



*Texas City Attorneys Association*

**Board of Directors Meeting**

San Antonio, TX

June 19, 2019

## **Agenda**

TCAA Board of Directors

Wednesday, June 19, 2019

San Antonio

Hyatt Regency Riverwalk, Nueces Boardroom

4:00 p.m.

1. Consider the minutes of the February 15, 2019, TCAA Board Meeting in El Paso.
2. Staff report on the TCAA June 19-21, 2019, Summer Conference final program, including: attendee list, Susan Rocha Award winner (Victor A. Flores), and Outstanding Mentor Award winner (Gary W. Smith).
3. Consider changing criteria for: (a) Galen Sparks/Susan Rocha Awards for Outstanding Public Service by an Assistant City Attorney; and (b) IMLA scholarships.
4. Consider subcommittee's recommended amendments to the TCAA constitution.
5. Adopt TCAA budget for fiscal year 2019-2020.
6. Approve program for 2019 Fall Conference in San Antonio.
7. 2022 TCAA Summer Conference Site Selection
8. 2023 TCAA Summer Conference Site Selection
9. Consider coordinating CLE with Texas Police Chiefs Association.
10. Next board meeting to be held on October 9, 2019, in San Antonio.
11. Other business.
12. Adjourn.

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2018-2019**

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**Minutes**  
TCAA Board of Directors  
Friday, February 15, 2019  
Hotel Indigo - El Paso, TX

Board President Sylvia Borunda Firth called the meeting to order at approximately 3:10 p.m.

Board members present:      Board members absent:

Jennifer Richie  
Paige Mims  
Ron Stutes  
Alan Bojorquez  
Kuruvilla Oommen  
Marcus Norris  
Julie Fort  
Dottie Palumbo

Board members present by phone:

Kevin Pagan  
Slater Elza

TML staff present:

Scott Houston  
Christy Drake-Adams  
Heather Ford

1. Welcome new board members: Julie Fort and Marcus Norris.
2. Consider the minutes from the June board meeting in Bastrop.

A motion to approve the June 13, 2018, board meeting minutes made by Dottie Palumbo was seconded by Ron Stutes. Unanimously approved.

3. Consider the minutes from the September board meeting by phone.

A motion to approve the September 4, 2018, board meeting minutes made by Dottie Palumbo was seconded by Paige Mims. Unanimously approved.

4. Houston conference evaluations.

Staff provided evaluations from the final program for the TCAA 2018 Fall Conference that was held in conjunction with IMLA in Houston. There was unanimous agreement that the TCAA 2019 Fall Conference will be held on Thursday, October 10, 2019, in conjunction with the TML Annual Conference.

5. TCAA budget update.

Staff provided an update on the year-to-date revenue and expenditures. No action taken.

6. Approve program for 2019 Summer Conference at Hyatt Regency Riverwalk in San Antonio.

A motion to approve the draft program presented by staff with a few minor changes was made by Kuruvilla Oommen and seconded by Dottie Palumbo. Unanimously approved. Staff was directed to implement the program.

7. Authorize staff to solicit proposals for Summer Conference date and location for 2022 and 2023.

Staff was directed to seek proposals for the TCAA 2022 Summer Conference from:

1. South Padre Island: Isla Grand and Hilton Garden Inn
2. Galveston: San Luis

Staff was directed to seek proposals for the TCAA 2023 Summer Conference from:

1. Round Rock: Kalahari
2. San Antonio: two hotel options
3. Austin: Omni Barton Creek

8. Approve 2019-2020 TML affiliate services agreement.

A motion by Ron Stutes to approve the 2019-2020 affiliate services agreement was seconded by Jennifer Richie. Unanimously approved.

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.

The board took up items 9, 10, and 11 on the agenda together. The board discussed the need for possible TCAA constitutional changes regarding: board size; officer vacancies, eligibility, and terms; the definition of associate membership; and the amicus committee. The board also discussed having local clubs or societies as TCAA affiliates. Sylvia Firth, Marcus Norris, Kevin Pagan, Ron Stutes, Jennifer Richie, and Kuruvilla Oommen agreed to serve on a working group to consider the issues further and bring recommendations to the full board regarding possible constitutional amendments and/or policies.

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.

The City of Lewisville won the drawing for one free registration to the 2019 Summer Conference.

14. Adjourn.

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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  
Course #174045947*

#### **Wednesday, June 19 (3 hours)**

- 12:30 - 4:00 p.m.      **Registration and Refreshments**
- 1:00 - 1:30 p.m.      **Constitutional Employment Law Claims**, 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, P.C., Tyler (.5 hour)
- 2:30 - 3:00 p.m.      **Recent State Cases of Interest to Cities**, Laura Mueller, Bojorquez Law Firm, PC, 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, PLLC, San Antonio (.5 ethics hour)
- 3:30 - 4:00 p.m.      **Cybersecurity**, Karen Kennard and Aaron Gregg, Greenberg Traurig, LLP, Austin (.5 hour)
- 4:00 - 5:30 p.m.      **TCAA Board of Directors Meeting**
- 5:30 - 7:30 p.m.      **Welcoming Reception** at Hyatt Regency San Antonio Riverwalk, Garden Terrace, 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**, Jamie Mauldin and Cody Faulk, Lloyd Gosselink Rochelle & Townsend, P.C., Austin (.5 hour)

9:15 - 9:45 a.m. **Dockless Mobility Regulation**, 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 a.m. **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, Senior Assistant City Attorney, City of Amarillo (.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 - 2:45 p.m. **Legislative Update**, Texas Municipal League Staff, Austin (1.25 hour)

2:45 - 3:15 p.m. **Administration of Public Improvement Districts/TIRZ**, Mary Petty, P3 Works, Austin and Keller, and Julia Houston, Orrick, Herrington & Sutcliffe, LLP, Austin (.5 hour)

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

3:30 - 4:00 p.m. **Regulating Condo Developments**, Tad Cleaves, Bojorquez Law Firm, PC, Austin, and Skye Masson, First Assistant City Attorney, Georgetown (.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. **Group Homes**, Mick McKamie, Taylor Olson Adkins Sralla & Elam L.L.P, San Antonio (.5 hour)

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

6:00 - 9:00 p.m. **Reception** at Rio Plaza, 245 E. Commerce St., 2<sup>nd</sup> floor, Grand Vista Room, 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**, Alfred Herrera, Herrera Law & Associates PLLC, Austin (.5 hour)

9:00 – 9:45 a.m.	<b>Taking the Zapruder File: Facts and Fictions Relating to John F. Kennedy’s Assassination</b> , Hon. Andrew Edison, U.S. Magistrate Judge, Southern District of Texas, Galveston (.75 hour)
9:45 - 10:30 a.m.	<b>From Charlottesville to Austin: One City’s Journey to Reconcile Its Confederate History</b> , Neal Falgoust, Assistant City Attorney, and Brion Oaks, Chief Equity Officer, City of Austin (.75 hour)
10:30 – 10:45 a.m.	<b>Break</b>
10:45 - 11:15 a.m.	<b>Alexa, Please State Your Name for the Record</b> , Gregory Miller, Bickerstaff Heath Delgado Acosta, LLP, Austin (.5 ethics hour)
11:15 - 12:15 p.m.	<b>Ethical Implications of Advancing Technology</b> , Ross Fischer, Ross Fischer Law, PLLC, Austin (1 hour ethics)
12:15 p.m.	<b>Adjourn</b>

TCAA Summer Conference-San Antonio

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**NOMINATION INFORMATION FOR AWARDS FOR  
OUTSTANDING PUBLIC SERVICE  
BY AN ASSISTANT CITY ATTORNEY**

**ORIGIN AND PURPOSE OF THE AWARDS**

These Awards for Outstanding Public Service by an Assistant City Attorney are intended to recognize and honor a current or former assistant city attorney for his or her significant and distinguished career achievements 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). The nominee's city attorney must approve of the nomination.
2. The nominator writes a clear and concise statement in support of the nomination describing the significant and distinguished professional achievements in the field of municipal law that have occurred or culminated during the nominee's career as an assistant city attorney, 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 PUBLIC SERVICE BY AN ASSISTANT 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 retired assistant city attorney of a Texas Municipal League member city. However, no person will be permitted to nominate himself or herself.
  2. The nominee has realized significant and distinguished career achievements in the field of municipal law that have occurred or culminated during the nominee's career as an assistant city attorney. The achievements have benefited all municipal attorneys, either locally or nationally. (Some examples might be the successful representation of municipal interests before state trial and appellate courts or federal district and circuit courts, or in the United States Supreme Court, or in legislative, judicial, quasi-judicial, administrative or advisory roles; expertise in particular areas of substantive or procedural law; or other demonstrations of legal ability and public service throughout the nominee's career. These examples are not intended to limit the kinds of achievements that should be described.)
  3. The nominee's career achievements have brought new and inspiring ideas to TCAA's programs and activities.
  4. 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.)
  5. The nominee has received recognition either locally or nationally or both for his or her achievements.
  6. 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.)
  7. The nominee's career achievements have been promulgated to their fellow municipal attorneys through his or her presentation of papers on the subject matter of the achievements or through participation on panels at programs discussing the subject matter of the achievements sponsored by local and/or national professional associations.
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**TCAA AWARDS FOR OUTSTANDING PUBLIC SERVICE BY AN ASSISTANT CITY  
ATTORNEY NOMINATION FORM**

Award Sought (Choose one):

- Galen Sparks Award (Arlington, Austin, Corpus Christi, Dallas, El Paso, Fort Worth, Houston, or San Antonio)
- **Susan Rocha Award** (Any remaining city)

Name of Nominee: **Victor A. Flores**

Title: **Assistant City Attorney**

City Represented: **City of Plano**

Has the Nominee's City Attorney Approved of the Nomination? \_\_\_\_ **Yes** \_\_\_\_ No

Educational Background:

University of Texas – Rio Grande Valley (BA Political Science)  
Western Michigan University – Cooley Law School (JD)

Years in Public Service and Positions Held:

5 years (Assistant City Attorney)

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

Texas Young Lawyers Association, President (2019-2020)  
State Bar of Texas – Texas Bar Journal, Board of Editors  
State Bar of Texas – Government Law Section Council  
State Bar of Texas – Leadership Academy  
Texas Bar Foundation, Fellow  
American Bar Association/YLD, Fellow  
American Bar Association/YLD, Vice Director of Disaster Legal Services Team  
American Bar Association/YLD, District 25 Representative  
Hidalgo County Bar Association, Director  
Texas Bar College, Member

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Community Service and Activities:

**Community Service:**

Baptist Temple McAllen

(Served as Assistant General Counsel to the church's Board of Elders (pro-bono))

Vote America Rally Week

(Presented voter registration outreach in high school, over 1,500 H.S. seniors)

Strength in Unity

(Hosted a public discussion panel with Police Chief, Federal Public Defender, Baptist Minister, Mayor, and City Attorney to discuss ways to improve police-community relations)

#### Disaster Relief Resources

(Assisted in drafting multiple printed materials (English/Spanish) including: Know Your FEMA Rights, Lost Documents During a Disaster, Hiring a Contractor After a Natural Disaster, Enrolling Your Child in Another School after a Natural Disaster, and Employment During Natural Disasters)

#### FEMA Appeals

(Hosted a panel that included State Bar of Texas Communications Director, City of McAllen City Attorney, ABA Disaster Legal Services Director, and Texas Rio Grande Legal Aid Attorney to discuss with attorneys and the general public “What to Know about FEMA Appeals.”)

#### One Love Foundation Project

(Presented One Love to high school students in an attempt to inform them of statistics surrounding high school relationship abuse, sexual assault and harassment.)

#### Wills for Heroes

(Drafted wills and other estate documents for veterans (pro-bono))

#### **Activities:**

International Association of Defense Counsel’s Trial Academy  
Texas City Attorney’s Association – Merit Certification in Municipal Law

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Publications, Awards, Honors:

#### **Awards:**

President’s Award, Texas Young Lawyers Association  
Presidential Resolution, State Bar of Texas  
Pedro “Pete” Serrano Leadership Award, State Bar of Texas  
President’s Award of Merit, Texas Young Lawyers Association  
Rookie of the Year, Hidalgo County Bar Association

#### **CLE Presentations (Authored and Presented):**

- \*State Bar of Texas – Gov’t Law Section: Government Law Boot-Camp  
Drafting-Crafting Meeting Agendas that Comply with Open Meetings Act (2018)  
Five Essentials of the Open Meetings Act (2017)  
Fundamentals of the Texas Open Meetings Act (2016)
- \*State Bar of Texas, Soaking Up Some CLE – A South Texas Litigation Course  
Immunity 101 (2017)
- \*American Board of Trial Advocates, Teachers Law School  
Social Media in Schools: Testing the First Amendment in the Digital Age (2016)
- \*Hidalgo County Bar Assoc. – 2016 David Hockema Civil Trial Law Course  
Survey of the Texas Tort Claims Act (2016)
- \*UT Law CLE – Land Use Fundamentals  
P&Z and BOA: A Comparison Review (2016)
- \*McAllen Chamber of Commerce  
HB 910 – Changes to Concealed Carry Laws (2016)

#### **CLE Publications (Co-Authored):**

- \*State Bar of Texas – 26<sup>th</sup> Suing and Defending Governmental Entities Course  
Disaster Law – This Could Happen To You (2014)

#### **Texas Bar Journal Publications:**

- \*Year in Review: Government Law (2018 and 2019)
- \*Trial Advocacy: A Chamber of Secrets and Strategies Revealed (book review), 81 Tex. B.J. 843



\*Beyond Gregarious: Introverted attorneys surviving in an extrovert-driven society, Texas Bar Journal, 79 Tex. B.J. 438

\*A Day in the Life of Jaime Diez, a Border Town Immigration Lawyer, 80 Tex. B.J. 592

\*Surviving the War Within: A Panel of Veterans Offers Insights on Living with Post-Traumatic Stress, 80 Tex. B.J. 700

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The TCAA Galen Sparks Award and Susan Rocha Award for Outstanding Public Service by an Assistant City Attorney are intended to recognize and honor their recipients for significant and distinguished career achievements in the field of municipal law. Please state, in no more than 500 words, the reasons you believe the nominee deserves this Award.

I am Leo Yu, assistant city attorney at Dallas City Attorney's Office. I'd like to nominate Victor Flores for the Susan Rocha Award.

Victor Flores is an attorney who devotes his career to public service. He started his career as an assistant city attorney in McAllen, TX, which is his hometown. I was a law school intern at McAllen city attorney's office when I met Victor. Victor and I have worked on several zoning projects. It was a good experience to work with him – he is an attorney who knows the municipal law well, and he really cares about the citizens who came to the city to seek relief.

Victor and I reunited in the DFW area when he and his family moved to Plano. I was working at a nonprofit organization in Dallas. Victor has been deeply involved with the Texas Young Attorney's Association (TYAL). He reached out to me and asked me what he could do as the leader of the TYAL for attorneys who work at nonprofit organizations. He told me that it occurred to him that more and more young attorneys in Texas are joining the nonprofit organizations, but the bar has not been actively reaching out to those young attorneys, and he decided he was going to do something about it. I really appreciate that and I am glad to see that the TYAL has a leader like Victor who cares about young attorneys coming from different practice backgrounds.

Victor is now an assistant city attorney in Plano, and I am sure Victor is a great addition to the Plano city attorney's office, and I sincerely believe that he deserves to receive the Susan Rocha Award.

Nominator: Leo Yu

Title: Dallas Assistant City Attorney

City: Dallas

Date: 3/22/19

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

## TCAA OUTSTANDING MENTOR AWARD NOMINATION FORM

Name of Nominee: Gary W. Smith

Title: City Attorney

City Represented: City of Richmond

Educational Background:

Louisiana State University and Tulane University Law School

Years in Public Service and Positions Held:

Over 30 years; Assistant City Attorney for City of Baytown; City Attorney for City of Texarkana; City Attorney for City of Galveston; City Attorney for City of Greenville; Senior City Attorney for City of Corpus Christi; 1<sup>st</sup> Assistant City Attorney for the City of Missouri City; City Attorney for the City of Richmond

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

unknown

Community Service and Activities:

unknown

Publications, Awards, Honors:

unknown

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.

Please see submissions from Mary Kay Fischer, City Attorney for the City of Friendswood, E. Joyce Iyamu, City Attorney for the City of Missouri City, Trisha Dang, Assistant City Attorney for the City of Sugar Land, and Veronica Ocañas, Assistant City Attorney for the City of Austin, who have benefited from Gary's mentorship over the last 28 years.

Nominator: Mary Kay Fischer

Title: City Attorney

City: Friendswood

Date: March 20, 2019

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

Dear TCAA Board of Directors,

In 1991, the City of Galveston advertised for an Assistant City Attorney position, and I applied for the job.

Much to my surprise, Gary Smith was the City Attorney who interviewed me. In my prior career with the City of Baytown, Gary was with the Legal Department while I was with the Parks and Recreation Department.

Who knows where I would have ended up if not for Gary's mentorship during my first municipal attorney job in Galveston. While working with Gary for almost 2 years, he unselfishly took the time to share his knowledge of municipal law, and he gave me the freedom to expand my legal experience while under his guidance.

After almost 2 years, Gary encouraged me to apply for the City Attorney position in Texarkana, which was a position he previously held. It meant so much to me that he thought I was ready to be a City Attorney... and I got my first City Attorney job.

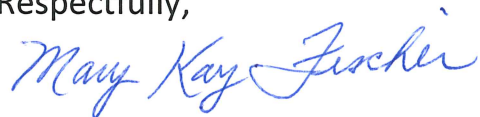
About 14 years later, when I was the City Attorney in Corpus Christi, I was honored to work with Gary again, this time as my Senior City Attorney. He was a life-saver! During difficult times, Gary was someone I could truly trust!!

While in Corpus Christi, Gary continued to mentor the younger attorneys by patiently sharing his legal experiences with them.

We were then and continue to be very fortunate to learn from Gary, a true municipal law professional.

I respectfully ask that you honor Gary W. Smith by awarding him the TCAA Outstanding Mentor Award.

Respectfully,



Mary Kay Fischer

City Attorney

City of Friendswood

February 18, 2018

**Via Email**

Mary Kay Fischer

Ms. Fischer:

It has come to my attention that you intend to nominate Gary Smith, City Attorney of the City of Richmond, Texas, for the Texas City Attorneys Association Outstanding Mentor Award. I am writing to offer you my full support in doing so.

I first met Gary in the fall of 2009 when I was hired to serve as an assistant city attorney for the City of Missouri City. I had worked in other government offices before, but not on the local government level. Gary was serving as the First Assistant City Attorney at the time after having served as a city attorney, assistant city attorney, and city clerk in other cities. Upon the commencement of my employment, Gary and I shared office space because there was a shortage of office space in Missouri City's City Hall. Although some attorneys may have viewed such an arrangement as an inconvenience or as an offense, Gary used the experience as an opportunity to teach. Gary was gracious, not only with his space, but with imparting knowledge and practices that I continue to utilize today. His knowledge of the law has always been formidable, for in the moments when he served as a sounding board for legal ideas and problems, he was always able to recall some statute or case law that lent itself to the issue at hand (along with colorful, humorous anecdotes along the way). Among other good practices, Gary taught me the importance of reviewing current case law, triple checking notices, and respectfully engaging with client departments.

Gary always served and continues to serve as a great resource and, although he no longer works for Missouri City, never shies away from his previous role as a sounding board whenever I have questions or ideas on which I need feedback. I cannot say enough about the positive impression Gary left on me as a young attorney and continues to leave on me as a city attorney today. If you need any additional information from me, please don't hesitate to contact me.

Sincerely,

/s/E. Joyce Iyamu  
E. Joyce Iyamu

### **Mentor – Gary W. Smith**

Six years ago when I was asked to file the City of Missouri City's first civil action under Chapter 54, Local Government Code, to enforce the health and safety ordinances, I was uncertain whether I could handle it. Gary gave me the courage to do it. Gary told me that if I worked hard and believed in myself, I really could do anything. Throughout the case, I always turned to him for advice. I did not feel comfortable doing anything if he had not weighed in. He helped me argue with the district court clerk about paying the court costs by pointing out the statute that exempts a governmental entity from paying the fees, which saved the City money. He helped me better understand the Texas Rules of Civil Procedure and honed in my litigation skills. Gary shows me not only how to handle my case, but also the insight in dealing with judges and other litigants. Not only did Gary believe in me, but he was honest with me. Those two traits do not always come hand in hand. He told me the truth even when I did not want to hear it. Because of him, I became the first in-house litigator for the City of Missouri City.

Gary has not only dedicated his life to the legal profession, he is passionate about serving the people in the community in which he serves. Gary would be the first, and oftentimes the only director, to volunteer his time to work at community events such as Habitat for Humanity, Electronic (E-Waste) Recycling Collection, Eggpalooza, Missouri City Green, Arbor Day, and SnowFest, just to name a few. I had opportunities to work with Gary at some of these events and observed his true calling for public service.

Gary is always ready and willing to share his knowledge and experience with others. Gary helps those looking for his assistance and guidance by not only teaching them professional skills, but also by providing them with a personable, warm and caring approach to resolving any questions or issues. Gary does not champion himself, he champions everyone. He does not take sides; he is on everyone's side. He can take the fall, the blame, and the wrath, so others can continue to move forward on their path. Gary is a man who led by example and possesses all the qualities I wish to have. Gary exemplifies what a good mentor and public servant should be.

Respectfully,



Trisha Dang  
Assistant City Attorney  
City of Sugar Land

### **Reasons Gary Smith deserves the TCAA Outstanding Mentor Award**

*Hey Gary, do you have a minute?* I used to say that a lot. He would smile and say, "Yes, I do. Please come in. Sit down. How is your day going?" Gary may have had the heaviest workload of all of us. He was always ready to look up from his work and talk to me. I think Gary thought that answering an attorney's questions was the really important part of a day's work. I think he saw mentoring as his highest priority. If an attorney was knocking on his door to ask for help, Gary was putting down his work to listen. Asking him a question -- he made you feel like you were doing him a favor. As if you had walked in and pointed to that thing that he had just been looking for.

Soon after he started at our department, I remember Gary was given one of those hard and important questions. As part of his process, he sent out an email to a group of attorneys in the department, asking for their input. Suggested approaches. That sort of thing. I was one of the attorneys that got that email. Mind you, at that time, I was still relatively new. The senior attorneys weren't really seeking out my opinions on big legal questions. So being asked for my thoughts on such an important topic -- it felt great. Rather than asking Gary if he had included me on the email by mistake, I purposefully ran into him and said, "I saw you got some responses to your question. Now that you have those, you probably don't need mine, right? Should we just leave it at that? Or do you still want my input?" Gary seemed genuinely puzzled for a second and then said, "Veronica, I value your opinion. I would like to hear from you as well. I want your thoughts. I value your perspective."

I went ahead and sent my input. And in his final work product -- his counseling memo and recommendation to the city manager, Gary incorporated my input. A big deal to a young, relatively fresh attorney. And that kind of constant inclusion continued. If an issue dealt with our areas even a little, even tangentially, Gary would ask for our opinions. And in the asking, Gary was always teaching. Teaching things like how to trust your instincts. How to feed off each other. Collaborate. Be there for each other. Back up each other. Give that added value to the client.

Gary gave me simple practice tips, too. Like how he would read a statute. "I start here," he would say, as he pointed to the definitions section. "Then I read this section, then I go over here to this section, . . . and then, after I've done that, I start reading from beginning to end." It is amazing how helpful that little tip has been.

I am lucky. I have many stories about Gary just like that. Being mentored by him was one of the best times in my career. He was and still is the most excellent friend and mentor.

Submitted by: Veronica Ocanas, Assistant City Attorney, City of Austin

TAB

3

## **Recommended Change to Awards and Scholarships**

Currently, the Galen Sparks/Susan Rocha Awards and IMLA scholarships are divided between the largest 8 cities and all other cities. Several times there have been no or few applicants for the Galen Sparks Award and the large-city IMLA scholarships. For instance, in 2019, there were:

- no Galen Sparks nominations; and
- 5 IMLA scholarship applicants from the large cities and 15 from the smaller cities (with 3 of the large city nominations from Arlington, 2 of the 3 were effectively eliminated from winning, since there can only be one winner from any given city).

### **Staff Recommendation**

Staff recommends changing the requirement for the Galen Sparks Award and the corresponding IMLA scholarship to cities with a population of 250,000 or more, rather than just the 8 largest cities.

Based on 2015 census estimates, this would move Plano and Laredo into qualification for Galen Sparks immediately. Based on those same estimates, it is likely that the 2020 census would add Lubbock, and possibly Garland and Irving. Had the proposed changes been in place this year:

- Victor Flores would have been nominated for Galen Sparks, and there would have been 2 nominations for the Susan Rocha Award; and
- for the IMLA scholarships, the 5:15 large-to-small ratio would have changed to 6:14 for this year.



TAB

4

## CONSTITUTION

### TEXAS CITY ATTORNEYS ASSOCIATION

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

#### 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, 1) to encourage the cooperation of city attorneys in the practical study of all municipal legal problems; 2) Second, the to holding of annual and semi-annual meetings for the discussion of legal and other questions affecting municipal government; a- And 3) third, to encourage~~ the practical study of legislation, court decisions, and administrative rulings relating to the public interest of municipal corporations; and 4) to offer quality continuing legal education opportunities for those engaged in the practice of municipal law.

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#### 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~~ has 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 ~~32a~~. 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. The officers of the association must approve the person's initial application for associate membership.

Section ~~34~~. 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~~ the member's election.

Section ~~45~~. 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 ~~65~~. 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 1<sup>st</sup> Vice President, a 2<sup>nd</sup> 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~~members (at least two of which shall be former officers), who, at the annual meeting of the association, shall submit nominees for association officers. In making its recommendation of nominees, this nominating committee shall consider the value of diversity and inclusion in the leadership of the association. The association is dedicated to providing opportunity to all people regardless of ,including race, ethnicity, religion, gender,— sexual orientation, gender identity, age, veteran status, or—geographic representationlocation, or kind of employer (,—and employment by a governmental entity or a private law firm). The slate of nominated officers ~~committee shall not nominate officers~~contain nominees who practice at the same law firm or in the same governmental legal department.

Additional nominations may be made from the floor. A floor nomination shall not name a nominee who practices in the same law firm or governmental legal department as another nominee already before the body. 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)the director beingdirector being~~ elected in even years or as otherwise provided by the Constitution of the Texas Municipal League.

Section 5. Vacancy. A vacancy in the executive committee shall occur upon:

1. The end of a term of office;
2. Death;
3. Loss of licensure to practice law in the State; or
4. No longer serving as a duly elected or appointed city attorney or assistant city attorney of a city, town or village which is an active member of the Texas Municipal League (hereafter referred to as a "qualifying position"), except that, upon the approval of the executive

**Comment [JR1]:** As this is now written, the nominating committee can choose between the existing officers at the same firm. This could have the effect of the committee nominating either the more junior to the firm or the more junior to the board.

We could add a provision that says, "At the time of nomination, if two current officers serve at the same law firm or in the same governmental legal department, the officer most recently hired is ineligible for nomination." Or we could choose the most junior on the board as ineligible. Either choice might seem/be unfair in certain situations.

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committee, an officer intending to obtain another qualifying position and maintaining an associate membership may continue to serve as an officer through the later of:

a. The end of the officer's term; or

b. Three months after the end of the initial qualifying position.; or

5. Employment at the same law firm or in the same governmental legal department as another officer, except that, upon the approval of the executive committee, the officer may continue to serve as an officer through the end of the officer's term.

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**Comment [JR2]:** I decided to not include  
"upon the approval of the executive  
committee" in this provision because then  
both officers could only remain upon consent  
of the board. This seems unfair to the officer  
who already was at the firm when the second  
officer became employed.

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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-officers and Texas Municipal League staff may participate in a meeting of the Board of Directors-officers by means of conference telephone, or by any other means of communication by which all Directors-officers 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-officers 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-Officers may also meet and vote via electronic means such as email so long as the identity of each Director-officer 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, ~~and paralegal, and law clerk~~ 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. ~~**AMICUS CURIAE**~~**SPECIAL COMMITTEES.**

Section 1. ~~**Amicus Curiae Advisory Committee.**~~ 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~~ officers, as a review committee ~~to provide advice to the General Counsel of the Texas Municipal League with authority at the option of a majority of the committee members relating to authorizing the prepare preparing and filing of an~~ Amicus Curiae briefs 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.

Section 2. ~~**Other Committees.**~~ The President may appoint such other committees as the President deems necessary to make recommendations to the Board of Directors.

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Comment [JR3]: Scott will provide proposed revisions

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| ARTICLE ~~VIII~~AIX. **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 ~~XI~~I. **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 XII. **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.)





## **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](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.

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

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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](mailto:Leann.Guzman@fortworthtexas.gov)

*City of Fort Worth — Working together to build a strong community*  
Fort Worth



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TAB

5

**Texas City Attorneys Association**

**Budget Summary**

**FY 2019 - 2020**

**INCOME:**

Membership Dues	29,980
Investment Income	2,000
Semi-Annual Meeting (Summer)	62,820
Riley Fletcher Seminar	7,500
Sponsor Revenue	<u>60,000</u>
<b>TOTAL:</b>	<b>\$162,300</b>

**EXPENSES:**

Board Meetings	4,000
Semi-Annual Meeting (TML)	11,200
Semi-Annual Meeting (Summer)	85,048
Riley Fletcher Seminar	7,666
Newsletter	15,912
Web site	10,936
Administrative Services	9,439
Miscellaneous	<u>18,099</u>
<b>TOTAL:</b>	<b>\$162,300</b>

<b>2019 - 2020 BUDGETED DEFICIT:</b>	<b>\$0</b>
<b>TOTAL RESERVE FUNDS:</b>	<b>(Approximate) \$140,000.00</b>

**Texas City Attorneys Association**

**Budget Detail**

**FY 2019 - 2020**

**INCOME**

**Membership Dues:**

194 City Attorneys (\$70.00)	13,580
240 Assistant City Attorneys (\$40.00)	9,600
85 Associate Members (\$80.00)	<u>6,800</u>
<b>Total:</b>	<b>\$29,980</b>

**Investment Income:**

Current Rates	<b>\$2,000</b>
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**Semi-Annual Meeting (Summer):**

180 Registered (\$349.00)	<b>\$62,820</b>
---------------------------	-----------------

**Riley Fletcher Seminar:**

50 Registered (\$150.00)	<b>\$7,500</b>
--------------------------	----------------

**Sponsor Revenue:**

**\$60,000**

**TOTAL INCOME: \$162,300**

**EXPENSES**

**Board Meetings:**

3 Board Meetings (\$1,404 services agreement), plus board gift and misc	3,000
Out of town Board Meeting staff travel	<u>1,000</u>
<b>Total:</b>	<b>\$4,000</b>

**Semi-Annual Meeting (TML):**

MCLE	200
Refreshment Breaks	6,000
AV Charges	4,000
Miscellaneous (Including publicity)	<u>1,000</u>
<b>Total:</b>	<b>\$11,200</b>

**Semi-Annual Meeting (Summer):**

Conference Gift for attendees	3,000
MCLE	200
Refreshment Breaks/Reception	45,000
TML Services Contract	4,446
TML Staff Expenses	2,000
Conference Supplies	1,650
Postage	500
AV Charges	20,000

**Texas City Attorneys Association**

**Budget Detail**

**FY 2019 - 2020**

Galen Sparks/ Susan Rocha/ Mentor Attendees	3,000
Speaker Expenses	1,000
Publicity	1,000
Miscellaneous	<u>3,252</u>

**Total: \$85,048**

**Riley Fletcher Seminar:**

MCLE	200
Publicity	1,000
Staff Expenses	800
Refreshment Breaks and Luncheon	2,000
AV Charges	1,560
TML Services Contract	<u>2,106</u>

**Total: \$7,666**

**Newsletter:**

12 issues (\$1,326 per issue)	<b>\$15,912</b>
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**Website:**

Annual Service Agreement	936
New Additions	2,000
Video Replay Posting and Admin Costs	<u>8,000</u>

**Total: \$10,936**

**Administrative Services:**

525 Members (\$15.00)	7,875
Financial Charges	<u>1,564</u>

**Total: \$9,439**

**Miscellaneous:**

Printing and Reproduction	300
Awards and Recognition	1,300
Office Supplies	100
Public Relations	300
Professional Fee - Audit	1,100
Telephone	75
LisTCAA Listserv Service Fee	624
Postage	300
IMLA Small City Membership Contributions	3,000
Four IMLA Conference Scholarships	8,000
Miscellaneous	<u>3,000</u>

**Total: \$18,099**

**TOTAL EXPENSES: \$162,300**

**Texas City Attorneys Association**  
Profit and Loss Statement  
For the Nine Months Ending March 31, 2019

	January	February	March	YTD	Budget	Favorable (Unfavorable) Variance
Membership Dues	\$429.00	\$148.54	\$300.67	\$32,136.98	\$29,980.00	\$2,156.98
Investment Income	389.46	414.23	473.31	3,424.29	2,000.00	1,424.29
Semi-Annual Meeting (Summer)			32,127.58	33,291.27	62,820.00	(29,528.73)
Sponsor Revenue	28,941.70	7,941.70	17,500.00	58,325.10	50,000.00	8,325.10
Riley Fletcher Seminar	447.00	134.11	591.46	1,461.38	5,070.00	(3,608.62)
Total Revenue	30,207.16	8,638.58	50,993.02	128,639.02	149,870.00	(21,230.98)
Professional Fees				1,100.00	1,000.00	(100.00)
Telephone			39.05	39.05	75.00	35.95
Postage	0.50			389.22	300.00	(89.22)
Boards and Committees	111.00	181.83	1,060.28	4,914.34	4,000.00	(914.34)
Semi-Annual Meeting (TML)	127.84		1,193.56	24,739.43	45,000.00	20,260.57
Semi-Annual Meeting (Summer)	478.52	1,132.17	892.12	8,024.54	115,340.00	107,315.46
Riley Fletcher Seminar	166.50	166.50	166.50	1,559.01		(1,559.01)
Public Relations					300.00	300.00
IMLA Scholarships				6,787.02		(6,787.02)
IMLA Small Cities Membership Contributions				3,000.00	3,000.00	
Printing and Reproduction		0.32	0.12	0.76	300.00	299.24
Dues and Publications			407.00	407.00		(407.00)
Newsletter	1,258.00	1,258.00	1,258.00	11,322.00	14,280.00	2,958.00
Awards & Recognition					1,300.00	1,300.00
Office Supplies				34.98	100.00	65.02
LisTCAA Listserve	49.33	49.33	49.33	443.97	600.00	156.03
Web Site Expenses	74.00	74.00	74.00	1,263.92	4,840.00	3,576.08
Miscellaneous		315.00		949.90	3,000.00	2,050.10
Administrative Services	248.22	218.22	233.22	9,673.98	9,290.00	(383.98)
Total Expenses	2,513.91	3,395.37	5,373.18	74,649.12	202,725.00	128,075.88
Net Income (Loss)	27,693.25	5,243.21	45,619.84	53,989.90	(52,855.00)	106,844.90
Beginning Net Assets				181,031.65		
Ending Net Assets				235,021.55		



**Texas City Attorneys Association**  
Profit and Loss Statement  
For the Twelve Months Ending June 30, 2018

	April	May	June	YTD	Budget	Variance
Membership Dues	\$701.06	\$117.38	\$385.08	\$33,893.58	\$27,700.00	\$6,193.58
Investment Income	539.35	604.84	615.25	5,421.10	2,000.00	3,421.10
Semi-Annual Meeting (TML)	350.00	725.04	(1,075.04)			
Semi-Annual Meeting (Summer)	15,594.68	13,307.60	3,408.06	62,703.71	62,820.00	(116.29)
Sponsor Revenue	11,441.70	2,000.00		67,077.10	50,000.00	17,077.10
Riley Fletcher Seminar				14,729.04	7,500.00	7,229.04
CML Revenue	100.00	350.00	505.80	1,904.05		1,904.05
<b>Total Revenue</b>	<b>28,726.79</b>	<b>17,104.86</b>	<b>3,839.15</b>	<b>185,728.58</b>	<b>150,020.00</b>	<b>35,708.58</b>
Professional Fees				1,000.00	1,000.00	
Telephone				10.24	75.00	64.76
Postage			171.79	867.78	300.00	(567.78)
Boards and Committees	111.00	1,090.61	179.64	4,652.86	4,000.00	(652.86)
Semi-Annual Meeting (TML)	0.04	0.04	1,437.41	11,065.30	11,200.00	134.70
Semi-Annual Meeting (Summer)	3,892.50	792.88	89,941.84	113,623.14	112,850.00	(773.14)
Riley Fletcher Seminar	166.50	3,366.50	18,928.52	32,621.31	7,450.00	(25,171.31)
Disaster Recovery, Mitigation, and Prc	1,873.85			1,873.85		(1,873.85)
Public Relations				1,000.00	300.00	(700.00)
IMLA Scholarships				6,412.13	8,000.00	1,587.87
IMLA Small Cities Membership Contributions				3,000.00	3,000.00	
Printing and Reproduction				355.52	300.00	(55.52)
Newsletter	1,258.00	1,258.00	1,258.00	15,096.00	14,280.00	(816.00)
Awards & Recognition	32.67	909.30		1,103.06	1,300.00	196.94
Office Supplies				105.16	100.00	(5.16)
LisTCAA Listserve	49.33	49.33	49.33	591.96	600.00	8.04
Web Site Expenses	74.00	74.00	94.17	1,048.75	4,840.00	3,791.25
Miscellaneous		525.00		4,078.87	100.00	(3,978.87)
Administrative Services	322.10	202.10	217.10	10,075.20	9,290.00	(785.20)
<b>Total Expenses</b>	<b>7,779.99</b>	<b>8,267.76</b>	<b>112,277.80</b>	<b>208,581.13</b>	<b>178,985.00</b>	<b>(29,596.13)</b>
<b>Net Income (Loss)</b>	<b>20,946.80</b>	<b>8,837.10</b>	<b>(108,438.65)</b>	<b>(22,852.55)</b>	<b>(28,965.00)</b>	<b>6,112.45</b>
Beginning Net Assets				203,884.20		
Ending Net Assets				181,031.65		

TAB

6

**Texas City Attorneys Association**  
**Fall Conference in Conjunction with the Texas Municipal League Annual Conference**  
5 Hours of MCLE Credit (Including 1 Ethics Hour) – Course # \_\_\_\_\_  
Thursday, October 10, 2019 – San Antonio

8:00 - 9:00 a.m.	Registration
9:00 - 9:15 a.m.	<b>Welcome and Opening Remarks:</b> TCAA President, Sylvia Borunda Firth
9:15 - 9:45 a.m.	<b>Handling the “Teflon” Employee:</b> Regina Y. Moss, Assistant City Attorney, City of Tyler (.5 hr)
9:45 - 10:15 a.m.	<b>Update on Contracts Immunity:</b> Daniel Riegel, Richards Rodriguez & Skeith LLP, Austin (.5 hr)
10:15 - 10:30 a.m.	Break
10:30 - 11:00 a.m.	<b>We Can’t Regulate That:</b> Terry S. Welch, Brown & Hofmeister, L.L.P., Richardson (.5 hr)
11:00 - 11:30 a.m.	<b>Government Alliance on Race and Equity:</b> Shana Crutchfield(?) (.5 hr)
11:30 - Noon	<b>Game Room Regulation: A Success Story:</b> Thomas A. Gwosdz, City Attorney, City of Victoria (.5 hr)
Noon – 1:55 p.m.	TML Delegates Luncheon and Presentation (Separate Ticketed Event) or Lunch on Your Own
2:00 - 2:15 p.m.	<b>Business Meeting:</b> Election of TCAA Officers and Passing of the Gavel
2:15 - 2:45 p.m.	<b>Update on Drug Testing and Trends:</b> Clarissa Rodriguez and Sarah Griffin, Denton, Navarro, Rocha, Bernal, & Zech, P.C., San Antonio (.5 hr)
2:45 - 3:15 p.m.	<b>Recent Federal Cases of Interest to Cities:</b> Randy Montgomery, D. Randall Montgomery and Associates, Dallas (.5 hr)
3:15 - 3:30 p.m.	Break
3:30 - 4:00 p.m.	<b>Implementing an Effective Right-of-Way Acquisition and Land Development Program:</b> Kayla Landeros, City Attorney, City of Temple (.5 hr)
4:00 – 5:00 p.m.	<b>Ethics Considerations for City Officials:</b> Stefanie Albright, Lloyd Gosselink Rochelle & Townsend, P.C. (1 hr ethics)
5:00 p.m.	Adjourn

*To claim MCLE credit for today please see the instructions on the back of this page.*

## Christy Drake-Adams

---

**From:** Regina Moss <[rmoss@tylertexas.com](mailto:rmoss@tylertexas.com)>  
**Sent:** Wednesday, May 08, 2019 5:10 PM  
**To:** Christy Drake-Adams  
**Subject:** RE: 2019 TCAA Fall Meeting: Call for Speakers

Christy:

I propose presenting on the following topic:

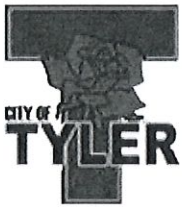
- Handling the "Teflon" Employee- What To Do When You've Created A Monster By Failing To Deal With A Problem Or Difficult Employee In A Position Of Leadership.

Preliminarily I think the presentation would have three components: 1) how did we get here? 2) Where do we go from here? 3) Consequences of failing to act (perhaps the ethical dilemma of inaction).

I have not fully fleshed out the idea; however, it seems an interesting topic.

Kindly,

Regina



**Regina Y. Moss**  
**Assistant City Attorney**  
Office: (903) 531-1161 | Fax: (903) 531-1281  
[rmoss@tylertexas.com](mailto:rmoss@tylertexas.com) | [www.cityoftyler.org](http://www.cityoftyler.org)

---

**From:** Christy Drake-Adams [<mailto:christy@tml.org>]  
**Sent:** Thursday, April 18, 2019 8:13 AM  
**To:** Regina Moss <[rmoss@tylertexas.com](mailto:rmoss@tylertexas.com)>  
**Cc:** Scott Houston <[SHouston@tml.org](mailto:SHouston@tml.org)>  
**Subject:** RE: 2019 TCAA Fall Meeting: Call for Speakers

Hi Regina:

Thank you for your interest. No, there is no theme or particular topic we're looking for. Most presentations are 30 minutes in length. Just send me a title/short description of your proposed topic (or alternative topics) and we'll present it to the TCAA board for consideration. The board will select speakers at the June board meeting.

Let me know if you need additional information.

Sincerely,

## Christy Drake-Adams

---

**From:** Daniel Riegel <driegel@rrsfirm.com>  
**Sent:** Tuesday, April 09, 2019 3:56 PM  
**To:** Scott Houston  
**Cc:** Christy Drake-Adams; Heather Ford  
**Subject:** RE: TCAA Conference Proposals

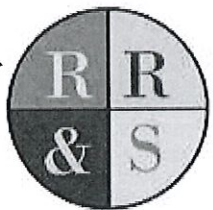
Hi Scott,

Thank you. My apologies for the delay. My wife and I just had our first child, so things have been a bit hectic the past few weeks. My law firm Richard Rodriguez & Skeith would like to submit the following alternative speaker proposals for the fall TML conference:

- **Governance – Local Control** – this session is a primer on how cities can ensure that their ordinances are not preempted by state law. Although home-rule municipalities possess the “full power of local self-government”, the Texas Constitution prohibits city ordinances from “contain[ing] any provision inconsistent with the Constitution of the State, or of the general laws enacted by the Legislature of the State.” The session discusses recent Texas appeals court decisions and provides guidance to cities on how to enact ordinances that remain valid under state law.
- **Infrastructure / Safety** – Billboards and Sign Code Ordinances – this session focuses on how cities can enact billboard and sign code ordinances that are compliant with the First Amendment. The legal landscape is quickly changing on this issue. This session discusses recent court decisions and provides guidance to cities on what kinds of sign code provisions and billboard restrictions are allowable under the First Amendment.

In addition, as we have previously discussed, RRS would like to be considered for presenting an update on government immunity at the TCAA meeting on October 10th.

Thank you kindly,  
Daniel



**Daniel Riegel, Partner**  
Richards Rodriguez & Skeith LLP  
816 Congress Ave, Ste 1200 | Austin, TX 78701  
Office: (512) 476-0005 | Direct: (512) 391-8265  
[Web](#) | [LinkedIn](#) | [Bio](#)

---

**From:** Scott Houston <SHouston@tml.org>  
**Sent:** Monday, April 1, 2019 8:16 AM  
**To:** Daniel Riegel <driegel@rrsfirm.com>  
**Cc:** Christy Drake-Adams <christy@tml.org>; Heather Ford <ford@tml.org>  
**Subject:** RE: TCAA Conference Proposals

Sure, you have time. TCAA is an affiliate organization with TML. What you're seeing is that the TCAA fall conference is really just a component of the TML annual conference. Speaker submissions are separate, though.

Scott Houston



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.

---

**From:** Daniel Riegel [<mailto:driegel@rrsfirm.com>]  
**Sent:** Friday, February 15, 2019 8:42 AM  
**To:** Scott Houston  
**Cc:** Christy Drake-Adams  
**Subject:** RE: TCAA Conference Proposals

Hi Scott,

Just wanted to follow up on presenting at the 2019 TCAA Summer Conference. I wanted to get an idea of past topics, so I watched the presentation videos from the 2018 summer and fall conferences. I also looked over the presentation materials between 2008 and 2017.

My firm would love to present an update on contracts immunity. This past fall, the Texas Supreme Court issued its second *Wasson* decision -- *Wasson Interests, Ltd. v. City of Jacksonville*, 559 S.W.3d 142, 145 (Tex. 2018). The latest decision clarifies the governmental/proprietary analysis when examining governmental immunity for breach-of-contract claims. Over the last couple months, there have been several appeals court decisions on this issue. There's a good chance we'll see a few more decisions between now and the conference in June.

The presenters would be myself and one of my colleagues at RRS, either Dan Richards or his brother Clark Richards. Here's a link to our bios. Please let us know if you have any questions or if we can provide anything else.

Have a good weekend,  
- Daniel

<image001.jpg>

**Daniel Riegel, Partner**  
Richards Rodriguez & Skeith LLP  
816 Congress Ave, Ste 1200 | Austin, TX 78701  
Office: (512) 476-0005 | Direct: (512) 391-8265  
[Web](#) | [LinkedIn](#) | [Bio](#)

---

**From:** Scott Houston <[SHouston@tml.org](mailto:SHouston@tml.org)>  
**Sent:** Friday, February 1, 2019 9:12 AM  
**To:** Daniel Riegel <[driegel@rrsfirm.com](mailto:driegel@rrsfirm.com)>  
**Cc:** Christy Drake-Adams <[christy@tml.org](mailto:christy@tml.org)>  
**Subject:** RE: TCAA Conference Proposals

Hi Daniel:

I saw you joined TCAA. Thanks for your support. All I need is a short description emailed to me. Our board of directors will set that agendas at their meeting in a couple of weeks.

## Christy Drake-Adams

---

**From:** Al Alvarado <ajalvarado@bhlaw.net>  
**Sent:** Wednesday, May 29, 2019 4:31 PM  
**To:** Christy Drake-Adams  
**Subject:** 2019 TCAA Fall Meeting - Call for Speakers

Christy,

Brown & Hofmeister, LLP is pleased to submit our list of proposed speakers and topics for the 2019 TCAA Fall Affiliate Meeting in San Antonio. Please do not hesitate to contact me if you require more information.

**Terry S. Welch, Partner**

### **"We Can't Regulate That?"**

In the land use context, municipal attorneys often encounter certain areas where local governmental regulatory authority is either completely or significantly circumscribed by state or federal statutory authority. As a result, local governments are not free to undertake regulation without facing the potential that they may have just acted contrary to state or federal law. The purpose of this presentation is to address those areas where local government regulation is limited, either *in toto* or in part, ranging from broad issues like religious land use regulation to allowing propane gas tanks to be sold out front at the local convenience store.

**Michael L. Martin, Associate**

### **Spending Someone Else's Money: Federally-Funded Procurement Requirements**

Cities across the country have found themselves having to payback millions of dollars in federal funds due to improper procurement procedures. Federally-funded purchases are governed by the Code of Federal Regulations (the "CFR") and awarding agency regulations. The CFR and agency regulations generally preempt state and local procurement laws. Failure to follow these requirements can result in disallowing certain costs, terminating the award and/or seeking reimbursement for already spent funds. This presentation will explain the pre-solicitation requirements, different competitive selection thresholds and processes, recordkeeping protocols, and mandatory contractual provisions required for the use of federal funds, as well as offering suggestions on best practices to help municipalities avoid potential liability for federally-funded purchases.

**Jeremy R. Page, Associate**

### **Social Media as the New Town Square: What Cities Should Know About Using Facebook and Other Social Media Sites**

In the past decade, Facebook and other social media sites have transformed from being places where friends and family can connect with one another to being the main way in which many Americans get their news and stay informed about their community. During that same time, municipalities and local public officials have increasingly using social media to connect with their residents and constituents. But what happens when a resident posts an obscene comment on the City's Facebook page? Or a city staff member posts a questionable photograph on their private Instagram account? Or when the mayor decides to block a resident on Twitter over a disagreement? Recent court cases like the 2017 Supreme Court decision, *Packingham v. North Carolina*, have only started to address these questions about free speech in the Information Age, and this presentation will analyze those cases in an attempt to answer these questions and more. This

presentation will also dive into how social media may cause cities other sorts of issues, such as with open meetings and record retention.

Thank you.

**Al Alvarado**

Administrator

**Brown & Hofmeister, L.L.P.**

740 E. Campbell Rd, Suite 800

Richardson, TX 75081

Main: (214)747-6100

Fax: (214)747-6111



## Christy Drake-Adams

---

**From:** Jennifer Richie <JenniferR@wacotx.gov>  
**Sent:** Wednesday, April 17, 2019 10:19 PM  
**To:** Christy Drake-Adams; Scott Houston  
**Subject:** Equity presentation at TCAA Summer Conference

Waco is with Austin, Dallas, and San Antonio at the membership meeting of GARE. All of our cities are beginning the racial equity process. I think having GARE come present at the summer conference would be really important for Texas statewide. I would be glad to moderate or introduce. I have given your contacts to Shanna with GARE to initiate the contact. Shanna's email is [shana.crutchfield@vanir.com](mailto:shana.crutchfield@vanir.com).

Sent from my iPhone

## Christy Drake-Adams

---

**From:** Thomas Gwosdz <tgwosdz@victoriatx.org>  
**Sent:** Monday, February 11, 2019 10:50 AM  
**To:** Scott Houston  
**Subject:** Summer Conference Topic

Scott,

If you haven't filled up the summer agenda yet, I've got a topic for you. (roll it to the fall, if you're full and still interested).

Game Room Regulation: A success story. Learn how one Texas city eliminated 90% of its operational game rooms overnight without seizing a single 8-liner machine.

---

Thomas A. Gwosdz  
City Attorney  
Victoria, Tx.

(361) 485-3520  
(361) 485-3534 (f)

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A "Reply to All" of this e-mail could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.

## Christy Drake-Adams

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**From:** Clarissa Rodriguez <clarissa.rodriguez@rampage-sa.com>  
**Sent:** Tuesday, May 28, 2019 10:45 AM  
**To:** Christy Drake-Adams  
**Cc:** Sarah Griffin  
**Subject:** Speaker Proposal for TCAA Fall 2019

Updates on Drug Testing and Trends- we can use the same title we used for TMHRA, but tweak the presentation to focus on the legal aspects for our colleagues- especially in light of the expansion of Texas Compassionate Use Act and the Consumable Hemp Bills that passed.

From a Rocky Mountain High to a Texas Positive- trends in drugs and drug testing

Sarah Griffin and I can co-present.

Thanks!!

Clarissa M. Rodriguez

Attorney

Denton, Navarro, Rocha, Bernal, & Zech, P.C.

2517 N. Main

San Antonio, TX 78212

210/227-3243

210/225-4481 (f)

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## Christy Drake-Adams

---

**From:** Kayla Landeros <klanderos@templetx.gov>  
**Sent:** Friday, May 24, 2019 10:01 AM  
**To:** Christy Drake-Adams  
**Subject:** 2019 TCAA Fall Meeting - Presentation Idea

Christy,

Hope you are doing well! I wanted to submit a presentation idea for the Fall 2019 TCAA Meeting.

In my time as Temple City Attorney, we have implemented an effective right-of-way acquisition and land development program. Since January, 2015, the City Attorney's Office has completed the acquisition of approximately 200 tracts, partial tracts, and easements and spent about \$20 million on these acquisitions. This effort has helped Temple move forward with a substantial amount of infrastructure and development work. I would love the opportunity to give a presentation on the steps we took to create the program and how it has benefited the City. At this point, I envision the presentation to include a discussion of our right-of-way acquisition process, our experience with condemnation proceedings, and an overview of the projects Temple has been able to complete as a result of the program. I would highlight current law related to right-of-way acquisitions and relocation benefits, as well as how the City has worked within this legal framework.

Thank you so much for your time considering this idea! Please let me know if you have any questions.

Thanks!  
Kayla

*Kayla Landeros*  
City Attorney  
City of Temple  
254-298-5672

This transmission is subject to the attorney-client privilege, attorney work product privilege, and/or is strictly confidential. If you are not the intended recipient of this message, please do not disclose, print, copy or disseminate this information. If you have received this in error, please notify me and delete the message.

## Christy Drake-Adams

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**From:** Georgia Crump <gcrump@lglawfirm.com>  
**Sent:** Thursday, May 30, 2019 5:09 PM  
**To:** Christy Drake-Adams; Scott Houston  
**Cc:** Stefanie Albright; David Klein; Sheila Gladstone  
**Subject:** Fall TCAA Conference Speaker Proposals

Hi Christy and Scott – Here are some proposed presentations for consideration by the TCAA Board, for the fall meeting in conjunction with the TML conference. We hope some of these will work for the group.

Stefanie Albright proposes two topics:

“Ethics Considerations for City Officials”: This presentation is a nuts and bolts of ethics laws applicable to public officials, including exceptions and special consideration in emergency situations. Topics range from conflicts of interest, general ethics (nepotism/bribery/abuse of office), the Texas Open Meetings Act, and the Public Information Act. This presentation will include both the law applicable to public official ethics, as well as hypothetical scenarios applying these laws to “real world” situations. (This should be eligible for ethics CLE credit.)

“The Texas Public Information Act – What is the Status of the *Boeing* and *Greater Houston Partnership* Exceptions Following the 86<sup>th</sup> Legislative Session?”: This presentation will present an analysis of legislation that will presumably be passed in the current legislation modifying the application of these two Texas Supreme Court cases in how governmental entities handle public information requests. Included in the presentation will be a summary of how the law has changed, as well as how cities will need to respond to these requests following the effective date of the legislation.

David Klein proposes: Impacts on Municipalities from the 2019 Legislative Session regarding Certificates of Convenience and Necessity and the assessment of water rates. The world of CCNs and water rates is ever changing, and this presentation will update the audience on how the Public Utility Commission’s regulation of CCNs and rates is evolving, as well as on how municipalities will be impacted from bills passed during 2019 Legislative Session that address these important topics.

Sheila Gladstone proposes: Dealing with Medical Leave and Disability Accommodations

Employers are highly regulated when dealing with sick and injured employees, and those various laws do not always intersect consistently. This session will discuss tough issues, hot topics, interesting medical conditions, and new case law on workplace accommodations and the interactive process under the ADAAA, the crucial differences between accommodation and light duty, FMLA leave, leave limits, and accommodating disabilities with extended leave.

Thanks, as always, for the opportunity to propose some presentations to the group.

Georgia



GEORGIA N. CRUMP

Principal

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## Christy Drake-Adams

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**From:** Jaclyn Hernandez <jaclyn@texasmunicipallawyers.com>  
**Sent:** Wednesday, April 17, 2019 10:41 AM  
**To:** Christy Drake-Adams  
**Subject:** 2019 TCAA Fall Meeting: Call for Speakers

Good morning Christy,

We have at least a couple of folks interested in speaking at the fall meeting this year.

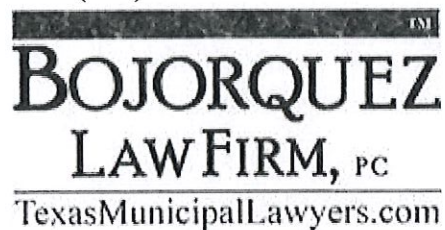
Associate Attorney Will Stovall proposes to present on strategies for effective legislative advocacy by cities.

Attorney Of Counsel Pete Haskel proposes to present on anti-trust issues for local gov.

Potentially more to come.

Thank you!

*Jaclyn Hernandez*  
Program Director  
Bojorquez Law Firm, PC  
12325 Hymeadow Dr. Ste. 2-100  
Austin, Texas 78750  
Work: (512) 250-0411  
Fax: (512) 250-0749

The logo for Bojorquez Law Firm, PC. It features a dark horizontal bar with the letters "TM" in white. Below the bar, the word "BOJORQUEZ" is written in a large, bold, serif font. Underneath that, "LAW FIRM, PC" is written in a smaller, bold, serif font. At the bottom, the website "TexasMunicipalLawyers.com" is written in a sans-serif font.

**BOJORQUEZ**  
**LAW FIRM, PC**  
TexasMunicipalLawyers.com

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## Christy Drake-Adams

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**From:** Jason M. Rammel <therammelfirm@gmail.com>  
**Sent:** Tuesday, May 07, 2019 10:23 AM  
**To:** Christy Drake-Adams  
**Subject:** TCAA Fall Conference

Christy:

I am the City Attorney in Bulverde, just north of San Antonio. I'd be interested in speaking at the Fall Conference.

I've recently dealt with issues re: conflicts of interest for city council members, junked and abandoned vehicle ordinances, eminent domain, and MUD formation via consent and via legislation. I also have experience with zoning, subdivisions, code enforcement, municipal prosecution, etc. I think that a presentation on junked and abandoned vehicle ordinances would be fairly simple to prepare and of interest to our members.

Let me know if there are any particular issues that you think may be of interest to our members.

Thanks,

Jason M. Rammel

Law Office of Jason M. Rammel, P.C.  
17080 Highway 46 West, Suite 108-B  
Spring Branch, Texas 78070  
Phone: (830) 885-2406  
Cell: (512) 981-8868  
Fax: (866) 561-5512  
[therammelfirm@gmail.com](mailto:therammelfirm@gmail.com)  
[www.therammelfirm.com](http://www.therammelfirm.com)

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## Christy Drake-Adams

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**From:** Miles Risley <MilesR@cctexas.com>  
**Sent:** Friday, April 19, 2019 9:20 AM  
**To:** Christy Drake-Adams  
**Cc:** Scott Houston  
**Subject:** 2019 TCAA Fall Meeting: Call for Speakers

Christy

I and one of my assistants could present a paper and presentation on "Recurring Themes in Municipal Construction Litigation".

Miles K. Risley  
City Attorney  
1201 Leopard Street  
P.O. Box 9277  
Corpus Christi, Texas 78469-9277  
Phone 361.826.3361  
[milesr@cctexas.com](mailto:milesr@cctexas.com)

---

**From:** Texas City Attorneys Association <[tmladmin@tml.ccsend.com](mailto:tmladmin@tml.ccsend.com)> **On Behalf Of** Texas City Attorneys Association  
**Sent:** Wednesday, April 17, 2019 9:53 AM  
**To:** Miles Risley <[MilesR@cctexas.com](mailto:MilesR@cctexas.com)>  
**Subject:** 2019 TCAA Fall Meeting: Call for Speakers



The Texas City Attorneys Association invites all attorneys interested in presenting at the 2019 TCAA Fall Affiliate Meeting, to be held at the TML Annual Conference in San Antonio, to submit your ideas to Christy Drake-Adams at [christy@tml.org](mailto:christy@tml.org) by **May 31, 2019**. This year's meeting will be on Thursday, October 10, 2019.

Questions? Contact Christy Drake-Adams at [christy@tml.org](mailto:christy@tml.org) or 512-231-7400.

Texas City Attorneys Association, 1821 Rutherford Lane, Suite 400, Austin, TX 78754

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Sent by [tmladmin@tml.org](mailto:tmladmin@tml.org)



## Christy Drake-Adams

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**From:** Scott Houston  
**Sent:** Sunday, March 03, 2019 1:08 PM  
**To:** 'Kim Haddow'  
**Cc:** Morgan, Anne; Bennett Sandlin; Christy Drake-Adams  
**Subject:** RE: Local Solutions Support Center- TCAA

Hi Kim:

Thanks again for what you do and for submitting this topic. Our board decided not to include it in the agenda this time, but with your permission we'd like to keep this on our radar for future conferences?

Scott Houston  
Deputy Executive Director and General Counsel  
Texas Municipal League  
General Counsel  
Texas City Attorneys Association  
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Austin, Texas 78754  
512-231-7400  
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[shouston@tml.org](mailto:shouston@tml.org)

### ***Empowering Texas cities to serve their citizens.***

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**From:** Kim Haddow [mailto:[kimshaddow@gmail.com](mailto:kimshaddow@gmail.com)]  
**Sent:** Friday, March 01, 2019 3:38 PM  
**To:** Scott Houston  
**Cc:** Morgan, Anne; Bennett Sandlin; Christy Drake-Adams  
**Subject:** Re: Local Solutions Support Center- TCAA

Any word?

Sent from my iPhone

On Feb 13, 2019, at 6:52 PM, Scott Houston <[SHouston@tml.org](mailto:SHouston@tml.org)> wrote:

Thanks Kim! We'll put this before the board on Friday and let you know!

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

Texas City Attorneys Association  
1821 Rutherford Lane, Suite 400  
Austin, Texas 78754  
512-231-7400  
[www.tml.org](http://www.tml.org)  
[shouston@tml.org](mailto:shouston@tml.org)

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**From:** Kim Haddow [<mailto:kimshaddow@gmail.com>]  
**Sent:** Wednesday, February 13, 2019 1:03 PM  
**To:** Scott Houston  
**Cc:** Morgan, Anne; Bennett Sandlin; Christy Drake-Adams  
**Subject:** Re: Local Solutions Support Center- TCAA

I am giving some information about both the organization and a description of what we would like to include in the session

Local Solutions Support Center (LSSC) serves as a national hub that coordinates and creates efforts to counter the abuse of preemption and strengthen local democracy. LSSC works in four integrated areas - legal, education and outreach, communications and research, and grassroots organizing - to raise awareness of state preemption and its consequences, reduce the use of this threat to democracy, and strengthen the power of cities to advance policies that promote equity, inclusion, public health, and civic participation.

For more information, contact Local Solutions Support Center at [LSSC@supportdemocracy.org](mailto:LSSC@supportdemocracy.org).  
For legal help, contact A Better Balance at (212) 430-5989 or [dlankachandra@abetterbalance.org](mailto:dlankachandra@abetterbalance.org)

The program we would like to offer at your summer session would include the following information:

- Preemption in Texas is endemic and widespread – catalogue examples
- Similar themes are showing up in states across the country (highlight Arizona, Ohio, Florida, Pennsylvania – key examples)
- Strategies for fighting back include coalition building, advocacy, communications and, of course, litigation
- The caselaw that is emerging as this new wave of preemption enters the courts generally reaffirms state power, but contains a few glimmers of optimism as some cities have been prevailing – perhaps hard to transplant to Texas, but worth examining.

Best, Kim

On Mon, Feb 4, 2019 at 10:57 AM Scott Houston <[SHouston@tml.org](mailto:SHouston@tml.org)> wrote:

If you want to send me a little bit more that would be awesome. Just a three or five sentence description?

TOPIC SUBMISSION FOR TCAA 2019 FALL CONFERENCE  
SUBMITTED MAY 2019

TITLE: OPTIMIZING YOUR CITY'S EXPERIENCE WITH PUBLIC INFORMATION ACT REQUESTS

SUBMITTED BY: Barbara L. Quirk  
Shahan Guevara Decker Arrott  
201 S. Lakeline Blvd., Suite 202  
Cedar Park, Texas 78613  
Phone: 512-904-0010  
Fax: 512-807-7166

SUMMARY: Public Information Act requests are becoming more burdensome to cities as members of the public have learned to utilize these requests for many purposes not originally contemplated by the Act, including harassment of city employees, lawsuit preparation, and politically motivated fishing expeditions. This is especially burdensome in this time when cities have more electronic records than ever saved on multiple types of media, such as text messages, specialized video recording programs, and other mediums for which city staff may not have easy access. This presentation will provide you with step by step guidelines for addressing many of the issues which come up in responding to difficult public information requests and creating leverage for the city in dealing with difficult requestors. Topics will include:

1. Pre-planning with city staff to establish a battle plan for difficult requests;
2. Communicating with requestors early to narrow or clarify requests;
3. Working with city staff and contractors to gather records including those in electronic media;
4. Recouping costs and incentivizing narrowing by sending timely cost estimates;
5. Sending notices to the requestor to protect the City from infeasible requests or to extend time;
6. Knowing which types of information may be withheld and which must be withheld or redacted;
7. What goes into a successful request for opinion from the Attorney General to withhold records;
8. Tips for making final redactions and getting the response sent to the requestor.

We will have sample documents available.

TOPIC SUBMISSION FOR TCAA 2019 FALL CONFERENCE – Alternate 1  
SUBMITTED MAY 2019

TITLE: WHEN ISSUES ARISE WITH OLD EASEMENTS

SUBMITTED BY: Barbara L. Quirk  
Shahan Guevara Decker Arrott  
201 S. Lakeline Blvd., Suite 202  
Cedar Park, Texas 78613  
Phone: 512-904-0010  
Fax: 512-807-7166

SUMMARY: Every city has them...old easements for water and sewer lines, drainage, and other utility uses. Generally, they exist for decades without anyone raising a peep. Occasionally, a landowner decides to fight a city either to remove the easement or to claim damages or compensation from the City for the easement. This presentation will provide you with information on some of the issues which come up in these circumstances and factors which may affect a city's legal position. Topics will include:

1. Types of legal issues which exist with many old easements;
2. Types of claims landowners have filed and how the courts dealt with the issues;
3. Tips for avoiding and dealing with these claims and lawsuits.

TAB

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**2022 TCAA SUMMER CONFERENCE BIDS**

**SOUTH PADRE**

PROPERTY	DATES	RATES	NUMBER OF ROOMS	
<u>Isla Grand Beach Resort</u>	June 13-18, 2022	\$195 s/d \$399 Condo's	140 rooms offered of 225 peak night	Two hotel room nights for site visit rental car reimbursement for day of site visit Free shuttle service from overflow hotels \$1500 Transportation subsidy Welcome by the Mayor Tie-Cutting Skit performed by Police Dept
<u>Pearl South Padre</u>	June 13-18, 2022	\$209	150 rooms offered of 225 peak night	Two hotel room nights for site visit rental car reimbursement for day of site visit Free shuttle service from overflow hotels \$1500 Transportation subsidy Welcome by the Mayor Tie-Cutting Skit performed by Police Dept
<u>Hilton Garden Inn</u>	June 13-18, 2022	\$220-\$270	80 rooms offered of 225 peak night	Two hotel room nights for site visit rental car reimbursement for day of site visit Free shuttle service from overflow hotels \$1500 Transportation subsidy Welcome by the Mayor Tie-Cutting Skit performed by Police Dept
<b>GALVESTON</b>				
<u>San Luis Resort</u>	June 13-19, 2022	\$249	180 rooms offered of 225 peak night	\$33,000 F&B minimum two comp suites for <b>two nights</b> for Pres and EX Dir 1 VIP Room for planner for five nights 1 per 50 10 staff rooms at \$149 comp internet in meeting space Resort fee of \$8 per night
<u>Hilton Galveston Island Resort</u>	June 13-19, 2022	\$209	40 rooms offered of 225 peak night	This would be the overflow hotel for San Luis

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**2023 TCAA SUMMER CONFERENCE**

**ROUND ROCK**

PROPERTY	DATES	RATES	NUMBER OF ROOMS	CONCESSIONS (CAN BE NEGOTIATED)
<a href="#">Kalahari Resort &amp; Conventions</a>	June 12-17, 2023	\$225 (1-4 people) \$29.99 Resort Fee 5-staff rooms @ \$169 (max 15 room nights)	225 peak night	F&B Minimum \$45,000 Meeting Room Rental -Waived based on performance 1 per 40 comps One comp suite Two Comp Upgrades at group rate rate available 2 days pre and 2 days post

**AUSTIN**

<a href="#">Omni Barton Creek Resort</a>	June 12-17, 2023	\$299 single \$309 double 1-BD suite \$399 10-Staff rooms \$259 Plus \$39 Resort Fee	225 peak night	Suite for President at group rate Suite for Executive Director at group rate Suite for Meeting Planner at group rate 1 per 60 10 staff rooms \$259 Room rental waived with \$60,000 F&B 10% A/V Discount
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**SAN ANTONIO**

<a href="#">The Westin Riverwalk</a>	June 12-18, 2023	\$215 city side \$239 Riverside \$139 staff rooms	225 peak night	Meeting Room rental waived with \$65,000 F&B minimum daily set up/tear down fee of \$75 is waived 1 per 45 2 comp 1-bedroom suites (4 nights) 1 studio suite (4 nights) 10 staff Rooms (4 nights) 10 valet parking passes (4 nights) not inclusive of gratuity comp in-room internet for all attendees discounted internet in meeting space (5 MBPS FREE) 10% A/V Discount Valet rate confirmed at \$35 per night (no self parking at hotel)
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**NOT AVAILABLE**

Marriott Riverwalk and River Center



TAB

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**From:** [Scott Houston](#)  
**To:** ["Warren Spencer"](#)  
**Cc:** [Christy Drake-Adams](#); [Heather Ford](#)  
**Subject:** RE: The beginning of a bright idea  
**Date:** Thursday, April 18, 2019 11:45:12 AM

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Hey Warren. Thanks for the kind words and the heads up on Forrest Hill. The TPCA idea sounds very interesting to me. The TCAA board meets in early June. Let me put it before them and get their feel. I've always thought more coordination would be beneficial to all.

Scott Houston  
Deputy Executive Director and General Counsel  
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General Counsel  
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**From:** Warren Spencer [mailto:warrenspencer@sbcglobal.net]  
**Sent:** Thursday, April 18, 2019 9:48 AM  
**To:** Scott Houston; warren spencer  
**Subject:** The beginning of a bright idea

Good morning Scott. I hope this finds you well. I wanted to let you know that as of May 1 I will not be the city attorney for Forest Hill. That being said I have had one council member call telling me they are up to their usual antics. With no attorney on board they may reach out to your staff. I suggest caution when dealing with them.

Secondly, I want to run an idea by you. The Texas Police Chiefs' Association has a police legal advisors' section. We put on a two-day CLE program at the annual conference. We want to reach out to city attorneys and asst. city attorneys who provide advice to the police departments and let them know about the program. We also discussed putting together a program akin to your Riley Fletcher course for new legal advisors. Would TCAA be interested in working together on these projects?

Lastly, I want to thank you and your staff for all the support and assistance you provided during my tenure in Forest Hill. It was invaluable.

Warren Spencer

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