



Texas City Attorneys Association

Board of Directors Meeting

El Paso, TX
February 15, 2019

Agenda

TCAA Board of Directors
Friday, February 15, 2019
Hotel Indigo
325 North Kansas Street
Sunset Heights Boardroom
3:00 p.m.

1. Welcome our newest board members: Julie Fort and Marcus Norris.
2. Consider the minutes from the June board meeting in Bastrop.
3. Consider the minutes from the September board meeting by phone.
4. Houston conference evaluations.
5. TCAA budget update.
6. Approve program for 2019 Summer Conference at Hyatt Regency Riverwalk in San Antonio.
7. Authorize staff to solicit proposals for Summer Conference date and location for 2022 and 2023.
8. Approve 2019-2020 TML affiliate services agreement.
9. Consider adopting bylaws and/or amending the TCAA constitution to address a board member in transition, including: eligibility to continue serving on the board, when the eligibility determination is made, who makes the eligibility determination, and who communicates with the board member in question.
10. Consider local club or society affiliation policy.
11. Consider additional opportunities to serve TCAA and/or expanding the size of the board.
12. Next board meeting to be held in San Antonio on June 19, 2019, at 4:00 p.m.
13. Other business.
14. Adjourn.

**TCAA
Board of Directors
2018-2019**

President

Sylvia Borunda Firth
Sylvia Borunda Firth, PLLC
P.O. Box 942
El Paso, Texas 79946-0942
915-532-7500 office
915-248-9838 cell
SBFirth@FBKNLaw.com

First Vice President

Paige Mims
City Attorney
P.O. Box 860358
Plano, TX 75086-0358
972-941-5235 office
972-424-0099 fax
paigem@plano.gov

Second Vice President

Alan Bojorquez
Bojorquez Law Firm
12325 Hymeadow Drive
Austin, TX 78750
512-250-0411 office
512-250-0749 fax
alan@texasmunicipallawyers.com

Recorder

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

Directors

Kuruvilla Oommen
City Attorney
825 W. Irving Blvd
Irving, TX 75060
972-721-4825 office
972-721-2750 fax
koommen@cityofirving.org

Slater Elza
Underwood Law Firm
P.O. Box 9158
Amarillo, TX 79105
806-379-0347 office
806-242-0526 fax
Slater.Elza@uwlaw.com

Kevin Pagan
City Attorney
P.O. Box 220
McAllen, TX 78505
956-681-1090
kpagan@mcallen.net

Jennifer Richie
City Attorney
P.O. Box 2570
Waco, Texas 76702-2570
254-750-5688 office
254-750-5888 fax
jenniferr@wacotx.gov

Julie Fort
Messer Rockefeller & Fort
6371 Preston Road, Ste. 200
Frisco, Texas 75034
972-668-6400 office
972-668-6414 fax
julie@txmunicipallaw.com

Past President

Dottie Palumbo
Bojorquez Law Firm
12325 Hymeadow Drive
Austin, TX 78750
512-250-0411 office
512-250-0749 fax
dottie@texasmunicipallawyers.com
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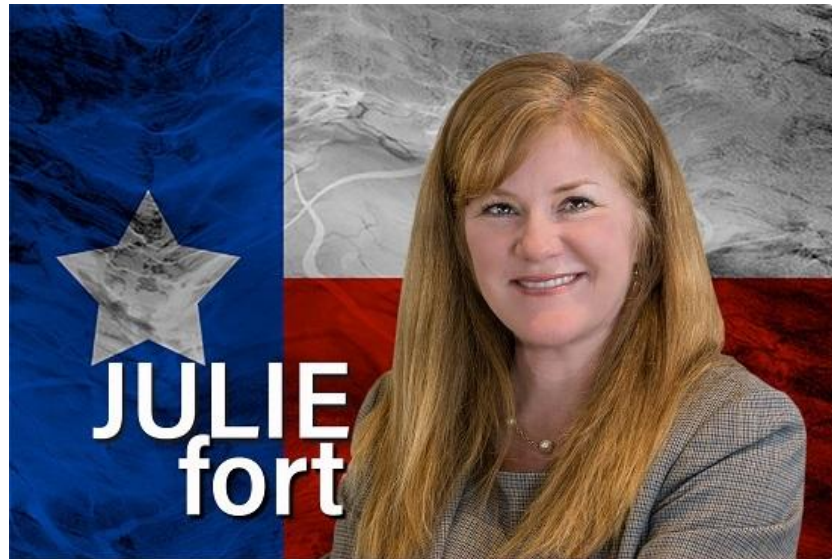
TML Board Representative

Marcus Norris
Deputy City Attorney
P.O. Box 1971
Amarillo, Texas 79105-1971
806-378-3563 office
806-378-9394 fax
marcus.norris@amarillo.gov

TAB

1

New TCAA Board Members



Partner, Messer, Rockefeller & Fort Law Firm, PLLC



Marcus Norris, Deputy City Attorney, City of Amarillo – TML Board Representative

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Minutes

TCAA Board of Directors

Wednesday, June 13, 2018 – Hyatt Lost Pines Resort, Bastrop, TX

Board President Dottie Palumbo called the meeting to order at 4:00 p.m.

Board members present:

Dottie Palumbo

Jennifer Richie

Paige Mims

Slater Elza

Ron Stutes

Alan Bojorquez

Kevin Pagan

Art Pertile

Kuruvilla Oommen

Karen Horner

Board members absent:

Sylvia Firth

TML staff present:

Scott Houston

Christy Drake-Adams

Heather Ford

Others present:

Ryan Henry

1. Consider the minutes from the January 19, 2018, board meeting.

Motion to approve the January 19, 2018, board minutes with one correction of a typographical error by Kuruvilla Oommen. Second by Ron Stutes. Unanimously approved.

2. 2018 Riley Fletcher Basic Municipal Law Seminar.

Staff presented board members the survey results from the February 2018 Riley Fletcher Basic Municipal Law Seminar. Discussion that, for 2019, TCAA will offer a webinar of the 2018 seminar. No action taken.

3. TCAA 2018 Summer Conference Final Program.

Staff provided registration numbers and the final program for the TCAA Summer Conference, including award recipients. No action taken.

4. TCAA Budget for FY 2018-19.

Staff provided an update on the year-to-date expenditures, as well as an explanation of the proposed 2018-2019 budget. A motion was made by Kevin Pagan and a second by Slater Elza to approve the FY 2018-2019 budget. Adopted unanimously.

5. Update on TCAA 2018 Fall Conference in Conjunction with IMLA in Houston.

Staff presented the board with: (1) current registration numbers; and (2) current dollar amount sent to IMLA to subsidize TCAA member attendance at full IMLA conference. Discussion that Art Pertile will distribute information to TCAA board to assist in IMLA sponsorships. No action taken.

6. Board Expansion/TCAA Leadership Opportunities.

Board discussed expanding the number of TCAA board members and/or having regional chapter affiliates. In regard to regional affiliates, the board directed staff to prepare a draft policy for consideration at the next meeting.

7. Designate Christy Drake-Adams as TCAA assistant general counsel.

A motion was made by Alan Bojorquez and a second by Jennifer Richie to approve Christy Drake-Adams as TCAA assistant general counsel. Adopted unanimously.

8. Board meeting during the TCAA 2018 Fall Conference.

Discussion that Scott Houston and Paige Mims will work together to finalize details on the exact day and time for the next board meeting.

9. Other business.

Board discussed the need for a policy regarding the manner in which sponsors distribute advertising materials at TCAA conferences. Board consensus was that sponsors could distribute any items they wish in any manner they wish.

10. Adjourn.

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Minutes
TCAA Board of Directors
Tuesday, September 4, 2018 – Telephone Conference

Board President Dottie Palumbo called the meeting to order at 10:00 a.m.

Board members present:	Board members absent:
Dottie Palumbo	Karen Horner
Jennifer Richie	Sylvia Firth
Paige Mims	
Slater Elza	
Ron Stutes	
Alan Bojorquez	
Kevin Pagan	
Art Pertile	
Kuruvilla Oommen	

TML staff present:
Scott Houston
Christy Drake-Adams
Heather Ford

1. Proposal to Amend TCAA Constitution

The board discussed a proposal by Board President Dottie Palumbo to amend Article IV, Section 1 of the TCAA Constitution as follows:

Any active member who has served as a Director of the association for at least five (5) years who is no longer an active member due to retirement from a City Attorney or Assistant City Attorney Position may be eligible to continue to serve as an officer of the association or may be eligible to serve as an officer of the association as long as they remain an associate member of TCAA.

There was not a consensus to move forward with the amendment but was a general agreement to:

- Recommend to the nominating committee that Sylvia Firth be nominated for the 2018-2019 TCAA board president position. If she is elected, and if she not eligible to serve (under current rules) at the time of election, she would be (in effect) “President-elect,” but would not become President unless she becomes eligible on or before January 15, 2019. If she does not become eligible by that date, the vacancy created by such situation would be filled as provided in the TCAA Constitution.
- Authorize the (incoming) TCAA First Vice President to carry out the duties of TCAA President for any period of time between the election and January 15, 2019 that the president-elect is not qualified for office. (Because there did not seem to be any “term

limits” on offices, there would be no prohibition from such person serving as President for a full-term later, should this occur.)

- Grant the Board general authority to fill the vacancies (if any) created consistent with the outcome of the election, the Constitution, and any relevant subsequent developments.

2. Adjourn.

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Initial Report

2018 TCAA Fall Meeting at IMLA

December 28, 2018 11:36 AM CST

Q1 - Please provide your name.

Please provide your name.

Mike Hayes

Roberta Cross

Eileen Youens

Cynthia Withers

Robin Curtis

Sherri Russell

Anne Marie Odefey

Suzanne Hanneman

charlie McNabb

Robert Higgason

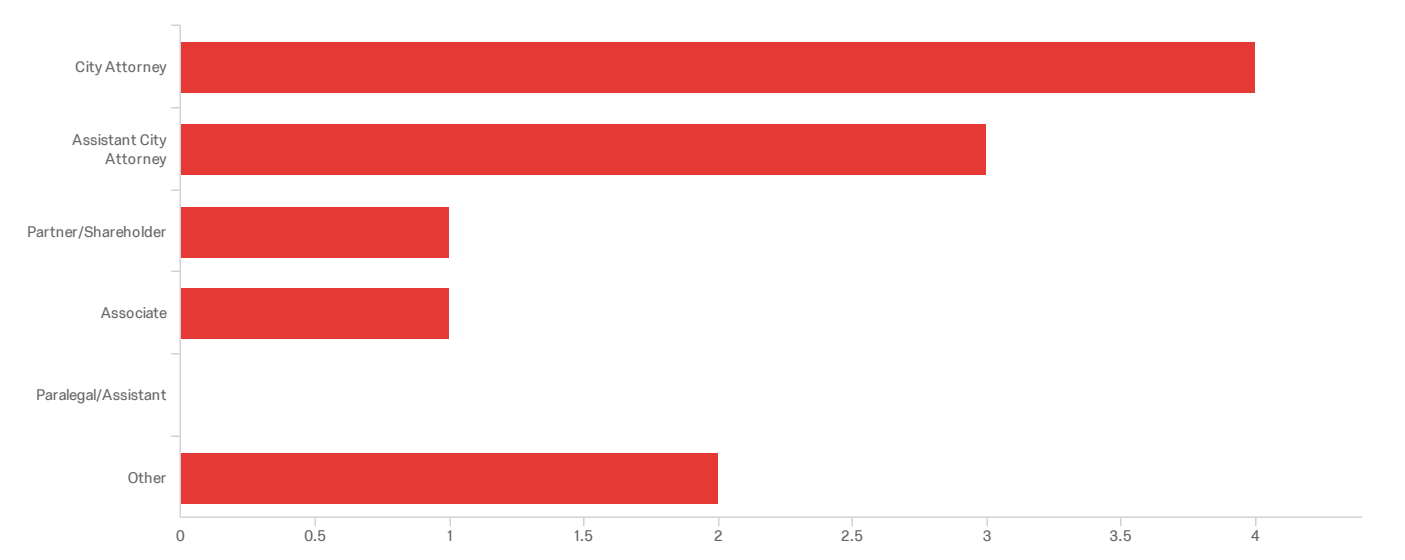
scott houston

Showing records 1 - 11 of 11

Q5 - Please provide your city or firm if applicable.

Please provide your city or firm if applicable.
City of Kerrville, TX
The Woodlands, Texas
Bojorquez Law Firm
City of Arlington
City of Houston
City of Lake Jackson
Roberts, Odefey, Witte & Wall, LLP
City of Alvin
Georgetown
City of Houston
TML
Showing records 1 - 11 of 11

Q6 - Please provide your job title.



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	Please provide your job title.	1.00	6.00	2.64	1.82	3.32	11

#	Field	Choice Count
1	City Attorney	36.36% 4
2	Assistant City Attorney	27.27% 3
3	Partner/Shareholder	9.09% 1
4	Associate	9.09% 1
5	Paralegal/Assistant	0.00% 0
6	Other	18.18% 2

Q8 - If "Other", what is your title?

If "Other", what is your title?

Township Attorney

general counsel

Showing records 1 - 2 of 2

Q4 - Please rank the following sessions.

#	Field	Excellent		Good		Fair		No Opinion		Didn't Attend		Total
1	Service Animals	50.00%	5	30.00%	3	10.00%	1	0.00%	0	10.00%	1	10
2	ADA Facility Compliance - What to Do When the Feds Come Knocking	63.64%	7	27.27%	3	0.00%	0	0.00%	0	9.09%	1	11
3	Public Information Act: How to Effectively Intake, Process, and Respond to Requests	27.27%	3	45.45%	5	9.09%	1	0.00%	0	18.18%	2	11
4	Political Hot Topics in Land Use (Confederate Monuments, Street Naming, Affordable Housing, Etc.)	54.55%	6	18.18%	2	9.09%	1	0.00%	0	18.18%	2	11
5	Recent Federal Cases of Interest to Cities	81.82%	9	18.18%	2	0.00%	0	0.00%	0	0.00%	0	11
6	Top Employment Law Challenges in the Workplace	36.36%	4	18.18%	2	18.18%	2	0.00%	0	27.27%	3	11
7	"Like" it or Not: Developing Social Media Guidelines for City Employees	54.55%	6	36.36%	4	0.00%	0	0.00%	0	9.09%	1	11
8	Legislative Forecast	50.00%	5	50.00%	5	0.00%	0	0.00%	0	0.00%	0	10
9	A Legal Perspective on City Efforts to Create Innovation-Friendly Environments for Entrepreneurs and Startups	0.00%	0	50.00%	5	20.00%	2	0.00%	0	30.00%	3	10
10	Anti-SLAPP Suits	20.00%	2	30.00%	3	20.00%	2	0.00%	0	30.00%	3	10

Showing rows 1 - 10 of 10

#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count	Bottom 3 Box	Top 3 Box
1	Service Animals	1.00	5.00	1.90	1.22	1.49	10	90.00%	20.00%
2	ADA Facility Compliance - What to Do When the Feds Come Knocking	1.00	5.00	1.64	1.15	1.32	11	90.91%	9.09%
3	Public Information Act: How to Effectively Intake, Process, and Respond to Requests	1.00	5.00	2.36	1.37	1.87	11	81.82%	27.27%
4	Political Hot Topics in Land Use (Confederate Monuments, Street Naming, Affordable Housing, Etc.)	1.00	5.00	2.09	1.50	2.26	11	81.82%	27.27%
5	Recent Federal Cases of Interest to Cities	1.00	2.00	1.18	0.39	0.15	11	100.00%	0.00%
6	Top Employment Law Challenges in the Workplace	1.00	5.00	2.64	1.61	2.60	11	72.73%	45.45%

7	"Like" it or Not: Developing Social Media Guidelines for City Employees	1.00	5.00	1.73	1.14	1.29	11	90.91%	9.09%
8	Legislative Forecast	1.00	2.00	1.50	0.50	0.25	10	100.00%	0.00%
9	A Legal Perspective on City Efforts to Create Innovation-Friendly Environments for Entrepreneurs and Startups	2.00	5.00	3.10	1.30	1.69	10	70.00%	50.00%
10	Anti-SLAPP Suits	1.00	5.00	2.90	1.51	2.29	10	70.00%	50.00%

Q2 - Please indicate any topics you would like to be included at future sessions.

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

Intersection of ADA, Workers Comp, LTD, FMLA, and medical separation

PIA talk, but needs to be more in depth; common contract modifications for cities; economic development agreements.

Various aspects of immunity--i.e., sovereign; governmental; judicial; legislative; official; qualified. Also, defending officers and cities in officer involved shooting cases--Section 1983 (officer) and Monell (cities).

Showing records 1 - 3 of 3

Q8 - Please indicate your experience with the following elements of the meeting.

#	Field	Excellent		Good		Fair		No Opinion		Total
1	Relevancy of Session Topics	63.64%	7	27.27%	3	9.09%	1	0.00%	0	11
2	Reasonableness of Seminar Pricing	81.82%	9	9.09%	1	0.00%	0	9.09%	1	11
3	Publicity	63.64%	7	36.36%	4	0.00%	0	0.00%	0	11
4	Location of Seminar	81.82%	9	18.18%	2	0.00%	0	0.00%	0	11
5	Meeting Facility	90.91%	10	9.09%	1	0.00%	0	0.00%	0	11
6	On-Site Staff	90.91%	10	0.00%	0	0.00%	0	9.09%	1	11
7	Overall Opinion of the Seminar	72.73%	8	27.27%	3	0.00%	0	0.00%	0	11

Showing rows 1 - 7 of 7

#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count	Bottom 3 Box	Top 3 Box
1	Relevancy of Session Topics	1.00	3.00	1.45	0.66	0.43	11	100.00%	36.36%
2	Reasonableness of Seminar Pricing	1.00	4.00	1.36	0.88	0.78	11	90.91%	18.18%
3	Publicity	1.00	2.00	1.36	0.48	0.23	11	100.00%	36.36%
4	Location of Seminar	1.00	2.00	1.18	0.39	0.15	11	100.00%	18.18%
5	Meeting Facility	1.00	2.00	1.09	0.29	0.08	11	100.00%	9.09%
6	On-Site Staff	1.00	4.00	1.27	0.86	0.74	11	90.91%	9.09%
7	Overall Opinion of the Seminar	1.00	2.00	1.27	0.45	0.20	11	100.00%	27.27%

Q3 - Please provide any additional comments about the seminar.

Please provide any additional comments about the seminar.

I thought TCAA's fall conference worked well with IMLA - even though I think TCAA puts on a better conference.

Loved having the TCAA Mid-year Conference combined with IMLA since IMLA was in Texas! Thanks!

Needed the address of the hotel, employment law challenges too basic

Very well done.

Showing records 1 - 4 of 4

End of Report

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Texas City Attorneys Association
Profit and Loss Statement
For the Five Months Ending November 30, 2018

	September	October	November	YTD	Budget	Favorable (Unfavorable) Variance
Membership Dues	\$8,459.82	\$2,955.13	\$556.45	\$30,895.38	\$29,980.00	\$915.38
Investment Income	367.03	379.38	339.35	1,805.56	2,000.00	(194.44)
Semi-Annual Meeting (Summer)	1,207.00			1,163.69	62,820.00	(61,656.31)
Sponsor Revenue	1,941.70	2,000.00		3,941.70	50,000.00	(46,058.30)
Riley Fletcher Seminar	149.00	(4.59)	149.00	293.41	5,070.00	(4,776.59)
Total Revenue	12,124.55	5,329.92	1,044.80	38,099.74	149,870.00	(111,770.26)
Professional Fees	1,100.00			1,100.00	1,000.00	(100.00)
Telephone					75.00	75.00
Postage	49.56	53.52	1.63	388.72	300.00	(88.72)
Boards and Committees	111.00	111.00	3,006.23	3,450.23	4,000.00	549.77
Semi-Annual Meeting (TML)	4,250.00	(16,739.37)	3,030.30	23,418.03	45,000.00	21,581.97
Semi-Annual Meeting (Summer)	351.50	546.69	1,644.64	5,167.98	115,340.00	110,172.02
Riley Fletcher Seminar	166.50	166.50	166.50	893.01		(893.01)
Public Relations					300.00	300.00
IMLA Scholarships				8,400.00		(8,400.00)
IMLA Small Cities Membership Conrit	3,000.00			3,000.00	3,000.00	
Printing and Reproduction			0.12	0.32	300.00	299.68
Newsletter	1,258.00	1,258.00	1,258.00	6,290.00	14,280.00	7,990.00
Awards & Recognition					1,300.00	1,300.00
Office Supplies					100.00	100.00
LisTCAA Listserve	49.33	49.33	49.33	246.65	600.00	353.35
Web Site Expenses	74.00	74.00	74.00	967.92	4,840.00	3,872.08
Miscellaneous	134.90			634.90	3,000.00	2,365.10
Administrative Services	2,153.22	863.22	338.22	8,726.10	9,290.00	563.90
Total Expenses	12,698.01	(13,617.11)	9,568.97	62,683.86	202,725.00	140,041.14
Net Income (Loss)	(573.46)	18,947.03	(8,524.17)	(24,584.12)	(52,855.00)	28,270.88
Beginning Net Assets				181,031.65		
Ending Net Assets				156,447.53		

TAB

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SPEAKER AGENDA

Texas City Attorneys Association Summer Conference – Hyatt Regency Riverwalk, San Antonio June 19-21, 2019

13 Hours MCLE Credit, Including 2 Ethics Hours

Wednesday, June 19 (3 hours)

- 12:30 - 4:00 p.m. **Registration and Refreshments**
- 1:00 - 1:30 p.m. **Employment Law Update 2019**, Vanessa Gonzalez, Bickerstaff Heath Delgado Acosta, LLP, Austin (.5 hour)
- 1:30 - 2:00 p.m. **Unpopular Speech and the Heckler's Veto**, Robert Higgason, Senior Assistant City Attorney, City of Houston (.5 hour)
- 2:00 - 2:30 p.m. **Road Construction Contracts**, Ron Stutes, Potter Minton, Tyler (.5 hour)
- 2:30 - 3:00 p.m. **Recent State Cases of Interest to Cities**, Laura Mueller, Bojorquez Law Firm, Austin (.5 hour)
- 3:00 - 3:30 p.m. **City Ethics Commissions and Other Strange Creatures of Lore**, Ryan Henry, Law Offices of Ryan Henry, San Antonio (.5 ethics hour)
- 3:30 - 4:00 p.m. **Administration of Public Improvement Districts**, Marry Petty, P3Works, Keller (.5 hour)
- 4:00 - 5:30 p.m. **TCAA Board of Directors Meeting**
- 5:30 - 7:30 p.m. **Welcoming Reception** at Hyatt Regency Riverwalk hosted by Bickerstaff Heath Delgado Acosta, LLP

Thursday, June 20 (6.5 hours)

- 7:30 a.m. **Registration and Breakfast**
- 8:00 - 8:45 a.m. **Opening Remarks**, Sylvia Firth, TCAA President, & **Andy Segovia, City Attorney, San Antonio** (?)
- Awards Presentations**
- 8:45 - 9:15 a.m. **Utility-Related Updates**, _____, Lloyd Gosselink Rochelle & Townsend, P.C., Austin (.5 hour)
- 9:15 - 9:45 a.m. **Stopping, Standing, and Parking on Right-of-Way**, Jessica Sangsvang, Senior Assistant City Attorney, City of Fort Worth (.5 hour)

9:45 - 10:15 a.m. **Considerations for and Best Methods for Construction Project Delivery**, Jeff Chapman, The Chapman Firm PLLC, Austin (.5 hour)

10:15 - 10:30 **Break**

10:30 - 11:15 a.m. **Responding to First Amendment Audits**, Paul Christ, TML-Intergovernmental Risk Pool (.75 hour)

11:15 - 11:45 a.m. **Short Term Rentals - Where Things Stand**, Leslie Spear Schmidt, Taylor Olson Adkins Sralla & Elam L.L.P., Fort Worth (.5 hour)

11:45 a.m. - 1:00 p.m. **Lunch on Your Own**

1:00 - 1:30 p.m. **Substandard Buildings**, Jonathan Koury, Assistant City Attorney, City of Bryan (.5 hour)

1:30 - 2:30 p.m. **Legislative Update**, Texas Municipal League Staff, Austin (1 hour)

2:30 - 3:15 p.m. **Forensic Accounting**, William “Bill” Brown, W.D. Brown & Associates, Dallas (.75 hour)

3:15 - 3:30 p.m. **Break**

3:30 - 4:00 p.m. **Condominium Projects**, Tad Cleaves, Sheets & Crossfield, Round Rock, Skye Masson, First Assistant City Attorney, Georgetown, and _____ (planner) (.5 hour)

4:00 - 4:30 p.m. **Open Meetings Act vs. Political Advertising**, Danielle Folsom, Assistant City Attorney, City of Houston (.5 hour)

4:30 - 5:00 p.m. **Environmental Enforcement Tools: Beyond Zoning**, James Parker and Jose de la Fuente, Lloyd Gosselink Rochelle & Townsend, P.C., Austin (.5 hour)

5:00 p.m. **Adjourn**

6:00 - 9:00 p.m. **Reception** hosted by Taylor Olson Adkins Sralla & Elam, LLP.

Friday, June 21 (3.5 hours)

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

8:30 - 9:00 a.m. **Update on Small Cell Deployment**, Freddie Herrera (?) (.5 hour)

9:00 - 9:45 a.m. **From Charlottesville to Austin: One City’s Journey to Reconcile Its Confederate History**, Neal Falgoust, Assistant City Attorney, and Brion Oaks, Chief Equity Officer, City of Austin (.75 hour)

9:45 - 10:30 a.m.	Eminent Domain: Taking the Zapruder File: Facts and Fictions Relating to John F. Kennedy's Assassination , Hon. Andrew Edison, U.S. Magistrate Judge, Southern District of Texas, Galveston (.75 hour)
10:30 – 10:45 a.m.	Break
10:45 - 11:15 a.m.	Alexa, Please State Your Name for the Record , Kelli Fuqua, Bickerstaff Heath Delgado Acosta, LLP, Austin (.5 ethics hour)
11:15 - 12:15 p.m.	_____ (1 hour ethics)
12:15 p.m.	Adjourn

COMBINED SPEAKER SUBMISSIONS

INCLUDED IN DRAFT AGENDA:

Hon. Andrew Edison, U.S. Magistrate Judge (Former Partner with Edison, McDowell, and Heatherington)

Eminent Domain: “Taking the Zapruder Film: Facts and Fictions Relating to John F. Kennedy’s Assassination.”

My speech presents a fascinating eminent domain story, with the historical aspects making it particularly appealing to the audience. I have also put together a pretty interesting slideshow to accompany the speech. In a nutshell, JFK’s assassination on November 22, 1963 was not only the end of Camelot, but it was also the day one of the most interesting, bizarre and unheralded eminent domain cases was born. My speech provides background on the JFK assassination, the famous 26-second home movie taken by Abraham Zapruder and its ultimate taking by the United States Government. Most people do not realize that the Zapruder film was designated an “assassination record” by the JFK Records Collection Act of 1992 and, therefore, became official property of the United States Government. To avoid a court battle, the Zapruder family and the government eventually decided to arbitrate the market value of the original Zapruder film (the copyright was actually excluded from the taking). The Zapruders argued the film was an icon and the closet possible comparables would be found by identifying key attributes of the film and then finding other items that shared them. The Zapruders’ experts argued that film should be evaluated within the context of the market for highly desirable, valuable, unique items such as Da Vinci’s manuscript the Codex Leicester (sold for \$30.8 million paid by Microsoft’s Bill Gates in 1994), paintings by Van Gogh (“Irises”— sold for \$53.9 million in 1987) and rare furniture (the 18th Century Badminton Cabinet, which sold for \$36 million in 2004). The Zapruders argued the value was close to \$40 million. The US Government, on the other hand, argued that true comparables were camera original films, which have the same physical attributes. But since there was no proven market for the sale of camera original film, the government’s experts placed its potential value in the context of what they deemed the “only relevant comparable markets,” namely the photography, historical-artifact and Kennedy-memorabilia markets. The US Government claimed the market value was less than \$1 million. The three-member arbitration panel eventually returned a \$16 million award.

My speech discusses the various approaches to value — focusing on the strengths and weaknesses of both positions in this unusual eminent domain case. Before taking the bench earlier this year, I had practiced eminent domain law for 25 years and was not aware of the Zapruder taking!

William “Bill” Brown, W.D. Brown & Associates, Dallas, TX

Forensic Accounting

Mr. Brown’s presentation would include the following.

1. What a forensic accounting examination and how does it differ from a routine annual financial audit.
2. What is the difference between a “forensic accountant” and an “auditor”?
3. How to determine whether a forensic accounting examination is warranted?
4. How to craft a request for proposal that elicits the appropriate skills, experience and background required to meet the Client’s needs?
5. How to define the scope of the examination and define the deliverable(s)?
6. And how to evaluate potential candidates.

He requested 60 minutes for the presentation and indicated it would be informative and not a sales pitch.

Vanessa Gonzalez, Partner, Bickerstaff Heath

2019 Employment Law Update

This presentation will review current trends in the employment law arena, including the areas of Title VII, ADA, FMLA, First Amendment Claims and Whistleblower Claims. Vanessa will review recent cases for a look at how the courts are ruling on the employment law issues facing cities.

Kelli Fuqua, Associate, Bickerstaff Heath

Alexa, Please State Your Name for the Record

Kelli Fuqua will examine how Siri, Cortana, Alexa, Google Assistant and their friends are becoming the most reliable witnesses in modern lawsuits. The presentation will include examples, benefits, and pitfalls to using virtual assistants and other modern technology as evidence in the 21st century. Kelli will also provide an ethics-based discussion for partial ethics CLE credit.

Paul Christ, TML-Intergovernmental Risk Pool

Responding to First Amendment Audits

Robert Higgason, Senior Assistant City Attorney, City of Houston

Unpopular Speech and the Heckler’s Veto

*See IMLA article from July/Aug 2018

Jonathan T. Koury, Assistant City Attorney, City of Bryan

Substandard Buildings

My proposal is to do a speech on substandard structures, 6 year after the Dallas v Stewart decision. I am working on a paper that is a comprehensive approach to substandard structures, covering all the different process for general law and home rule cities as well as potential litigation that can result. It has been 8 years since the last such paper, and the Stewart case has changed the landscape. The paper will include sample forms for search/seizure warrants, pre-hearing notices, recommendations, orders, etc. The presentation will highlight the last 5 years of success stories we have had in Bryan. Juicy pictures coupled with data. Our favorite statistic is the number of houses that get demolished by the owner without our having to have a hearing, just because they know the city takes this seriously and will follow through.

Jessica Sangsvang, Senior Assistant City Attorney, City of Fort Worth

OBJECTIVE:

The objective of this CLE is to provide attorneys an overview of the laws related to municipal regulation of stopping, standing, and parking on right-of-way.

CONTENT:

- I. General overview (3 min)
 - a. Transportation Code Chapter 542
- II. Civil enforcement of parking offenses (8 minutes)
 - a. Transportation Code Chapter 682
 - i. Who can create one
 - ii. What you need to do and what offenses qualify
 - iii. Where can you have civil offenses
 - iv. When should the civil offense apply
 - v. Why it may benefit your city to create civil offenses
 - vi. How to create a civil hearing process
- III. What do you really own? (5 minutes)
 - a. Dedication of right-of-way
 - i. Plats
 - ii. Easements
 - iii. Fee ownership
 - iv. Prescriptive rights
 - v. Adverse possession
 - b. Disposition of right-of-way
 - i. Vacation of right-of-way
 - ii. Sale of fee property
- IV. Regulating different types of vehicles (9 minutes)
 - a. Cars and trucks
 - b. Trailers and semi-trailers
 - c. Commercial vehicles

- d. Oversized commercial vehicles
 - e. Motorhomes
- V. Renting out the right-of-way (10 minutes)
 - a. Temporary use
 - b. Permanent use
 - c. Adjacent businesses counting on-street parking to meet zoning requirements
- VI. Encroachments into the right-of-way (3 minutes)
- VII. Residential parking programs (8 minutes)
- VIII. Different types of parking (8 minutes)
 - a. Disabled parking
 - b. Hours specific parking
 - c. Parking meters
 - d. Meter feeding
 - e. Parking in a tow-away zone, valet zones, unloading zones, etc.
 - f. No parking at night
 - g. “Creative” parking solutions from the public and elected officials
- IX. Towing on private property or municipal-owned property (3 minutes)
- X. Booting and towing from the right-of-way (3 minutes)

*Resume attached

Leslie Spear Schmidt, TOASE

Short Term Rentals ~ Where Things Stand

This presentation will include any legislative activity on the topic, as well as survey of major approaches to regulation.

Neal Falgoust, Assistant City Attorney, and Brion Oaks, Chief Equity Officer, City of Austin

From Charlottesville to Austin: One City’s Journey to Reconcile its Confederate History

After the 2017 Unite the Right rally in Charlottesville, Virginia, cities around the nation considered the removal of monuments honoring the Confederate States of America. The City of Austin undertook a survey of its own monuments and considered whether and how to remove them. This CLE will explain the process the City of Austin went through and the challenges it faced. The presentation will consider applicable municipal ordinances and state statutes and will also review action taken by the Texas Legislature during the 2019 session (e.g., SB 226). We will include a toolkit and check list for other municipalities who want to pursue an inventory of their own monuments and memorials. This session will be presented as a case-study and will go beyond the broad perspective offered on this topic during the 2018 Fall meeting.

Ryan Henry, Law Offices of Ryan Henry

City Ethics Commissions and Other Strange Creatures of Lore (ethics credit?)

Mary Petty, P-3 Works (a PID Administrator)

A substantive discussion on issues that happen a year or more after creation of a Public Improvement District. This will provide city attorneys information about what the finance director, etc. should be doing with PIDs once they have been created.

Danielle Folsom, Assistant City Attorney, City of Houston

Open Meetings Act vs. Political Advertising

Discussion of a recent case where a party sought to enjoin the City of Houston from posting budget committee meeting online, which discussed financial implications of a proposition; considerations when advising governmental bodies about discussion of election measures during open meetings.

Just to give you some background on myself, I have been licensed since 2011 and with the City of Houston for 6 years. My primary areas of practice are open government issues (both TPIA & TOMA), elections (including petitions, political advertising, and campaign finance), ordinance drafting, firearms, and ethics and conflict of interest.

Ron Stutes, Potter Minton, Tyler

A presentation on the do's and don't's of construction contracting and litigation regarding contracts.

James Parker/Jose de la Fuente, Lloyd Gosselink, Austin

Environmental Enforcement Tools: Beyond Zoning

This survey presentation will explore the various mechanisms available to cities to prevent and eliminate environmental threats arising both inside and outside the city limits that are faced by cities and their citizens. The discussion will start with an overview of the various TCEQ permits needed for common pollution-causing activities and a review of how cities can participate in the TCEQ process (and, if needed, contest the TCEQ's conclusions in court). From there, we will discuss how cities can challenge pollution-causing activities, from nuisance suits to statutory-enforcement suits. Finally, we will discuss various non-litigation avenues that cities have used to disincentivize pollution-causing behaviors.

Lloyd Gosselink, Energy and Utility Group

Can provide utility-related updates (Railroad Commission and PUC), as desired.

Tad Cleaves, Sheets & Crossfield, Round Rock

Condominium Developments

Something that keeps coming up in our practice with central Texas cities and counties is developers increasingly developing real property both in cities and in the county as condominium projects in order to get around city and county platting or other development requirements. The fear, of course, is that this will result in lower-quality development.

Panel would include: (1) Tad Cleaves, (2) Skye Masson, First Assistant City Attorney, Georgetown, and (3) governmental and/or developer planners.

Jeff Chapman, The Chapman Firm PLLC, Austin

Considerations for and Best Methods for Construction Project Delivery

In the past few months, I have seen a number of city and other public owners get burned on CMAR projects. I am working with Sen. Nichols COS to change the language in 2269 to make CMAR's choose the lowest bidder for scopes of work so that public owners do not get hosed on price as much they use CMAR. I am also seeing a lot of cities float the idea of using Design Build. I think a lot of these cities have city managers or staff that are getting sold on these projects by design and construction firm business development people when it may not be the best method.

NOT INCLUDED IN DRAFT

William A. “Bill” DiLibero, City Manager, City of Port Lavaca

DUI and THC

A presentation on levels of THC in drivers of city employees who are involved in accidents. When an employee is in an accident they are often required to be tested for driving under the influence. For blood alcohol, there is a requirement for DUI. For THC it is positive or negative. Both USDOT and the State of Colorado have publications addressing THC levels for CDL drivers. With recreational marijuana at the door step, I think it is something we will need to discuss on how to enforce this both from a law enforcement and employer perspective.

Mr. DiLibero indicated a willingness to speak with his city attorney and/or on a panel.

David Méndez (Partner) and Sherry McCall (Senior GIS Specialist), Bickerstaff Heath

2021 Census: Preparing Your City for the Upcoming Redistricting Process

David Méndez and Sherry McCall will provide an update on the legal and technical components of the upcoming redistricting process, including:

- Highlighting redistricting process differences in post DOJ preclearance era
- Ensuring your city’s GIS and electoral data is in the best shape for a smooth and efficient process
- Successfully navigating election precinct coordination with the county
- Refining the city’s process to minimize potential legal challenges

Gregory Miller, Associate, Bickerstaff Heath

Green Bonds: Successfully Drafting Your City’s Offering Documents

Municipalities are becoming increasingly aware of the importance of accounting for the effects of climate change in planning for new infrastructure projects, and are also becoming more interested in reducing their reliance on carbon-intensive energy sources. Green Bonds represent a relatively new approach to public finance that can be used by municipalities to fund environmentally-friendly projects that either address or mitigate the potential impacts of climate change, or help a city transition to a less carbon-reliant future. Gregory Miller will provide an overview of this developing public finance mechanism with an emphasis on the disclosure obligations of a municipality that issues green bonds. The topics covered include:

- Defining Green Bonds
- Needs Addressed by Green Bonds
- Eligible Green Bond Projects
- Economic and Non-Economic Benefits
- Use of Green Bonds in Texas

- Practice Tips
- Looking Forward

Gunnar Seaquist, Partner, Bickerstaff Heath

Regulating 5G: Maintaining Local Control Over Telecom Development

Attorney Gunnar Seaquist will present an overview of the issues to be faced by cities as telecom companies begin to develop the infrastructure to roll out 5G technology and address the various state and federal laws that may impact a city's ability to regulate antennas and other network facilities.

Josh Katz, Partner, Bickerstaff Heath

You Wanna Park That Thing Where? Municipal Food Truck Regulation Do's and Don(u)t's

Attorney Josh Katz will provide an overview of the varying municipal regulations concerning food trucks. Should you regulate them like a brick and mortar restaurant? Or loosen requirements to encourage innovation and entrepreneurship? What about zoning, parking, lighting, and signage? This topic will cover the options a city may consider.

Vanessa Gonzalez, Partner, Bickerstaff Heath

Constitutional Employment Law Claims

This presentation will review the different kinds of claims local government employees can make against their employer such as First Amendment, Eighth Amendment and Fourteenth Amendment claims. We will also review the Texas Whistleblower Act and other employment law claims that are unique for local government employers, and the best practices employers can adopt for avoiding these types of claims.

Robert Higgason, Senior Assistant City Attorney, City of Houston

"Civil Liability and Qualified Immunity in Use of Force Cases" for TPCA Legal Advisor Track, Annual Conference, April 2017

"Religious Speakers' Access to Public Spaces" for IMLA Mid-Year Seminar, April 2017

"Civil Liability and Qualified Immunity in Use of Force Cases" for Olson & Olson LLP's 14th Annual Local Gov't Seminar, January 2018

"The Impact of Media and Statistics on Officer Involved Shooting Defense" for TPCA Legal Advisor Track, Annual Conference March 2018

“Defending the Officer Who Shoots an Unarmed Suspect” for IACP Legal Officers Section, Spring Training, April 2018

These presentations have ranged in length from 20 minutes to 90 minutes.

I’m also open to developing a presentation on some other topic if you have something in mind.

Ryan Henry, Law Offices of Ryan Henry

1. Civil Enforcement of Ordinances in Municipal Instead of District Court – the Untapped Resource
2. Tips And Tricks in Discovery When the City is Involved
3. Protecting Legislative Immunity: How to Tell Councilmembers to Speak Less
4. Annexation Ups and Downs: Decrypting the Puzzle... sort of
5. Who owns the streets/roads/public-right-of-ways and why it matters to you
6. What neighbors complain about and what to tell them when you follow the law
7. Traps to Avoid Under the Public Information Act
8. Proprietary Functions: No Good Deed Goes Unpunished
9. Small Town EDCs and Getting the Most Out of Each Penny

If there are any topics the Board wish to hear that I have not listed but they want me to speak on, please let me know.

Danielle Folsom, Assistant City Attorney, City of Houston

Texas Open Meetings Act during a disaster – Considerations when governmental bodies must add emergency items to their agendas or cannot meet at their scheduled meeting place

Just to give you some background on myself, I have been licensed since 2011 and with the City of Houston for 6 years. My primary areas of practice are open government issues (both TPIA & TOMA), elections (including petitions, political advertising, and campaign finance), ordinance drafting, firearms, and ethics and conflict of interest

Sheila Gladstone, Lloyd Gosselink, Austin

Employment Law Update 2019: This will cover important court opinions and statutory and local government changes for the past year, including leave and disability, workplace harassment, local ordinances on paid sick leave and “ban the box”, and other developing hot topics.

Alternatively, a close look at a specific topic of interest, such as leave, disability and workplace injuries; conducting workplace investigations; hiring and interviewing; personnel policy updates; or any other employment law topic the board believes would be of interest.

Jeff Chapman, The Chapman Firm PLLC, Austin

Update on the Legislative Changes to the Procurement Code

TAB

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From: [Lavern Gaines](#)
To: [Christy Drake-Adams](#)
Subject: FW: Kalahari & Texas City Attorneys Association
Date: Tuesday, October 02, 2018 3:12:43 PM

Lavern Gaines, CMP

Affiliate Association Manager

Texas Municipal League

1821 Rutherford Lane, Suite 400 | Austin, TX 78754

512-231-7447 Direct | lavern@tml.org

Empowering Texas cities to serve their citizens.

From: Kim Britton [mailto:kbritton@kalahariresorts.com]
Sent: Friday, July 13, 2018 6:17 PM
To: Lavern Gaines
Subject: Kalahari & Texas City Attorneys Association

Hi, Lavern!

Thank you so much for allowing me the pleasure of bidding on this event! I want to earn this business!

June 13-16, 2023 Rate is \$255 for S,D,T,Q
June 17-20, 2025 Rate is \$275 for S,D,T,Q

F&B Minimum is \$45,000 each year

Special Considerations

- One per fifty Comp
- Complimentary African Queen Suite
- Two Complimentary Upgrades at Group Rate to African Queen Suites
- Five Staff Rooms at \$199, Max 15 room nights

Decision / Agreement finalization date is **November 15, 2018.**

Let's do this!

Have a wonderful weekend!

Kim



Kim Britton

Director of Sales

Kalahari Resorts & Conventions

Direct: 512.800.9108

3309 East Palm Valley Blvd.

Round Rock, TX 78665

KBritton@KalahariResorts.com www.KalahariMeetings.com

We PROMISE to Deliver Products and Services Beyond Expectations.

Explore: A [Blog](#) Dedicated to your Meeting Success

TAB

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Texas City Attorneys Association
201~~96~~-20~~17~~ 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 or emailing 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, 201~~85~~. For TCAA this is \$~~1,564,481,705.18~~ annually or \$~~130,37142.10~~ monthly given a balance of \$~~156,447.53170,518.62~~.
- 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 \$~~15,912~~~~15,096~~ annually. The appropriate Affiliate account will be debited monthly for the costs following publication/distribution. (408 hours at \$~~397~~ per hour)
 - 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 \$~~4,446~~~~4,218~~), plus actual staff travel expenses. (114 hours at \$~~397~~ 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 \$~~1,404~~~~1,332~~ annually, plus actual staff travel expenses. This amount is calculated upon the preparation and attendance of three Board meetings. (36 hours at \$~~397~~ 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 \$~~2,106~~~~1,998~~), plus actual staff travel expenses. (54 hours at \$~~397~~ per hour)
 - E. **TCAA Website Maintenance**
 Compensation: In consideration for maintenance, and monitoring of TCAA site for one-year with an estimated cost of \$~~936~~~~888~~. The appropriate Affiliate account will be debited monthly for these costs. (24 hours at \$~~397~~ per hour)
 - F. **TCAA LisTCAA Listserv**
 Compensation: The Affiliate will reimburse TML for cost of \$~~624~~~~592~~ (16 hours at \$~~397~~ per hour). The appropriate Affiliate account will be debited monthly.
 - G. **Blast Email Notifications (estimate for budgeting purposes only)**
 TML will prepare and send blast email notifications at the request of TCAA. These notifications will be billed at \$11~~7~~~~4~~ per blast email. These blast emails are outside of

the emails 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 \$~~585,555~~ (5 blast emails per year for a total of 15 hours at \$~~397~~ 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 TCAA for liability arising out of errors, omissions, or other actions by TCAA at or during such activities and programs. For any other programs or activities performed or provided by 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 TCAA, and 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, 20~~2017~~. On June 30, 20~~2017~~, 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, 20~~2017~~, 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

~~Sylvia Borunda Firth~~
~~Kathryn H. Davis~~
~~City Attorney~~

~~City of Killeen~~
~~Sylvia Borunda Firth,~~
~~PLLC~~

~~P.O. Box 1329~~
~~PO Box 942~~
~~Killeen, TX 76540~~
~~El Paso, TX 79946~~

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 \$~~397~~ 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 _____, 201~~9~~⁶.

| By: Sylvia Borunda Firth~~Kathryn H. Davis~~, Affiliate President

By: Bennett Sandlin, TML Executive Director

TAB

9

CONSTITUTION

TEXAS CITY ATTORNEYS ASSOCIATION

(Adopted at the Annual Meeting of the Texas City Attorneys Association in San Antonio, Texas on the 31st day of October, 1961, with Amendments of 1965, 1968, 1970, 1991, 1994, 1999, 2010, 2015, and 2016.)

ARTICLE I. NAME AND AFFILIATION.

Section 1. The name of this organization shall be the Texas City Attorneys Association.

Section 2. The association shall be affiliated with and be a department of the Texas Municipal League and its principal office shall be located at the headquarters of the Texas Municipal League in Austin, Travis County, Texas.

ARTICLE II. PURPOSE.

Section 1. The purpose of this association shall be the general improvement of municipal law administration by the following means: First, to encourage the cooperation of city attorneys in the practical study of all municipal legal problems. Second, the holding of annual and semi-annual meetings for the discussion of legal and other questions affecting municipal government. And, third, the practical study of legislation, court decisions, and administrative rulings relating to the public interest of municipal corporations.

ARTICLE III. MEMBERSHIP.

Section 1. The members of this association shall be active, associate, honorary, paralegal and law clerk (student).

Section 2. Active Members - Any person duly licensed to practice law in this State who have been duly elected or appointed to the office of city attorney or assistant city attorney of a city, town or village which is an active member of the Texas Municipal League shall be eligible for membership in the association.

Section 2a. Associate Members - Any person duly licensed to practice law in this State who is interested in the representation of municipalities and the general improvement of municipal law practice and the purpose of the Texas City Attorneys Association.

Section 3. Honorary Members - Honorary members shall be chosen because of distinguished service in the field of municipal law. They shall pay no dues, hold no office, nor vote, and no person who is eligible for active membership in the association shall be chosen as an honorary member. They shall be proposed by at least five (5) active members and shall be elected only upon unanimous recommendation of the executive committee and a majority vote of the members present at any annual or semi-annual meeting of the association. An election of an honorary member shall be cancelled if not accepted within six (6) months after the candidate has received notice of his election.

Section 4. Paralegal Members - Any person who meets the definition of "paralegal" as promulgated by the State Bar of Texas, who is employed by an active, associate, or honorary member, and who is interested in the representation of municipalities and the general improvement of municipal law practice and the purpose of the Texas City Attorneys Association.

Section 5. Law Clerk (Student) Members - Any person who is enrolled at an accredited law school who is interested in the representation of municipalities and the general improvement of municipal law practice and the purpose of the Texas City Attorneys Association.

ARTICLE IV. **OFFICERS AND EXECUTIVE COMMITTEE.**

Section 1. The officers of the association shall be a President, a 1st Vice President, a 2nd Vice President, a Recorder, a Director to serve on the Texas Municipal League Executive Board, the Immediate Past President, and five (5) Directors. All officers shall be active members of the association. The General Counsel of the Texas Municipal League shall serve as General Counsel, ex officio, of the association.

Section 2. The executive committee of the association shall be composed of the officers of the association.

Section 3. Nomination and Election. The President shall appoint a nominating committee of at least three (3) persons, who, at the annual meeting of the association, shall submit nominees for association officers. Additional nominations may be made from the floor. Each of the offices shall be filled by a majority vote of the membership present and voting. The association officers shall begin their regular term of office at the close of the annual meeting.

Section 4. Term of Office. All officers' terms shall be for one (1) year with the exception of the Director to the Executive Board of the Texas Municipal League, whose term of office shall be for two (2) years, (he) being elected in even years or as otherwise provided by the Constitution of the Texas Municipal League.

Section 5. Vacancy. A vacancy in the office of the President shall be filled for the remainder of the term by the succession of the First Vice President to that office. A vacancy in the office of the First Vice President shall be filled for the remainder of the term by succession of the Second Vice President. A vacancy in the office of the Second Vice President shall be filled for the remainder of the term by the appointment of a member of the executive committee to fill such office by a majority vote of the remaining members of said executive committee. A vacancy in the Office of Director to serve on the Texas Municipal League Executive Board shall be filled by the President of the Association and shall hold office until adjournment of the next TML Annual Conference.

A vacancy in any of the other offices of the association shall be filled by the election of any active member or associate member if the person vacating the office is an associate member to fill such office for the remainder of the term by a majority vote of the executive committee.

Section 6. Telephonic and Electronic Communication. Any and all Directors may participate in a meeting of the Board of Directors by means of conference telephone, or by any other means of communication by which all Directors participating in the meeting are able to hear each other at the same time. Such participation shall constitute the presence in person by such Directors at such meeting. A written record shall be made of all actions taken at any meeting conducted by means of a conference telephone or other means of communication. Directors may also meet and vote via

electronic means such as email so long as the identity of each Director is made clear in the means of voting.

ARTICLE V. MEETINGS.

Section 1. An annual meeting of the association shall be held at the time and place of the annual conference of the Texas Municipal League, and a semi-annual meeting of the association shall be held in the summer of each year in conjunction with the annual convention of the State Bar of Texas or at such other time and place as may be determined by the executive committee.

ARTICLE VI. DUES.

Section 1. The dues of each active member and of each associate member of the association shall be payable annually in advance, and may be changed upon recommendation of the executive committee and approved by a majority vote of the members present at any annual or semi-annual meeting.

ARTICLE VII. FINANCES.

Section 1. The General Counsel of the Texas Municipal League shall transact the necessary financial business of the association, keeping a complete record of all transactions, which shall be submitted for auditing at the annual meeting of the association. He shall give bond in such form and amount as may be determined by the executive committee, the premium of said bond to be payable by the association.

ARTICLE VIII. SPECIAL COMMITTEES.

Section 1. Each year at the annual meeting of the Texas City Attorneys Association, the incoming President shall appoint a committee of three (3) city attorneys, who are employed by their respective cities on a full-time basis, as a review committee with authority at the option of a majority of the committee members to prepare and file an Amicus Curiae brief on behalf and in the name of the association in those cases the committee deems of general importance in the field of municipal law or liability.

ARTICLE VIII-A. REGIONAL ORGANIZATIONS.

Section 1. The executive committee of the association shall have the power by by-laws to divide the State into Regions, to create and abolish Regions and regional organizations, to increase or decrease the number of Regions, to define the boundaries thereof and from time to time to change the same, and to prescribe the organization and officers of the Regions. Such regional organization, when so constituted, shall hold one or more regional meetings each year at such times and places as not to conflict with the annual meeting or semi-annual meeting of the association, in order to encourage fellowship among the members and to promote the study of municipal law.

Section 2. At any time when there is no regional organization within any area of the State, members of the association in such area located in one or more counties, may organize local clubs or societies, elect their own officers, and hold such meetings as they desire at such times and places as not to conflict with the annual meeting or the semi-annual meeting of the association. Upon creation of regions by the executive committee, local clubs or societies of members of the association organized under this Section shall be dissolved, and shall be merged into the regional organization of the Region in which they may be located.

Section 3. At any time after the creation of Regions and regional organizations within the State, when it becomes apparent to the executive committee that there is not sufficient interest to justify continuance of regional organizations, the executive committee may amend or repeal the by-law creating the Regions and regional organizations.

ARTICLE IX. **AMENDMENTS.**

Section 1. This Constitution may be amended at an annual or semi-annual meeting of the association by a majority vote of the members present and voting, provided the proposed amendment shall have first been prepared in writing and submitted to the executive committee on or before the day of the annual or semi-annual meeting.

ARTICLE X. **BY-LAWS.**

Section 1. The executive committee of the association shall have the power to adopt by-laws, consistent with this Constitution and the League Constitution, governing the conduct of its meeting and the business of the association.

ARTICLE XI. **EFFECTIVE DATE.**

Section 1. This Constitution shall become effective immediately upon its adoption subject only to ratification by the Executive Board of the Texas Municipal League.

(Constitution of the Texas City Attorneys Association was approved by the Board of Directors of the Texas Municipal League on January 26, 1962.)

(All subsequent amendments to the Constitution of the Texas City Attorneys Association have been approved by the Texas Municipal League.)

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From: [Guzman, Leann](#)
To: [Scott Houston](#)
Subject: TCAA Regional or Local Meetings
Date: Monday, April 16, 2018 9:35:50 AM
Attachments: [image001.png](#)

Scott,

Do you know if TCAA has ever had any kind of program where there are regional or local meetings of TCAA members who get together, perhaps on a quarterly or bimonthly basis, for lunches or similar meetings? I'm envisioning sort of like the equivalent of a local bar association section meeting, but with city attorneys. Several of us here in Fort Worth are interested in doing something like this for our region, and it seemed like TCAA was a good place to start, but it seems like if this were something there were broad interest in that it would have already been done -- ??

Leann D. Guzman

Senior Assistant City Attorney
Chief – Real Estate & City Facilities Section
City of Fort Worth
200 Texas Street
Fort Worth, Texas 76102
817-392-8973

Leann.Guzman@fortworthtexas.gov

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Fort Worth



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Local Club or Society Affiliation Policy

Article VIII-A, Section 2 of the TCAA Constitution provides, in part, as follows:

At any time when there is no regional organization within any area of the State, members of the association in such area located in one or more counties, may organize local clubs or societies, elect their own officers, and hold such meetings as they desire at such times and places as not to conflict with the annual meeting or the semi-annual meeting of the association.

Any local club or society may submit to the TCAA executive committee a written request for formal affiliation with TCAA. The request must be made by a member of the club or society who is also an active TCAA member. In order to qualify as an affiliate of TCAA, the local club or society must:

- (1) Further the purpose of TCAA as set out in Article II, Section 1, of the TCAA Constitution;
- (2) Not overlap with the geographical area served by any other club or society affiliated with TCAA;
- (3) Have at least three officers, who are active members of TCAA, selected annually by the members of the club or society;
- (4) Hold at least one meeting of the club or society's membership each year in the geographical area served by the club or society in order to encourage fellowship among the members and to promote the study of municipal law; and
- (5) Not hold meetings in conflict with the annual meeting or semi-annual meeting of the TCAA.

TCAA shall, for any local club or society approved by the executive committee as an affiliate of TCAA:

- (1) Post contact information for the local club or society on the TCAA website (see, e.g., http://municlerks.unt.edu/tmca/tmca_chapters.html);
- (2) Provide notice to the club or society of any new TCAA members in the geographical area served by the club or society;
- (3) Provide existing and/or new TCAA members in the geographical area served by the club or society information about the local club or society;
- (4) Provide assistance in advertising meetings of the club's or society's membership; and
- (5) To the extent allowed by the MCLE Rules, Regulations, and Accreditation Standards for CLE Activities, sponsor continuing legal education organized by the club or society.

A local club or society approved as a TCAA affiliate shall:

- (1) Submit to TCAA the names of its officers within 30 days after the selection of such officers;
- (2) Submit to TCAA any changes in the geographical area served by the club or society within 30 days after the change; and
- (3) Maintain its own records including, but not limited to, minutes of meetings, attendance list, a membership list, any bank or financial records.

The TCAA board reserves the right to revoke its approval of any local club or society's formal affiliation with TCAA at any time and for any reason.

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