic	Overview of Emergency Management (Kevin Pagan)	The Forms You Must Have (Alan Bojorquez)	How the TML Intergovernmental Risk Pool helps in an Emergency (Les Horne)	The Public Information Act and Disaster-Related Documents (Ryan Henry)	The Agencies You Will Deal With: TDEM (W. Nim Kidd)	Ethical Responsibilities During an Emergency (Stefanie Albright)
Min Value	1	1	1	1	1	1
Max Value	3	3	4	3	3	3
Mean	1.38	1.45	2.35	2.00	1.76	2.19
Variance	0.35	0.45	0.56	0.40	0.59	0.36
Standard Deviation	0.59	0.67	0.75	0.63	0.77	0.60
Total Responses	21	22	20	21	21	21

7. Please indicate your experience with the following elements of the meeting:

#	Question	Excellent	Good	Fair	No Opinion	Total Responses	Mean
1	Relevancy of Session Topics	14	5	3	0	22	1.50
2	Reasonableness of Seminar Pricing	12	8	2	0	22	1.55
3	Publicity	11	9	0	2	22	1.68
4	Location of Seminar	15	6	1	0	22	1.36
5	Meeting Facility	11	9	2	0	22	1.59
6	On-site Staff	15	6	1	0	22	1.36
7	Overall Opinion of the Seminar	11	9	2	0	22	1.59

Statistic	Relevancy of Session Topics	Reasonableness of Seminar Pricing	Publicity	Location of Seminar	Meeting Facility	On-site Staff	Overall Opinion of the Seminar
Min Value	1	1	1	1	1	1	1
Max Value	3	3	4	3	3	3	3
Mean	1.50	1.55	1.68	1.36	1.59	1.36	1.59
Variance	0.55	0.45	0.80	0.34	0.44	0.34	0.44
Standard Deviation	0.74	0.67	0.89	0.58	0.67	0.58	0.67
Total Responses	22	22	22	22	22	22	22

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About the Author

Analeslie Muncy is an attorney-at-law and author of the third and fourth editions of the *Texas Municipal Election Law Manual*. She served as Director of Human Resources at the City of Burleson from 2000 until 2005. She was a member of the public law section of the law firm of Taylor, Olson, Adkins, Srala & Elam, L.L.P., Fort Worth, Texas, for eight years before joining the City of Burleson. She is a past president of the National Institute of Municipal Law Officers, an organization of city attorneys throughout the United States and Canada; a past president of the Texas City Attorneys Association; and a past member of the Board of Directors of the Texas Municipal League. Ms. Muncy worked in the city attorney's office, City of Dallas, from 1969 to 1991 and served as Dallas City Attorney from 1982 to 1991. While with the law firm, Muncy served as city attorney to the City of Benbrook, the City of River Oaks, and the City of Haslet, and provided legal assistance to several other cities in the Metroplex area. Analeslie has presented numerous papers on municipal law topics at various conferences and seminars, has served as an instructor for the Texas Municipal Clerks Certification Program's Election Law Seminar, and has lectured for the TMCCP Legislative Update sessions.

TAB

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PUT ON AGENDA - Proposed New TCAA Award

From: Scott Houston
Sent: Tuesday, October 15, 2013 1:06 PM
To: 'tcooper@ci.beaumont.tx.us'; 'fgarza@davidsontrouilo.com';
'ronstutes@potterminton.com'; 'mfischer@ingleton.tx.us';
'karen.kennard@ci.austin.tx.us'; 'kdavis@ci.killeen.tx.us';
'firthsb@elpasotexas.gov'; 'karen.horner@baytown.org';
'palumbodot@cityofgalveston.org'; 'alan@texasmunicipallawyers.com';
'paigem@plano.gov'
Cc: JJ Rocha; Heather Mahurin; Cori Webb
Subject: Proposed New TCAA Award
Attachments: Nomination form for Outstanding Mentor Award Mary Kay Version.doc

Dear Board Members:

Mary Kay has proposed creating an additional TCAA award to be called the "TCAA Outstanding Mentor Award." The idea is that we have awards for assistant city attorneys, but nothing designed to recognize those more senior attorneys who help pass the municipal law torch. Here is the webpage with the Galen Sparks/Susan Rocha Awards information:

<http://texascityattorneys.org/galen-sparks-and-susan-rocha-awards-for-outstanding-public-service-by-an-assistant-city-attorney/>

I have attached proposed criteria/nomination form. If you have questions or comments, please email me or make them on the document and send. I'll compile them and put them in the board packet for the January meeting.

Thanks.

Scott Houston
Deputy Executive Director and General Counsel
Texas Municipal League
1821 Rutherford Lane, Suite 400
Austin, Texas 78754
512-231-7400
www.tml.org
shouston@tml.org

Please be advised that the information in this e-mail is provided for informational purposes only. Neither this communication, nor any other communication with the Texas Municipal League (TML), creates an attorney-client relationship between the TML legal department or its attorneys and you or your city or any third party. Once received by a city official, this communication may be subject to public release. Every city official and employee should consult with local legal counsel to ensure that any information or documents comply with current law and the particular facts of each situation.

NOMINATION INFORMATION FOR TCAA OUTSTANDING MENTOR AWARD

ORIGIN AND PURPOSE OF THE AWARD

The Outstanding Mentor Award is intended to recognize and honor a municipal attorney for his or her significant and distinguished mentoring achievements related to young attorneys and their practice in the field of municipal law.

PROCEDURE

1. The nominator furnishes basic information about the nominee by completing the nomination form, below (or furnishes the information called for by the form in a substantially identical format).
2. The nominator writes a clear and concise statement in support of the nomination describing the significant and distinguished mentoring achievements related to young attorneys and their practice in the field of municipal law, conveying as much information about the personal characteristics of the nominee as the nominator thinks would be helpful to the nomination, and thoroughly depicting how the nominee fulfills the criteria established for bestowing the award (see "Criteria," below).
3. The nominator transmits the completed nomination form to the TCAA General Counsel who, after adding TCAA staff comments, forwards them to the TCAA Board of Directors for decision. **FULLY COMPLETED NOMINATIONS MUST ARRIVE AT THE TCAA OFFICES BY NO LATER THAN THE ESTABLISHED DEADLINE TO BE CONSIDERED IN THAT YEAR'S AWARD PROCESS.** The decision of the Board of Directors will be rendered and the nominator will be notified of the decision.
4. TCAA reserves the right to withhold bestowal of the award in any given year and to reject any and all nominees.
5. Nominators may re-submit or the Board may consider nominations of nominees not selected in previous years, if appropriate.
6. The award will be presented to the person selected to receive the award at a formal awards ceremony held during that year's TCAA Summer Conference.

CRITERIA FOR BESTOWING THE AWARDS FOR OUTSTANDING MENTOR BY A CITY ATTORNEY

The following are all of the criteria against which each nominee will be measured. The Board of Directors does not expect any nominee to meet all of the criteria. However, the nominee who best meets the most criteria will be selected as that year's recipient. How the nominee meets the criteria should be thoroughly depicted in the nominator's statement in support of the nomination.

1. The nominee is an active or honorary member of TCAA.

2. The nominee has demonstrated the qualities of a mentor to one or more young municipal attorneys by, for example, (1) serving as a role model to young municipal lawyers in his or her community, (2) fostering the development of young municipal lawyers, and (3) significantly contributing to the profession and/or the community.
 3. The nominee's career achievements have enhanced the image of the municipal attorney both locally and nationally, especially in the courts at all levels. (Objective, results-oriented information should be provided showing how the nominee's achievements enhanced the esteem in which municipal attorneys are held by courts at all levels and how the achievements benefited the entire municipal law profession.)
 4. The nominee has received recognition either locally or nationally or both for his or her achievements.
 5. The nominee's career demonstrates his or her personal characteristics of integrity, honesty, leadership, selflessness, dedication, tact, diplomacy, political acuity, and astuteness in dealing with the press and the public. (Cite examples.)
-

TCAA OUTSTANDING MENTOR AWARD NOMINATION FORM

Name of Nominee: _____

Title: _____

City Represented: _____

Educational Background:

Years in Public Service and Positions Held:

Service to the legal profession, including membership and offices held in bar associations and other relevant professional organizations (include pro bono work):

Community Service and Activities:

Publications, Awards, Honors:

The TCAA Outstanding Mentor Award is intended to recognize and honor its recipient for significant and distinguished mentoring to young municipal attorneys. Please state, in no more than 500 words, the reasons you believe the nominee deserves this Award.

Nominator: _____

Title: _____

City: _____

Date: _____

Please e-mail this completed form to legalgovt@tml.org no later than the close of business on the due date posted on the TCAA Web site.

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**Texas City Attorneys Association
2014-15 SERVICES AGREEMENT**

This agreement is entered into on the day below written by and between the **Texas Municipal League**, hereinafter referred to as "TML", and the TEXAS CITY ATTORNEYS ASSOCIATION, hereinafter referred to as "Affiliate" or "TCAA."

- I. Base Services to be Provided. TML will provide the services listed under this Section to the Affiliate at a cost to Affiliate of \$15 per Affiliate member per year:
- A. Review Affiliate constitution/bylaws to ensure compatibility with TML's constitution.
 - B. Assemble and maintain Affiliate membership records.
 - C. Design draft versions of Affiliate membership certificates, awards, or recognition plaques.
 - D. Design, conduct, and analyze a membership interest survey, upon request.
 - E. Conduct the membership dues billing process to include: (1) an initial billing; (2) a reminder mailing after 45 days; (3) and where applicable, a membership suspension letter following Board approval.
 - F. Assist in the formulation of membership recruitment strategies.
 - G. Assist in the development of prospective membership records and maintain such records.
 - H. Design draft versions of appropriate membership recruitment literature including a cover memorandum, membership services information, and an application form.
 - I. Conduct one membership recruitment mailing annually upon request, with appropriate membership promotional literature.
 - J. With regard to new Affiliate members, mail a membership application acknowledgment to the prospective new member and mail a copy of such acknowledgment to the appropriate Affiliate Board member. Mail a membership notification letter and a membership packet to the new member after the membership has been approved by the Affiliate Board.
- II. Financial Services to be Provided. TML will provide the financial services listed under this Section to the Affiliate at an annual cost to TCAA of 1% of the Fund Balance as recorded on November 30, 2013. For TCAA this is \$1,674.28 annually or \$139.52 monthly given a balance of \$167,428.43.
- A. Provide the appropriate Affiliate officers with a monthly financial statement to include a balance sheet and line item comparison of actual revenues and expenditures to budgeted revenues and expenditures.

- B. Assist the Affiliate Board with the development of its annual budget and service plan.
 - C. Arrange for an annual review of Affiliate financial transactions. If an audit is preferred or required by constitution, TML will obtain a cost estimate from its auditor for the Affiliate's approval.
 - D. Manage Affiliate funds to ensure timely and accurate receipt of revenues, payment of expenses, and maximum investment earnings.
 - E. Assist in the preparation and filing of Affiliate tax returns.
- III. Additional Services to be Provided. TML will provide the following additional services to Affiliate at the following cost to Affiliate.
- A. **TCAA Newsletter** - Web and e-newsletter.
 Compensation: In consideration for work on the TCAA e-newsletter, the Affiliate will compensate TML for TML's actual costs. The Affiliate's obligation to reimburse TML for actual costs not to exceed \$14,280 annually. The appropriate Affiliate account will be debited monthly for the costs following publication/distribution.
 - B. **Meeting planning/coordination on-site logistical assistance for TCAA Mid-Year Conference.**
 Compensation: In consideration for meeting planning services, the Affiliate will, in addition to direct conference expenses such as postage, speaker expenses, food and beverage costs, etc., reimburse TML for its staff time (estimated at \$3,990.00), plus actual staff travel expenses. (114 hours at \$35 per hour)
 - C. **Board and Committee Meeting planning/coordination assistance.**
 Compensation: In consideration for board and committee planning and coordination, the Affiliate's obligation to reimburse TML for actual costs of \$1,260 annually, plus actual staff travel expenses. This amount is calculated upon the preparation and attendance of three Board meetings. (36 hours at \$35 per hour)
 - D. **Meeting planning/coordination on-site logistical assistance for the Riley Fletcher Basic Municipal Law Seminar.**
 Compensation: In consideration for meeting planning services for the Riley Fletcher Basic Municipal Law Seminar, the Affiliate will, in addition to direct conference expenses such as postage, speaker expenses, food and beverage costs, etc., reimburse TML for its staff time (estimated at \$1,890.00), plus actual staff travel expenses. (54 hours at \$35 per hour)
 - E. **TCAA Web Site Maintenance**
 Compensation: In consideration for maintenance, and monitoring of TCAA site for one-year with an estimated cost of \$840. The appropriate Affiliate account will be debited monthly for these costs. (24 hours at \$35 per hour)
 - F. **TCAA LisTCAA Listserv**
 Compensation: The Affiliate will reimburse TML for the annual fee of \$600 (\$50 per month). The appropriate Affiliate account will be debited monthly.
 - G. **Blast E-mail Notifications (estimate for budgeting purposes only)**
 TML will prepare and send blast e-mail notifications at the request of TCAA. These notifications will be billed at \$105 per blast e-mail. These blast e-mails are outside of

the e-mails for publicity of programs and activities detailed in this agreement. TCAA and TML agree that this work will be done on an as needed basis and billed accordingly. (for budgeting purposes - estimating 5 blast e-mails per year for a total of 15 hours at \$35 per hour)

H. **Graphics and Videography Services**

Affiliate will reimburse TML separately for graphics and videography services associated with a project.

IV. Terms of Agreement. The programs and activities identified in this Agreement are activities which TML will indemnify the TCAA for liability arising out of errors, omissions, or other actions by the TCAA at or during such activities and programs. For any other programs or activities performed or provided by the TCAA which are not set forth in this Agreement or which are excluded from coverage under the coverage provided to TML by the Texas Municipal League Intergovernmental Risk Pool, TML does not indemnify the TCAA, and the TCAA agrees to indemnify TML for any such errors or omissions or other actions.

This agreement will be in full force and effect until June 30, 2015. On June 30, 2015, and on June 30th of each year thereafter, this agreement will be automatically renewed for a term of one year. However, this agreement may be terminated by either TML or Affiliate on June 30th of any year, beginning with June 30, 2015, provided written notice of such termination is received by the other party on or before March 1st of that year.

In the event of termination, all expenses incurred by TML for the provision of services relative to and as authorized by this agreement shall be paid by Affiliate. No expenses shall be incurred by TML on behalf of Affiliate after TML receives written notice to terminate this agreement.

V. Required Changes to this Agreement. This agreement shall be amended, upon 30 days written notice, to conform the agreement to any policy adopted or amended by the TML board or membership.

VI. Notice of Changes/Termination. A written notice of any changes or termination provided under the provisions of Section IV of this agreement shall be sent certified mail, return receipt requested. Such notice shall be deemed to have been received when the receiving party signs the return receipt. Notices must be addressed to the respective, current contact persons. Presently, these persons and their addresses are:

Texas City Attorneys Association

Mary Kay Fischer
City Attorney

City of Angleton
121 S. Velasco St.
Angleton, TX 77515-6023

TML

Scott Houston
TML Deputy Executive Director and General
Counsel

Texas Municipal League
1821 Rutherford Lane, Suite 400
Austin, TX 78754

VII. Additional Work Projects. Other activities that fall outside of the programs and activities identified in this Agreement may be performed, after approval by TCAA, at a rate of \$35 per hour. TML will provide TCAA an estimate of hours for the new programs and/or activities and an estimate of the costs to perform the new program and/or activities.

VIII. Miscellaneous Provisions

- A. TML and Affiliate shall each designate a primary contact person for communications related to matters addressed in this agreement. It is understood that TML's primary contact person will enlist the support of other TML staff members to assist with the implementation of activities in this agreement. TML's primary contact person for Affiliate is Scott Houston, TML Deputy Executive Director and General Counsel. The Affiliate's primary contact person is the current Affiliate President. Either party may change contact persons by providing the other party with written notice in compliance with Section VI.
- B. This agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties under this agreement are performable in Travis County, Texas.
- C. If any one or more provisions of this agreement shall be held invalid, illegal, or unenforceable, the other provisions shall not be affected.
- D. TML has allocated resources to provide the services outlined in this agreement. Therefore, following this agreement's execution, TML shall be paid the full amount detailed in this agreement, regardless of the Affiliate's decision to undertake or not undertake all the activities included in this Agreement. The Affiliate has the latitude to make any adjustments within projects and project line items it deems necessary. If any adjustments are made to the projects in this Agreement, the Affiliate shall immediately notify TML's primary contact person.

Executed this _____ day of _____, 2014.

By: Mary Kay Fischer, Affiliate President

By: Bennett Sandlin, TML Executive Director

TAB

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SPEAKER AGENDA

Texas City Attorneys Association Summer Conference - South Padre Island - June 18-21, 2014

Isla Grand Beach Resort

10.5 Hours MCLE Credit, Including 2 Ethics Hours

Reception Sponsors

Bickerstaff Heath Delgado Acosta, LLP

McKamie Krueger, LLP

Cooler Sponsor

Lloyd Gosselink Rochelle & Townsend, P.C.

Additional Sponsors

Banowsky & Levine, P.C.

Bojorquez Law Firm, PLLC

Boyle & Lowry, L.L.P.

Brown & Hofmeister, L.L.P.

Davidson, Troilo, Ream & Garza, P.C.

Denton, Navarro, Rocha and Bernal, P.C.

Drayovitch, P.C.

Law Offices of Ryan Henry, P.L.L.C.

LexisNexis

McKibben & Villarreal, L.L.P.

Messer, Rockefeller and Fort, PLLC

Municipal Code Corporation

Nichols, Jackson, Dillard, Hager & Smith, L.L.P.

Olson & Olson, L.L.P.

Potter Minton, P.C.

Ross, Banks, May, Cron & Cavin, P.C.

Russell, Rodriguez & Bullock, LLP

Taylor, Olson, Adkins, Sralla & Elam, L.L.P.

Texas Municipal League Intergovernmental Risk Pool

Wednesday, June 18

- 1:30 - 4:00 p.m. **Registration and Refreshments**
- 2:00 - 2:30 p.m. **Bridging the Gap: What Lake Ralph Hall tells us about accomplishing the goals of the State Water Plan, Jason Hill, Lloyd Gosselink, Austin**
- 2:30 - 3:00 p.m. **The Basics of Bonds, Leela Fireside, Assistant City Attorney, Austin**
- 3:00 - 4:00 p.m. **Utility Regulations Update, Clarence West or Georgia Crump**
Or
Affordable Care Act, Find an awesome speaker
- 4:00 - 5:30 p.m. **TCAA Board of Directors Meeting**

5:30 - 7:30 p.m. **Welcoming Reception** at Isla Grand Beach Resort hosted by Bickerstaff Heath Delgado Acosta, LLP

Thursday, June 19

7:30 a.m. **Registration and Breakfast**

8:30 - 8:45 a.m. **Opening Remarks**, Mary Kay Fischer, City Attorney, Angleton and TCAA President

Presentation, Awards for Outstanding Public Service by an Assistant City Attorney

8:45 - 9:15 a.m. **Pitfalls in the Use or Taking of Parkland**, Dean Roggia, Assistant City Attorney, Waco

9:15 - 10:00 a.m. **Recent Federal Cases of Interest to Cities**, Randy Montgomery, D. Randall Montgomery and Associates, Dallas

10:00 - 10:15 a.m. **Break**

10:15 - 11:00 a.m. **Recent State Cases of Interest to Cities**, Laura Mueller, Assistant General Counsel, Texas Municipal League

11:00 - 11:30 a.m. **Trends in Construction Contracting**, Jeff Chapman, Austin

11:30 a.m. - 1:00 p.m. **Lunch on Your Own**

1:00 - 1:30 p.m. **Synthetic Drug Enforcement: Multi-Department Strategies**, Theresa James, Assistant City Attorney, Abilene; Other Abilene Panelists

1:30 - 2:00 p.m. **Concrete Ways to Improve Your Legal Drafting**, Chris Bowers, First Assistant City Attorney, Dallas

2:00 - 2:15 p.m. **Break**

2:15 - 2:45 p.m. **Economic Development Panel: Recent Developments and the Tools to Deal with Them**, Chris Nichols, Randle Law Office, Houston

2:45 - 3:15 p.m. **Substandard Structures Update**, Ed Voss, Brown and Hofmeister, Richardson

3:15 - 3:45 p.m. **Acquiring Water and Sewer Service Territory from Rural Systems**, Emily Rogers, Bickerstaff Heath, Austin

3:45 - 4:15 p.m. **Municipal Regulation of Firearms**, Art Pertile, Olson and Olson, Houston

4:15 p.m. **Adjourn**

5:30 - 7:00 p.m. **Reception** at Louie's Backyard, 2305 Laguna Boulevard hosted by McKamie Krueger, L.L.P.

5:30 - 10:00 p.m. **Parent's Night Out** - For kids 5 and up. Pizza, games, and movies in the Key Largo Room (nominal charge).

Friday, June 20

8:00 - 8:30 a.m. **Breakfast**

8:30 - 9:30 a.m. **Ethics: Should You be Using Your Cell Phone?** Thomas Gwodz, City Attorney, Victoria

9:30 - 10:30 a.m. **Eminent Domain: The Pendulum Swings**, Preston Dobbs, Burford and Ryburn, Dallas

10:30 - 10:45 a.m. **Break**

10:45 - 11:15 a.m. **Are Proprietary Contracts Putting Cities at Risk?** Jose de la Fuente and Eileen McPhee, Lloyd Gosselink, Austin

11:15 – 11:45 **Does TOMA Allow a Town Hall Meeting?** Scott Houston, TCAA General Counsel, Austin

11:45 **Adjourn**

5:30 p.m. **Shrimp Boil** at the Isla Blanca Pavilion hosted by Denton, Navarro, Rocha and Bernal, P.C.

LAST SUMMER EVALUATION TOPIC SUGGESTIONS

- Civil Service-more employment law
- Zoning, Public Finance
- How to protect the City's logo/trademark. (I thought the City signs and trademarks was covering this, so I would like to a session on it.)
- Affordable health care act
- More time for legislative update in a legislative year, drafting a great construction contract, do's and don'ts of public meetings
- Land use, social media, basic litigation, more employment law
- Synthetic drugs and the related issues between city ordinances and the state, enforceability, and the future of testing for this in crime labs, civil ordinances, labeling, etc
- what part municipal court plays in running a city; dealing with group homes; The new federal rules; how to deal with Time Warner cable and ATT&T; billboard companies paying the city to put up electronic billboards; social media for the city attorney
- I accidentally sent the survey without giving you my information. I made suggestions as to synthetic drugs and the way we announce the awards. If you got the survey with no name on it, it is mine. Sorry about that.
- Working with TML Risk Pool is a good topic, but I felt like they could have done more with it. Need to add more war stories to this section.
- Code enforcement; Municipal Court; Volunteer Fire Departments
- Economic development
- Ordinances and Code Enforcement
- Individualized assessment of job applicants with a criminal history.
- Contracts- what terms can/cannot be in a contract with a municipal/governmental entity (i.e. no indemnification); TWC- unemployment claims, appeals, etc; Takings and eminent domain updates/case law discussion; More time for legislative update;
- More water subjects related more to cities than to endangered species; Perhaps a Municipal Court session.
- Immunity/Tort Claims Act issues
- Construction and enforcement of restrictive covenants: If a property owners' association can't prohibit it, can--and should--the city?
- Utility Regulation, Negotiating the Franchise, and the Richardson litigation with Oncor; Tort Claims Act Basics and update; A day in the life of TML legislative staff during the Session, Regulating boarding houses, pay day lending institutions, saggy pants, and other topical problems

- Municipal prosecutions; homeowners' associations interface with municipalities
- Real estate contract drafting tips/tricks (sale, purchase, and lease transactions)

IN DRAFT AGENDA

Ed Voss, Brown and Hofmeister, Richardson

Castle or Crack-House? Substandard Structures Update

Jose de la Fuente and Amy Emerson, Lloyd Gosselink, Austin

Are “Proprietary” Contracts putting Cities at Risk?

Texas courts disagree on whether governmental immunity protects cities from contract suits arising out proprietary functions. Learn how this disagreement exposes cities to liability, whether the Supreme Court will resolve the issue, and ways cities can protect themselves regardless of what the courts ultimately decide.

Preston Dobbs, Burford & Ryburn, Dallas

Eminent Domain Update

I hope you are doing well. You and I met each other about 2 years ago at a TML legal seminar. In case you don't remember me, my wife is Kim (City of Heath) if that rings a bell. We do quite a bit of eminent domain work including work for several North Texas cities. When you and I spoke previously, we were waiting to find out what the “new law” would be in the eminent domain area. Since that time, the legislature has convened again. The changes two years ago were fairly significant. I have read about some eminent domain bills that were filed in the most recent legislative session but, at least as far as I know, no new significant laws ED were passed. In any event, we would really appreciate the opportunity to make some sort of presentation at an appropriate seminar or conference. We have several attorneys who have various eminent domain presentations already prepared. We are also happy to prepare something new if necessary.

Emily Rogers, Bickerstaff Heath Delgado Acosta, Austin

Acquiring Water and Sewer Service Territory from Rural Systems

This topic would examine the options for obtaining territory from WSCs, and how are the changes made to state law in 2005 and 2011 working? It would also examine 7 USC 1926b in relation to the recent legislative changes, with a focus on the City of Elgin/ACC litigation brought by Aqua WSC and the TRWA.

Jeff Chapman, Austin

Trends in Construction Contracting

Effective Uses and Advantages of Best Value, Design/Build, and Construction Manager Delivery Methods for Construction. Given all the work I did in the last year with various cities on procurement, I think this topic would still be of interest and use for the members. Alternatives would be “Trends in Construction Contracting” based on new developments in how contractors, owners, and design professionals are negotiating key contract provisions. If there is an interest, I could also come up with a topic more focused on “Litigation of Contractor Payment

and Performance Claims”. Let me know if these sound at all interesting. If there is a particular topic of interest in the construction arena, I am happy to talk about it. There have been a few significant cases that involve construction, the most notable one involving a public owner was Port of Houston v. Zachary which is a big delay claim case involving sovereign immunity and recoverable damages for a contractor. That’s before the Supreme Court now and there may be a decision by June. That would be worth talking about also, I presume.

Theresa James, Assistant City Attorney, Abilene

Synthetic Drug Enforcement: Multi-Department Strategies

I just drafted the attached memo for our Police Chief to send to the Texas Police Chief’s Association to describe our multi department synthetic drug enforcement last summer. Dan thought it would be a good presentation at TCAA, not only because of the success in combatting the synthetic problem we had but also to show how we as City Attorneys can develop multi department strategies to combat some of the more difficult community problems.

I don’t know when you will/did send out that email, but we are interested in presenting what is outlined in this paper, just in case I missed it. The process also included city and county drug enforcement as well as the FBI. Dan would like a panel presentation with planning, legal, and law enforcement participating.

MEMO: In the spring of 2013, the City of Abilene saw an increasing number of public health and secondary effects from the sale and use of synthetic drugs. Though there were some state statutes that regulated these substances, delays in testing combined with the ease in which the chemical composition of these substances was changed made traditional drug enforcement tactics essentially ineffective at stopping the sale of the products. After it became apparent that there would be no statutory remedy available to cities to combat this problem, the Abilene Police Department in conjunction with the City Legal Department developed a multi-prong strategy to deal with the issue.

During the course of a two to four week period, City Code Enforcement and Abilene PD began issuing citations under the Abilene nuisance ordinance to address the issues with littering surrounding the head shops selling these products. Also during this time the Abilene Planning Department passed an emergency zoning measure that prohibited head shops within a defined radius of residential areas, schools, and churches. Once the zoning provisions were in effect, Planning reviewed the certificates of occupancy of the open head shops and administratively closed the majority of the shops for failing to have a proper permit to operate. When the shops applied for a new certificate at the same location, they were denied because they did not meet the new zoning setback requirements. Additionally, the Abilene police department closed one of the remaining shops when an undercover buy tested positive for banned substances. Though Abilene PD, Code Enforcement and the Planning Department were able to close the majority of the shops, at least temporarily, those that remained open continued to sell synthetic drugs.

After reviewing other legal options, the City Attorney recommended that the Abilene Chief of Police contact the Attorney General’s office to see if they would be able to assist under their powers given through the *Deceptive Trade Practices Act*. Two attorneys from the Texas Attorney General’s office came to Abilene and met with the Abilene Police Department, City Legal, and the Planning Department. In that meeting it was decided that there would be a civil

course of action that could be taken based on the labeling of the packages. Further research found a *Texas Penal Code* provision that could also be utilized.

The *Fair Packaging and Labeling Act* is a U.S. law that applies to labels on many consumer products. The Act requires the label to state the identity of the product, the name and place of business of the manufacturer, packer and distributor, and the net quantity of contents. The State of Texas has similar requirements found in Chapter 431 of the *Texas Health and Safety Code*. Under *Texas Health and Safety Code* §431.181 all labels of consumer commodities in Texas must adhere to the requirements of the *Federal Fair Packaging and Labeling Act*. Additionally, the statute also requires the packages to state the common or usual name of the commodity or the common name of each ingredient in order of decreasing prominence. All of the packages from undercover buys in the City of Abilene violated at least one of these requirements.

Texas Penal Code §32.42(b)(4) creates a violation if a person intentionally, knowingly, recklessly, or with criminal negligence sells an adulterated or mislabeled commodity. Mislabeled is defined by the statute as “varying from the standard of truth or disclosure in labeling prescribed by law or set by established commercial usage”.

Therefore, since the packaging for the synthetic drugs is not properly labeled under the Federal *Fair Packaging and Labeling Act* and Chapter 431 of the *Texas Health and Safety Code*, selling those drugs as packaged constitutes a deceptive business practice under *Penal Code* 32.42. A first violation is a class C misdemeanor which can be prosecuted by the City Attorney’s office. An additional violation after conviction is classified under the statute as a Class A misdemeanor and can be prosecuted by the District Attorney of any county in the State.

In June, 2013 a letter was sent out to the one remaining head shop in the City of Abilene providing them notice that the Abilene Police Department would be issuing citations for deceptive business practices for the sale of the synthetic drugs. Upon receiving the letter the operator of that shop contacted the City Attorney’s office and indicated they would no longer sell those substances. As of today, there is one operating head shop within the City of Abilene and no sales of synthetic drugs.

Chris Nichols, Randle Law Office, Houston

Economic Development Panel

Texas cities are poised for strong economic growth in 2014. Just this week, the Houston Chronicle reported a Forbes study that reviewed the United States’ top 52 metropolitan areas and ranked each according to their predicted economic strength for 2014. On that list, Austin (No. 1), San Antonio (No. 2), Houston (No. 4) and Dallas (No. 6) all placed in the top 10. These cities represent the economic heartbeat of our state.

With such strong economic growth predictions for these major metropolitan areas, it is only logical to anticipate that Texas cities surrounding these areas and beyond are also poised for potential growth. However, economic development does not just happen on its own. It takes work – work in the form of identifying new economic development opportunities and attracting those opportunities with creative and lucrative economic development incentives that benefit both public and private interests. Accordingly, I am proposing for the 2014 TCAA Summer Conference agenda, a panel-style presentation and discussion which focuses on the following:

- Identify and discuss some of the most popular and some of the more unknown economic development tools available to Texas municipalities;
- Discuss how the various economic development tools identified be used in conjunction with one another;
- Share real examples of the various economic development tools identified, procedural steps for implementing, the direct economic development benefit generated, and the secondary impact on the community;
- Share copies of actual agreements, ordinances and forms associated with the various economic development tools identified; and
- Provide an open Q & A discussion for attendees.

A panel of attorneys from our firm would lead the presentation and discussion. In the last year, our office has utilized the following economic development tools with our various municipal clients:

- Performance and tax sharing agreements;
- Ch. 380 economic development programs;
- Ch. 312 tax abatements;
- Industrial districts in the ETJ;
- Ch. 373 community development programs;

As a result of our involvement and utilization of the above tools, we have seen over \$6 million dollars flow into city coffers that has or will be used to finance public projects; we have seen future tax bases increase by *billions*; we have seen commercial districts revitalized; and we have seen the cities we work with grow and prosper. We want to share that experience and the tools used to achieve those successes

This proposal is relevant and timely – relevant in that the state and local economy continues to be strong and is predicted to grow substantially; timely in that there has not been a comprehensive presentation regarding economic development tools available to Texas cities *during a time of anticipated economic prosperity* in almost six (6) years. To demonstrate that point, please consider the following:

- At the 2008 Fall TCAA Conference., the topic “Cutting Edge Economic Development Tools” was presented. Just three weeks before the conference, the Dow suffered its worst weekly loss in history, falling 1,874 points, or 18 percent (Oct. 6th-10th). Two days before the conference (Oct. 28th), the US Treasury gave out the first TARP money, totaling \$125 billion, to nine banks.
- At the 2010 TCAA Summer Conference, the topic “Selling Municipal Property for Economic Development” was presented. One month later (July 2010), President Obama signed into law the Dodd-Frank Wall Street Reform and Consumer Protection Act in a sweeping reform of the financial system. By the end of 2010, the number of home foreclosures in one year hit a peak at 2.9 million properties.
- At the 2012 TCAA Summer Conference, the topic “Enforcing Economic Development Agreements” was presented. Following that presentation, the Dow hit a new high of 15,658 on

August 2nd and by September unemployment had fallen below 8 percent, the lowest point since January 2009.

- For the remaining nine (9) TCAA Summer and Fall Conferences, beginning with the 2008 Summer Conference, there were no topics addressing economic development.

In closing, the upcoming 2014 Summer TCAA Conference presents a great opportunity to discuss this important topic during a time when it is extremely relevant for Texas cities. We would welcome the chance to prepare a comprehensive presentation and materials sharing our economic development experience, insight and work product.

Thank you for your consideration.

Christopher D. Bowers, First Assistant City Attorney, Dallas

Concrete Ways to Improve Your Legal Drafting

I hope you are doing well. I would like to be considered as a speaker for the 2014 TCAA annual conference (I've never been, but it is one of my New Year's Resolutions to go next year). My proposed topic is "Concrete Ways to Improve Your Legal Drafting." Do I need to submit the presentation now for it to be considered? Or do anything else? Just let me know.

Art Pertile and Scott Bounds, Olson & Olson, Houston

Municipal Regulation of Firearms

Art and I suggest and would be interested in having one or more attorneys from our firm present one or more of the following topics at the TCAA Summer Conference:

FIREARMS: constitutional and statutory limitations of City's regulation and restriction of possession and use of firearms in the City and on City property.

Thomas Gwodz, City Attorney, Victoria

Ethics

Should you still be using your cell phone? Given what we are learning about the NSA snooping program, is it safe to continue to use a cellular phone in your legal practice? Is it ethical? How can a practitioner square the ethical responsibility of confidentiality with the uncertainty of security in modern communication?

Dean Roggia, Assistant City Attorney, Waco

I recently handled a couple of cases that dealt with the change in use or taking of park land. I'm not sure how many cities deal with Chapter 26 of the Texas Parks and Wildlife Code on a regular basis, but if you look at the case law it seems like some cities learned about Ch. 26 the hard way. Last year, we used Ch. 26 to authorize the development of a hotel on our municipal golf course. We also used it in a friendly condemnation with Waco Independent School District.

NOT IN DRAFT AGENDA

Art Pertile and Scott Bounds, Olson & Olson, Houston

Art and I suggest and would be interested in having one or more attorneys from our firm present one or more of the following topics at the TCAA Summer Conference:

EEOC RESPONSES AND ADMINISTRATIVE PROCEEDINGS: creating a roadmap for defending a lawsuit.

VESTED RIGHTS: how to recognize, accommodate and/or terminate vested rights in light of recent cases.

MUNICIPAL COURTS: Municipal Court Judges, City Councils and City Administrators -: border wars between local judicial, legislative and administrative officers.

WATER BILLS: constitutional and statutory limitations on collection of water, sewer and garbage fees.

SEVICE ANIMALS: the obligation to accommodate use of animals by persons under the Americans with Disability Act.

EMINENT DOMAIN UPDATE.

Zachariah T. Evans, Akers Law Firm, Austin

I was thinking about doing a paper/workshop on the municipal budgeting and tax rate adoption process. Last year was, of course, my first year doing budget and tax rate, and I was nonplussed by how many city officials who had been around for the process for several years had no idea what was statutorily required of them.

Betty Lynn, Lynn, Ross, and Ganaway, Fort Worth

Hello Scott, I hope this e-mail finds you doing well. I'd like to be considered to present an employment law update on municipal matters for the final TCAA conference at SPI. However, if the committee believes the attendees would benefit from a more targeted topic, I suggest presenting a program on the interaction of the ADA, FMLA, Workers Compensation and civil service fitness for duty provisions. This is a complicated area, and many of our client cities are constantly facing challenges in dealing with this type of employee issue.

If there is another area that the committee believes needs to be addressed, please let me know, as we present programs on all employment issues with the exception of health insurance.

Brad Young, Bickerstaff, Austin and Andrew Culpepper, City Attorney, Orange

Attorney Brad Young asked that I send you the following information in support of a program he is proposing for this year's fall conference, Use of Municipal Annexation Power as a Tool for Economic Development.

Program Synopsis: Most cities recognize that a city's use of its municipal annexation power can be an effective tool for economic development by empowering the city to direct the city's future growth in areas that currently sit outside the city limits. In some cases, however, a city can use its annexation authority as a negotiating tool to achieve a win-win result for the city, the taxpayers, and property owners without actually annexing. A recent example comes from the City of Orange. The city had a number of industrial facilities outside its city limits that had industrial district agreements that were about to expire. When the city approached the property owners about renegotiating the terms of the agreements to be more favorable to the city, the property owners balked. The city therefore promptly initiated annexation proceedings. In part because the property owners did not want to be annexed, the city ultimately was able to negotiate a new set of agreements that increased the city's revenues overall but allowed the city council to decrease the tax rate for its citizens.

This topic would focus on Orange's experience specifically but also would touch generally on other situations relating to a city's annexation authority, including, for example, Chapter 212 Development Agreements and landowners in the ETJ who want to create MUDs or other special purpose districts.

Lloyd Gosselink, Austin

We have been gathering up some topics for consideration by the TCAA board to present at the summer conference. I hope some of these pique the interest of the board members:

Booms, Droughts, and Keeping the Lights On – a Gas, Water & Energy update

Multiple challenges face the state's regulatory agencies and municipalities as they deal with massive activity in gas shale drilling, severe water shortages, and potential changes in the energy markets. This presentation will bring city attorneys up to date on recent activities at the Railroad Commission, the Public Utility Commission, and the Texas Commission on Environmental Quality, and inform local regulators on how these activities, and others, will impact municipal operations and budgets in the coming years.

(Georgia Crump, Thomas Brocato, and Brad Castleberry)

Surfing the Rising Tide of Clean Water Act Enforcement

Federal water enforcement is on the rise in Texas! This presentation will highlight the recent trends in EPA water and wastewater enforcement efforts across Texas, Region 6, and the United States. It will focus upon specific efforts cities may consider to plan ahead for such enforcement, and to present a comprehensive, utility-wide vision to EPA. EPA's "Integrated Planning" framework will be analyzed, as communities grapple with the challenges of prioritizing various infrastructure needs across their systems.

(Martin Rochelle, Lauren Kalisek, Nathan Vassar, or Joe de la Fuente)

The Electric Slide: Will Texas Have Enough Power Plants For Its Growing Population?

In this discussion, we cut through the fog around a topic that has generated much hyperbole in the media and among many policy makers: will Texas's deregulated electric market provide enough incentive for investors to continue to build power plants here? We'll explore whether the sky is falling, or whether everything will be alright – and explain why cities should care about this critical question for the future of our state.

(Chris Brewster)

The Importance of Early City Involvement in the Electric Transmission Planning Process

Often electric transmission companies do not consult with local governments prior to filing for large scale transmission projects. These projects can directly conflict with cities' long-term planning projects. If a city does not get involved in the planning process until a project application has been filed at the Public Utility Commission, the city will be stuck with the options presented by the utility, no matter how detrimental for the city. Learn why and how to get involved early to help ensure that the ultimate outcome of the transmission process is something that the city can live with.

(Eileen McPhee)

How To Negotiate a Better Telecommunications Contract

Save money through better planning and negotiation: an explanation of common provisions in telecommunications contracts of importance to local governments. The presentation will focus on contract provisions to be wary of when negotiating a contract for telecommunications services. The presentation will provide tips and pointers for cities to take both before and after negotiating a telecommunications contract.

(Eileen McPhee)

I'm also including below the topics from Sheila Gladstone that I had previously sent, just so you'll have them all in one document:

Employment Law Update 2014:

What are the EEOC's current enforcement priorities? What new employment laws and regulations have come around in the last year, or are on the horizon? How will cities be affected and what must they change? This session will give city attorneys the tools they need to provide wise counsel and practical advice on handling workplace issues, revising policies and postings, and ensuring legal compliance.

Americans with Disabilities Act Update – Accommodating Employees in the Workplace:

The ADA Amendments Act made a big splash a few years ago, as did the Regulations interpreting it in 2011. This session will review how the new, expanded law has now played out in the workplace, with the EEOC, and in the courts. Further will be a practical discussion on some of the most difficult workplace accommodation issues, including chronic ailments, psychological issues, workplace allergies, and leave as accommodation.

Is Your Personnel Policy Manual Up-to-Date?

Employment law has been changing at the speed of light the last few years. Even if you did a complete legal review of your personnel manual just two years ago, there is still important "tweaking" to be done to comply with new laws, regulations, and court interpretations. An experienced public-sector employment lawyer will guide you through most important updates, including dress codes, leave policies, new protected classes, and more.

Bridging the Gap: What Lake Ralph Hall tells us about accomplishing the goals of the State Water Plan. (Jason Hill)

A discussion regarding surface water rights issues important to cities, such as: (1) reservoir development under modern water rights permitting criteria; (2) the role of the environment in long-term water supply planning; (3) interbasin transfers; and (4) the new “conservation” standard in Texas surface water law. The discussion will also include an analysis of ambiguities in Texas water law/policy (groundwater and surface water) that create tangible challenges to municipalities and other water providers across the state in making long-term water supply plans.

Water and Sewer Utility Regulation Comes Full Circle Back to the PUC. (Georgia Crump)

When the PUC was created in 1975 by the adoption of the Public Utility Regulatory Act, the PUC was given jurisdiction over water and sewer utilities’ rates and operations and the issuance of water and sewer Certificates of Convenience and Necessity (CCN). These responsibilities were transferred to the Texas Water Commission in 1985, where they stayed for almost 30 years. However, with the enactment of SB 567 (sent to the Governor on May 14, 2013), the “economic regulation” of water and sewer utilities has gone back to the PUC. A new three-tiered approach to rate regulation, coupled with changes to the CCN sections of the Water Code, will impact the regulation of water and sewer utilities, both privately-owned and municipally-owned. This presentation will examine the impact of the return of jurisdiction to the PUC on municipally-owned water and sewer utilities, the changes to municipal regulation and oversight of water and sewer utilities, and revisions to the Water Code affecting CCNs.

Emily Rogers, Bickerstaff Heath Delgado Acosta, Austin

Good morning, Scott! Looks like this year my kids’ sports schedule will not conflict with the TCAA Summer Conference like it did last year! So, I’m going to be there. I know you have been losing sleep over whether I would be attending, so I wanted to put your mind at ease. :)

Brad Young and I have talked some about the TCAA conference and wanted to present some topics for your consideration. We are both willing speakers and would love the opportunity. I had a couple of other ideas as well. If any of these are of interest, I would be happy to present them.

1. EAA v. Bragg and EAA v. Day – What these cases mean to cities. This topic would cover how these cases affect cities with groundwater rights and wells (i.e. as the landowner and the regulated entity) and how the cases affect cities as the regulator (i.e. limiting groundwater pumping and drilling with the city limits). A variation of that topic could be a city’s authority to regulate water wells and groundwater drilling and pumping, in light of Day and Bragg.
2. State Water Planning 101 – What cities should know about state water planning and financing with the passage of Proposition 1.
3. Preview of the Transition of Utility Rate and CCN Jurisdiction from the TCEQ to the PUC. This topic would cover the PUC sunset legislation that is transferring authority over the issuance of CCNs and over rate cases to the PUC and the effect of that change on cities. However, this topic may be a better topic for Fall 2014 or Summer 2015, after the transfer has actually happened.

As always, Brad and I are available to do other relevant topics as well.

TAB

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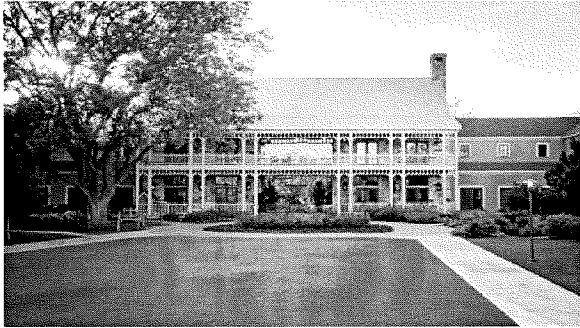
TCAA SUMMER CONFERENCE BIDS

HOTEL	DATES	GUEST ROOM RATE	MEETING ROOMS	CONCESSIONS	Multi-year Dates/Rates	Multi-year concessions
Hyatt Hill Country, San Antonio	June 20-26, 2015	\$199 (+\$26 resort fee)	Comp meeting space -Minimum \$35K F&B \$25-35K \$1000 per day Below \$25K \$2000 per day	<p>SPECIAL CONSIDERATIONS (BASED ON 80% ATTRITION)</p> <p>Two (2) upgrades to One Bedroom Hill Country Suites at group rate (per grid above)</p> <p>One (1) upgrade to a Presidential Suite at group rate (per grid above)</p> <p>Three (3) complimentary VIP amenities (chef's choice)</p> <p>Three (3) complimentary VIP turndown services per night</p> <p>Five (5) staff rooms per night at 50% off the group rate</p> <p>1 per 40 complimentary rooms</p> <p>Meeting room rental waived with F&B minimum of \$35,000</p> <p>\$35,000 - \$25,000 - \$1,000 per day</p> <p>Below \$25,000 - \$2,000 per day</p> <p>Complimentary office with a complimentary Internet line</p> <p>15% A/V equipment discount if PSAV is the sole provider</p> <p>Two complimentary rooms nights for site or pre planning visit (based on hotel availability)</p>	<p>June 18-24, 2016 \$209 (+\$26 resort fee)</p> <p>June 17-23, 2017 \$219 (+\$26 resort fee)</p>	N/A
Horseshoe Bay Resort, Horseshoe Bay	June 22-28, 2015	199 (+\$26 resort fee)		<p>1 per 40 comp rooms</p> <p>comp wifi in sleeping rooms - included in resort fee</p> <p>comp self parking</p> <p>room rate available 2 days pre and 2 days post</p> <p>comp suite for TCAA President</p> <p>comp suite for meeting planner</p> <p>10 staff rooms at 50% off group rate</p>	<p>May 30-June 5, 2016 199 (+\$26 resort fee)</p> <p>June 19-June 25, 2017 199 (+\$26 resort fee)</p>	Losing the Marriott Flag, will be independent property.

<p>Westin Riverwalk, San Antonio</p>	<p>June 17-19, 2015 June 24-26, 2015</p>	<p>\$194 City View/ \$224 River view</p>	<p>Comp meeting space w/ \$10K F&B</p>	<p>1 per 50 complimentary room ratio 2 Complimentary One Bedroom Suites 3 Upgrades to Corner Suites at the Group City Side rate 10 Staff Rooms at \$109.00 5 Complimentary Valet Parking Passes 10% off AV and meeting room internet Special Menu Pricing Sleeping room rate honored 2 days pre/post 85% Attrition on Rooms No Charge for Easles</p>	<p>June 15-17, 2016 \$209.00 city / \$239.00 River June 22-24, 2016 \$209.00 city / \$239.00 River June 14-16, 2017 \$214.00 city / \$244.00 River June 21-23, 2017 \$214.00 city / \$244.00 River</p>	<p>Concession from 2015 + Complimentary Guestroom Internet (Business Access) 50% Off Meeting Room Internet Fees (excluding labor) 10,000 SPP points per contract at time of signing 2% Credit to the Master Account (based on charges applied to Master) 80% Attrition on Rooms and F&B 1/40 complimentary room ratio 2013 Valet Parking Prices Confirmed for all years</p>
<p>Hilton Palacios del Rio, San Antonio</p>	<p>June 24-26, 2015</p>	<p>\$179</p>	<p>Comp w/ 8K F&B</p>	<p>One (1) Complimentary room per 50 rooms actualized Complimentary meeting room rental with Food and Beverage minimum of \$8,000.00 One (1) Complimentary One-Bedroom executive suite for TCAA President One (1) Complimentary upgrade to a One-Bedroom executive suite for Meeting Planner Ten (10) staff rated guest rooms at 35% off group rate \$5.00 Off self parking charges 80% Room Attrition Complimentary high speed internet in guest rooms for all attendees registered in block Rates will be honored 3 days pre/post the meeting dates, based upon availability</p>	<p>June 22-24, 2016 \$179.22 June 21-23, 2017 \$184.60 Based on: \$174.00 for 2015 with 3% increase year over year</p>	<p>2015 Concessions with few changes: One (1) Complimentary room per 40 rooms actualized Ten (10) staff rated guest rooms at 50% off group rate 10% discount off our published PSAV pricing 70% Room Attrition Cancellation between date of signing until 3 years before event date: 20 % / 3 years and 2 years before event date: 40 % / 2 years and 1 year before event date: 60 % / less than one year before event date: 80 %</p>

<p>Grand Hyatt, San Antonio</p>	<p>June 22-27, 2015</p>	<p>\$195 s/d \$220 Triple \$245 Quad</p>	<p>Comp w/10K F&B</p>	<p>(1) One complimentary Terrace Suite for TCAA President for the duration of the meeting dates (1) One complimentary Three-Bay Hospitality Suite for meeting planner for the duration of the meeting dates Hotel will honor sleeping room rates (2) two days pre and post conference dates, based on availability Group will receive (1) one complimentary room per every (45) forty-five actualized rooms (10) Ten staff rooms per night at 50% off the group rate The Hotel will provide standard internet on a complimentary basis, valued at \$9.95, to attendees in their guestroom over the official dates of the conference. Internet in meeting rooms will be discounted at the rate of \$15.00 per day, per user, a one-time set up fee of \$295.00 will be charged for the initial hook up Hotel will confirm self parking at a discounted rate of \$15.00 per day, per vehicle, (current prices are at \$25.00 and subject to increase year over year) Hotel will offer (2) two complimentary easels for meeting room Meeting room rental will be complimentary with achieved food and beverage minimum of \$10,000.00</p>	<p>2015 Rates \$189 s/d, \$210 Triple, \$235 Quad June 20-26, 2016 \$195s/d, \$220 Triple, \$245 Quad June 12-18, 2017 \$199 s/d, \$224 Triple, \$249 Quad</p>	<p>2015 Concession with few changes: Hotel will waive \$295 fee for initial hook up of internet in meeting room for a three year deal. Hotel will confirm self parking for all three years at a discounted rate of \$12.50 per day, per vehicle, that is 50% off the current self parking prices in 2013 (current prices are at \$25.00 and subject to increase year over year) Hotel will offer (2) two complimentary easels for meeting room Meeting room rental will be complimentary with achieved food and beverage minimum of \$8,000.00 in 2015; \$9,000.00 in 2016; \$10,000.00 in 2017.</p>												
<p>Hyatt Lost Pines</p>	<p>June 15-21, 2015</p>	<p>\$204 s/d</p>	<p>comp w/ 90% of room block</p>	<p>Resort Fee: REDUCED to \$20.00 In the event that the Group actualizes a minimum of ninety percent (90%) of the contracted room block, the Hotel will extend the following: <ul style="list-style-type: none"> • 1 per 40 complimentary rooms • Two (2) complimentary Junior Suites over and above • Ten (10) staff rooms at 50% off the group rate • Group rates offered two (2) days pre/post stay • Complimentary easels in the meeting room • Meeting history provided upon request </p>	<p>June 15 - 21, 2015 \$195.00 single/double June 13 - 19, 2016 \$200.00 single/double June 12 - 18, 2017 \$205.00 single/double</p>	<p>Resort Fee REDUCED to \$10.00 for all three programs + 2015 concessions If your group would be able to shift to a Sunday/Monday arrival as follows, I would be in a position to offer the following rates: <table border="1"> <tr> <td>Sat.</td> <td>Sun.</td> <td>Mon.</td> <td>Tue.</td> <td>Wed.</td> <td>Thu.</td> </tr> <tr> <td>15</td> <td>65</td> <td>150</td> <td>150</td> <td>110</td> <td>60</td> </tr> </table> 2015 \$165. flat 2016 \$175. flat 2017 \$185. flat Were you to go with just the 2015 proposal with the adjusted pattern, I would be able to offer \$175. flat. I hope this will show you that I would appreciate booking the multi-year meeting and have adjusted my rates accordingly. Thank you for considering us!</p>	Sat.	Sun.	Mon.	Tue.	Wed.	Thu.	15	65	150	150	110	60
Sat.	Sun.	Mon.	Tue.	Wed.	Thu.													
15	65	150	150	110	60													

HYATT LOST PINES



- Location: Bastrop, TX
- Air Travel: Austin-Bergstrom International Airport is 13 miles from the resort
- Hotel Activities:
 - Horseback Riding
 - Spa
 - Golf Course
 - Hiking & Jogging Trails
 - Pool/Water Park
 - Deluxe Fitness Center
- Hotel Dining Options:
 - 7 Different restaurant choices, ranging from fine dining to an Ice Cream Saloon
- Area attractions:
 - Approximately 30 minutes from downtown Austin

HYATT HILL COUNTRY



- Location: San Antonio, TX
- Air Travel: San Antonio International Airport is 17.5 miles from the resort
- Hotel Activities:
 - Five-acre water playground with manmade beach
 - Poolside cabanas equipped with 32-inch HDTV, Wi-Fi, lounge chairs and table and chairs for four
 - Deluxe Fitness Center
 - Spa
 - Jogging / nature / bicycling trails
 - Golf Course
- Hotel Dining Options:
 - 8 Different restaurant choices, ranging from fine dining to a pool bar/grill
- Area attractions:
 - Approximately 23 minutes from San Antonio riverwalk
 - 20 minutes to Six Flags Fiesta Texas
 - 5 minutes to Sea World

HOESHOE BAY RESORT



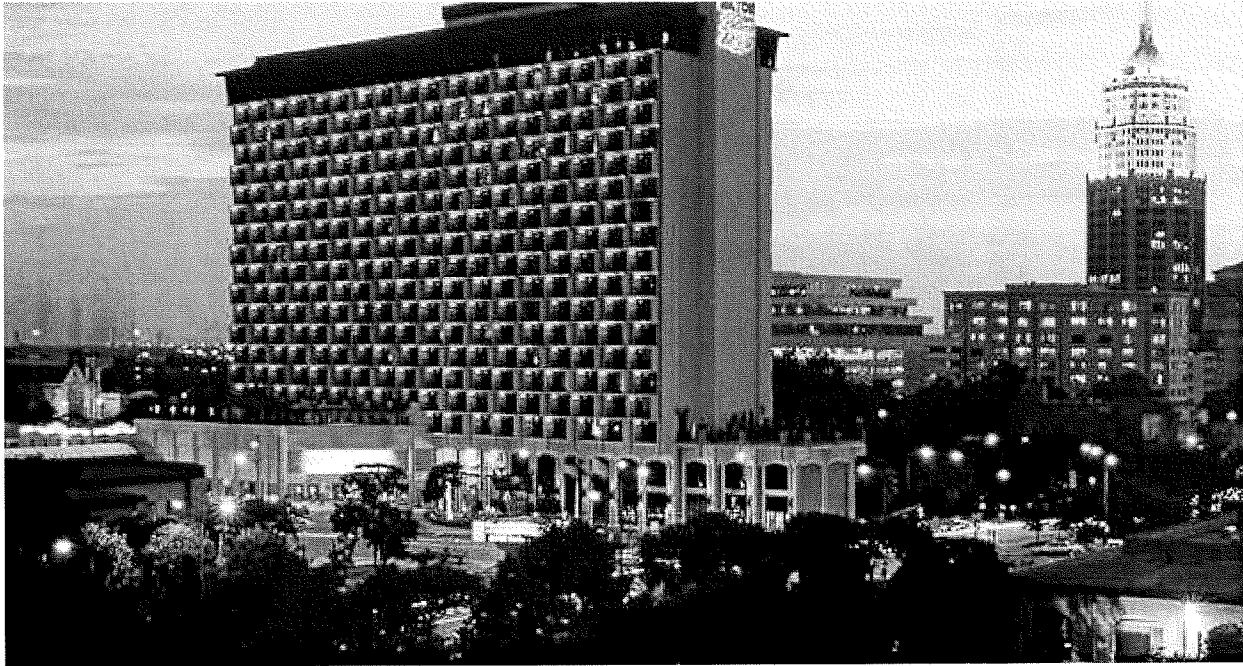
- Location: Horseshoe Bay, TX
- Air Travel: Austin-Bergstrom International Airport is 59 miles from the resort
- Hotel Activities:
 - Pool
 - Lake LBJ Boating/Jet Skiing
 - Deluxe Fitness Center
 - Spa
 - Golf Course
- Hotel Dining Options:
 - 5 Different restaurant choices, ranging from lakeside fine dining to a pub with a burger voted best in the Austin area
- Area attractions:
 - Approximately 30 minutes to Texas Hill Country Wine Trail wineries
 - 52 minutes to Enchanted Rock
 - 1 hour to downtown Fredericksburg

WESTIN RIVERWALK



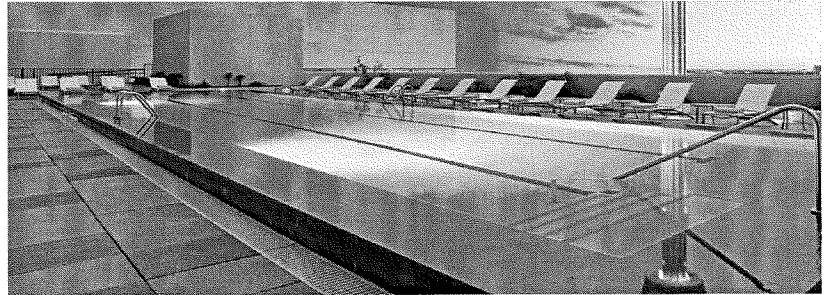
- Location: San Antonio, TX
- Air Travel: San Antonio International Airport is 8.5 miles from the resort
- Hotel Activities:
 - Outdoor Pool
 - Fitness Center
 - Spa
- Hotel Dining Options:
 - 2 restaurants and cabana-style rooftop bar
- Area attractions:
 - On the famous San Antonio Riverwalk
 - .3 miles from the Alamo
 - .3 miles from San Antonio Children's Museum
 - 18 miles from Sea World
 - 20 miles from Six Flags Fiesta Texas

HILTON PALACIOS DEL RIO



- Location: San Antonio, TX
- Air Travel: San Antonio International Airport is 8 miles from the hotel
- Hotel Activities:
 - Outdoor Pool
 - Fitness Center
- Hotel Dining Options:
 - Restaurant and irish pub
- Area attractions:
 - On the famous San Antonio Riverwalk
 - .3 miles from the Alamo
 - .3 miles from San Antonio Children's Museum
 - 18 miles from Sea World
 - 20 miles from Six Flags Fiesta Texas

GRAND HYATT



- Location: San Antonio, TX
- Air Travel: San Antonio International Airport is 8 miles from the hotel
- Hotel Activities:
 - Outdoor Pool
 - Fitness Center
- Hotel Dining Options:
 - Restaurant and bar
- Area attractions:
 - On the famous San Antonio Riverwalk
 - .3 miles from the Alamo
 - .3 miles from San Antonio Children's Museum
 - 18 miles from Sea World
 - 20 miles from Six Flags Fiesta Texas