



Texas City Attorneys Association

Board of Directors Meeting

Via Zoom

February 19, 2021

Agenda

TCAA Board of Directors
Friday, February 19, 2021
Via Zoom
10:00 a.m.

1. Welcome newest TCAA Board Members, Maleshia McGinnis and Charlie Zech
2. Consider minutes of the October, 14, 2020, TCAA Board Meeting
3. Legislative Update: Our Home, Our Decisions Campaign
4. Summer Conference 2025
5. Survey results of 2020 TCAA Fall Conference
6. Approve program for 2021 TCAA Summer Conference
7. TCAA Affiliates, update on organizing efforts and action on pending applications (e.g., Rio Grande Valley City Attorneys Association)
8. TCAA Listserv Update
9. TCAA Budget Update
10. Member Communications through Social Media (e.g., Facebook or LinkedIn)
11. Statement on Racism and Equity
12. Law Clerks and Law Students
13. Next board meeting to be held at 4:30 p.m. on June 16, 2021
14. Other business
15. Adjourn

**TCAA
Board of Directors
2020-2021**

President

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Past President

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TML Board Representative

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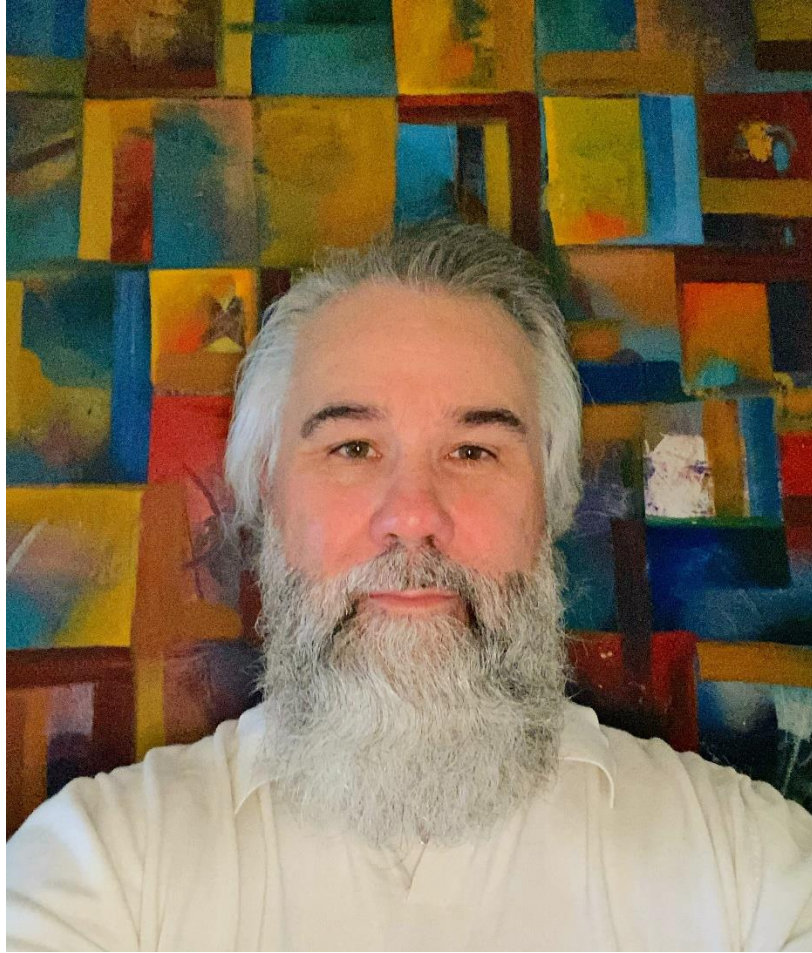
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Welcome



Maleshia B. McGinnis, City Attorney, City of North Richland Hills



Charles E. Zech, Partner/Shareholder, Denton Navarro Rocha Bernal & Zech, P.C.

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Minutes
TCAA Board of Directors
Wednesday, October 14, 2020
Via Zoom

Board President Paige Mims called the meeting to order at approximately 10:00 a.m.

Board members present:

Alan Bojorquez
Ron Stutes
Kuruvilla Oommen
Slater Elza
Kevin Pagan
Jennifer Richie
Julie Fort
Sharae Reed
Marcus Norris

Board members absent:

Sylvia Borunda Firth

TML staff present:

Christy Drake-Adams
Heather Ford

1. Consider the minutes of the June 17, 2020, TCAA Board meeting

A motion to approve the June 17, 2020, board meeting minutes made by Alan Bojorquez was seconded by K.O. Unanimously approved.

2. Consider the minutes of the July 2, 2020, TCAA Board meeting

A motion to approve the July 2, 2020, board meeting minutes made by Julie Fort was seconded by Kevin Pagan. Unanimously approved.

3. Survey results of 2020 TCAA Summer Conference

No action taken.

4. Report on 2020 TCAA Fall Conference

No action taken.

5. Report on TCAA subsidy for IMLA 2020 Annual Conference

No action taken.

6. TCAA board applicants and map

No action taken.

7. Next board meeting

The next board meeting will be held virtually on Friday, February 19, at 10:00 a.m.

8. Other business

A motion to approve the TCAA affiliate applications from the North Texas City Attorneys and the Capitol Area Municipal Lawyers Association made by K.O. was seconded by Alan Bojorquez. Unanimously approved.

9. Adjourn

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December 10, 2020

To: Texas Municipal League Affiliate Members

From: Bennett Sandlin, TML Executive Director

Re: Our Home, Our Decisions

Local governments, the government closest to the people, embody the idea that “We the People” should be able to continue making decisions based on the needs of each unique community in Texas. Cities and other local governments provide the services that we cannot do without - services that reflect the will of the local taxpayers and recognize that not all laws are able to be “one size fits all.” **Because of the unique patchwork of cities in our state, we must be able to retain our ability to govern locally and continue making decisions that represent the needs of the community.**

For this purpose, the Texas Municipal League has created Our Home, Our Decisions to emphasize the necessity for local decision making and ensuring that the diverse needs of our communities can continue to be met by local governments.

As a TML affiliate, we are asking you to join us, and lend your organization’s name to the Our Home, Our Decisions campaign.

With the idea that no two areas in the state are alike, the legislature began creating cities at upon statehood to work closely with the community to address local needs more effectively. The locally-elected city councils in those cities decide – based on the needs of their citizens – how to provide appropriate services. Each city is different, and the needs of each community widely ranges. We often say, what works in the Piney Woods of East Texas won’t always work in the Great Plains of the Panhandle and that rings true all across the state. But that is what makes our state great – the diversity and unique needs that can be addressed by the government closest to the people.

Cities and their partners need to **be allowed to make their own decisions about how to keep their local communities thriving, benefiting the overall success of the state.** For these reasons, we have created the Our Home, Our Decisions campaign to amplify and celebrate the diversity of Texas. This campaign seeks to:

1. Ensure that local decisions are made locally and oppose attempts to harm the ability of local governments to represent their constituents without state interference.
2. Preserve the ability for local governments to retain the experts needed to achieve the goals of their communities.
3. Allow local governments the flexibility to fund essential services for their community such as law enforcement and first responders, roads and bridges, clean water, broadband connectivity, and more.

As we prepare for the legislative session, we need as many organizations as possible to join us in order to amplify our message and protect our ability to make decisions at the local level. We will



be providing our partners with resources and updates throughout the legislative session that will help us maintain a unified and effective voice at the Capitol.

Will you join us? If so, please email camille@jhlcompany.com and confirm, along with sending her your logo that we can place on the OHOD website. If you have any questions at all, please contact Monty Wynn at monty@tml.org for more information. We hope you'll join us!

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2025 TCAA Summer Conference
Austin Area
Site Comparison

Hotel	Fairmont Austin	Hilton Austin Hotel	Horseshoe Bay Resort	Kalahari Resort	Hyatt Regency Austin	Marriott Hotels	Omni Downtown
Dates Available	June 17-20, 2025 or June 24-27, 2025	June 16-21, 2025	June 16-21, 2025	June 17-20, 2025	No response	No response	Too Small
Meeting Rooms		Comp meeting rooms	comp	comp			
Room Rates	\$289 standard \$239 standard	\$259 standard \$259 King 1-bd suites \$209 5-staff standard rooms	\$139 Staff standard \$199 standard \$239 Junior Suite \$289 Executive Suites \$329 Magnolia Suite	\$275 for S,D,T,Q \$199, Five Staff Rooms Max 15 room nights			
Parking	2021 Parking fees Valet Parking Hourly Rates: 0-3 hours \$24 (plus tax) 3-6 hours \$32 (plus tax) Overnight: \$49 (plus tax) Self-Parking Hourly Rates: 0-3 hours \$15 (plus tax) 3-6 hours: \$25 (plus tax) Overnight: \$36 (plus tax)	Currently self-parking is \$37 overnight and valet parking is \$46 overnight.	\$25 Resort fee per day covers parking I recommend driving because they have no transportation from the airport or to get around town.	\$15 Resort fee per day			
Concessions		Four (4) week cut-off date Complimentary standard wireless guestroom internet access Complimentary access to the Skyline Health Club & Spa (open 24-hours) Group rate offered three (3) days pre and post based on hotel availability of contracted room types	10% allowable attrition reduction can be taken on or before cutoff date Three-week cutoff date One (1) Complimentary Magnolia Suite for TCAA President One (1) Complimentary Magnolia Suite for TCAA Executive Director One (1) Complimentary Executive Suite for Meeting Planner Group sleeping room rate available	One per fifty Comp Complimentary African Queen Suite Two Complimentary Upgrades at Group Rate to African Queen Suites			

		Three (3) upgrades to a one (1) king bedroom suite at the contracted group rate (one for TCAA President, Executive Director and Meeting Planner) Complimentary 1 per 45 Complimentary meeting room easels (not to exceed hotel owned and managed inventory) Five (5) staff rooms at a \$209.00 discounted rate Hilton Honors Points – One (1) point per eligible dollar charged to the master account, not to exceed 100,000. Waived Meeting Room Rental: (\$250,000 Value)	2 days pre/post conference dates (based on Hotel availability) Group will receive 1 per 50 complimentary rooms calculated on paid actualized room nights Complimentary WIFI in meeting room and sleeping rooms Eight (8) Complimentary meeting room easels 10% discount off 2025 published golf rates 10% discount off spa services 10% marina rentals				
Other	\$90,000 F&B \$70,000 F&B	\$55,000 F&B	\$36,000 F&B	\$45,000 F&B			
Staff Notes	We would utilize our entire 3 rd floor for all meeting space needs				Lavern, How wonderful to hear from you! Thank you for considering us for the TCAA conference - I will review our availability and send our information soon. Please do not hesitate to reach out to me in the interim with any questions.	No responses. Sent to Erin Kirby	I appreciate you getting back to me. After reviewing the RFP unfortunately, our meeting space is not large enough to accommodate a group of your size in your preferred set up.

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Initial Report

2020 TCAA Fall Conference

November 2nd 2020, 10:49 am CST

Q1 - Please provide your name.

False

Please provide your name.

Jim Wright

Kevin Laughlin

Jennifer Richie

Sarah Grace French

True

Please provide your name.

Richard McCracken

Asha Pender

Neal Falgoust

Amanda Davis

Guy Goodson

Christina Weber

Lawrence G. Provins

Larry L Foerster

Andrew Hagen

Marianne Landers Banks

anne morgan

Sheletra Hayes

Wayne Olson

Danielle Folsom

Teris Solis
Habib Erkan
Cathy Cunningham
Guillermo Trevino
Randall B. Strong
Curtis Howard
Barbara L Quirk
patricia nasworthy
Oscar G. Gabaldon,
Francisco Garza
Suzanne Chauvin
Carolyn Matthis
Jim Wright
Julie Doshier
Trisha Dang
Marcus Norris
Laura Mueller
Gary Smith
Sarah Griffin
Andrew Quittner
Larry W. Schenk
Charles Willette, Jr.
Chuong Phung
Jennifer Knox-Walker
kanika juneja
Kuruvilla Oommen
Karen Houchin
Eileen Hayman
Alan Bojorquez
Leslie Spear Schmidt

Ursula Monroe Patterson

Stanley Smith

Karen Strand

Sharae N Reed

William Conrad

Tyrone E. Cooper

Jennifer Barnes Smith

Mike Hayes

Daniel Jones

James Shepherd

Larry W. Schenk

JP LeCompte

Q5 - Please provide your city or firm if applicable.

False

Please provide your city or firm if applicable.

Livingston

NJDHS

Waco

Wolfe, Tidwell & McCoy, LLP

True

Please provide your city or firm if applicable.

City of Fort Worth

city of killeen

City of Austin

Messer Fort McDonald

GERMER PLLC

City of Irving

Deputy City Attorney

Conroe

City of Big Spring

Law Offices of Marianne Landers Banks

Austin

City of Abilene City Attorney's Office

TOASE - Fort Worth

City of Houston

City of Arlington

City of Burnet

Messer, Fort & McDonald, PLLC

City of Plano

City of Boerne
city of Grand Prairei
El Paso
Davidson Troilo Ream & Garza
City of Houston
City of Irving
Livingston
n/a
City of Sugar Land
City of Amarillo
Dripping Springs
City of Richmond
DNRBZ
Seguin
Sole practioner
Law Firm of Ryan Henry
City of Grand Prairie
City of Plano
city of carrollton
City of Irving
City of Floydada
Messer, Fort & McDonald PLLC
Bojorquez Law Firm
City of Amarillo
Arlington City Attorney's Office
City of Abilene, Texas
City of Mesquite
City of Beaumont
City of Waco
City of Beaumont

Forney, Texas

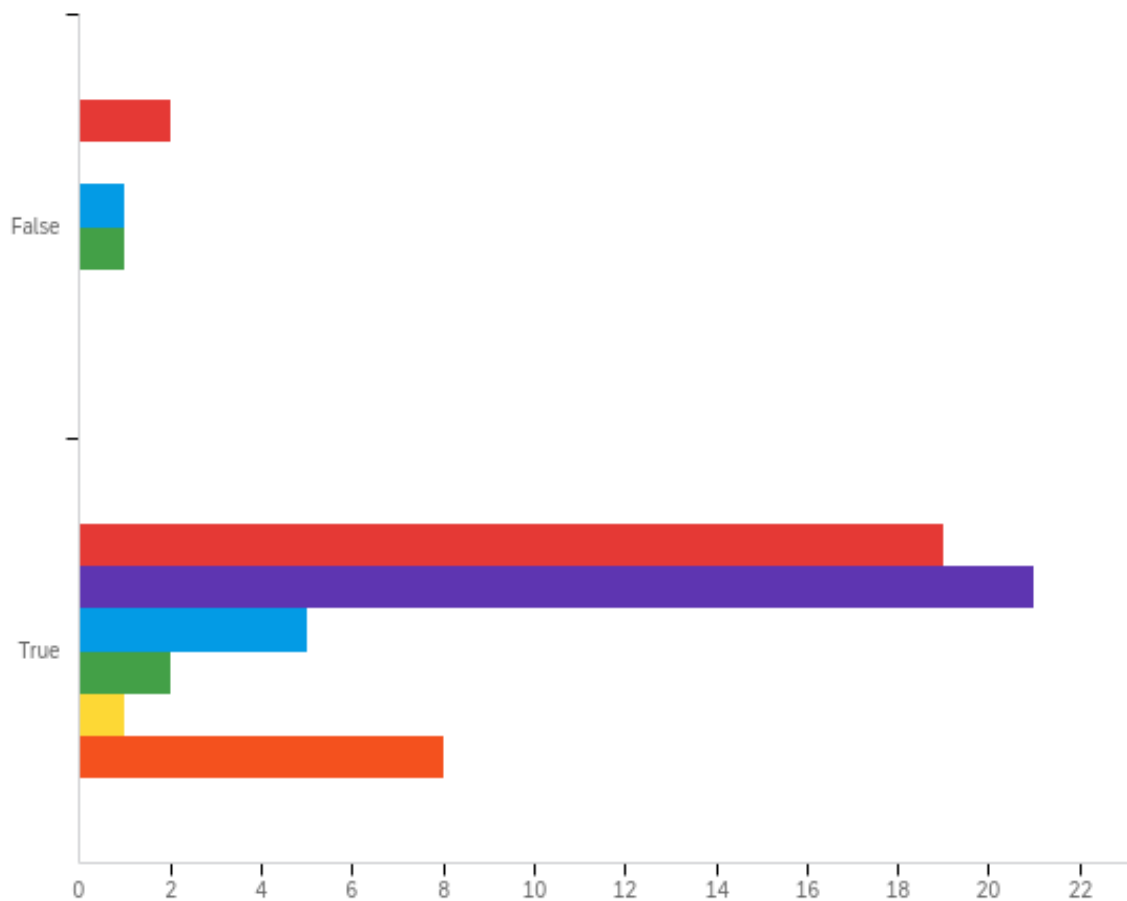
City of Kerrville

City of Fredericksburg

RICHARDSON

Cedar Park

Q6 - Please provide your job title.



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	False	1.00	4.00	2.25	1.30	1.69	4
2	True	1.00	6.00	2.45	1.68	2.82	56

#	Question	False		True		Total
1	City Attorney	9.52%	2	90.48%	19	21
2	Assistant City Attorney	0.00%	0	100.00%	21	21
3	Partner/Shareholder	16.67%	1	83.33%	5	6
4	Associate	33.33%	1	66.67%	2	3
5	Paralegal/Assistant	0.00%	0	100.00%	1	1
6	Other	0.00%	0	100.00%	8	8

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

False

If "Other", what is your title?

True

If "Other", what is your title?

Owner

I am a licensed attorney who serves as the Assistant City Manager and Municipal Prosecutor

Semi-retired; sole practitioner

Of Counsel

Semi-retired; sole practitioner

Q4 - Please rank the following sessions.

Qualified Immunity Update

#	Question	False		True		Total
1	Excellent	0.00%	0	100.00%	41	41
2	Good	0.00%	0	100.00%	10	10
3	Fair	0.00%	0	0.00%	0	0
4	No Opinion	0.00%	0	100.00%	1	1
5	Didn't Attend	0.00%	0	100.00%	5	5

Human Resources and COVID-19

#	Question	False		True		Total
1	Excellent	0.00%	0	100.00%	38	38
2	Good	0.00%	0	100.00%	15	15
3	Fair	0.00%	0	100.00%	1	1
4	No Opinion	0.00%	0	0.00%	0	0
5	Didn't Attend	0.00%	0	100.00%	3	3

Municipal Redistricting Obligations Triggered by the Upcoming Release of the 2020 Federal Census

#	Question	False		True		Total
1	Excellent	0.00%	0	100.00%	38	38
2	Good	0.00%	0	100.00%	14	14
3	Fair	0.00%	0	100.00%	3	3
4	No Opinion	0.00%	0	0.00%	0	0
5	Didn't Attend	0.00%	0	100.00%	2	2

Local Government Decision Making and Preemption

#	Question	False		True		Total
1	Excellent	0.00%	0	100.00%	42	42
2	Good	0.00%	0	100.00%	13	13
3	Fair	0.00%	0	100.00%	1	1
4	No Opinion	0.00%	0	0.00%	0	0
5	Didn't Attend	0.00%	0	100.00%	1	1

Hindsight in 2020: Sign Regulation Five Years after Reed v. Town of Gilbert

#	Question	False		True		Total
1	Excellent	0.00%	0	100.00%	43	43
2	Good	0.00%	0	100.00%	10	10
3	Fair	0.00%	0	100.00%	2	2
4	No Opinion	0.00%	0	0.00%	0	0
5	Didn't Attend	0.00%	0	0.00%	0	0

Municipal Court: Best Practices

#	Question	False		True		Total
1	Excellent	0.00%	0	100.00%	32	32
2	Good	0.00%	0	100.00%	15	15
3	Fair	0.00%	0	100.00%	2	2
4	No Opinion	0.00%	0	0.00%	0	0
5	Didn't Attend	0.00%	0	100.00%	7	7

Advocacy and Outreach in the COVID-19 Era

#	Question	False		True		Total
1	Excellent	0.00%	0	100.00%	34	34
2	Good	0.00%	0	100.00%	17	17
3	Fair	0.00%	0	100.00%	1	1
4	No Opinion	0.00%	0	0.00%	0	0
5	Didn't Attend	0.00%	0	100.00%	4	4

Religion in the Workplace

#	Question	False		True		Total
1	Excellent	0.00%	0	100.00%	36	36
2	Good	0.00%	0	100.00%	14	14
3	Fair	0.00%	0	100.00%	1	1
4	No Opinion	0.00%	0	0.00%	0	0
5	Didn't Attend	0.00%	0	100.00%	3	3

City Council: Legal and Ethical Issues

#	Question	False		True		Total
1	Excellent	0.00%	0	100.00%	44	44
2	Good	0.00%	0	100.00%	9	9
3	Fair	0.00%	0	0.00%	0	0
4	No Opinion	0.00%	0	0.00%	0	0
5	Didn't Attend	0.00%	0	100.00%	1	1

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

False

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

True

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

Amicus support; city attorney authority to act without a specific vote/resolution of council

Great selection of topics and speakers

cyber security for the city attorney

Litigation topics

Unfunding police issues

Construction law issues (CMARs,etc)

construction law and contracts, IT contracts

COVID-19 and Municipal Law Issues

Maybe more nuts & bolts type topics and presentations. The legislative and policy info is good, but maybe more limited time or topics.

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

Relevancy of Session Topics

#	Question	False		True		Total
1	Excellent	0.00%	0	100.00%	46	46
2	Good	0.00%	0	100.00%	10	10
3	Fair	0.00%	0	0.00%	0	0
4	No Opinion	0.00%	0	0.00%	0	0

Reasonableness of Seminar Pricing

#	Question	False		True		Total
1	Excellent	0.00%	0	100.00%	49	49
2	Good	0.00%	0	100.00%	4	4
3	Fair	0.00%	0	0.00%	0	0
4	No Opinion	0.00%	0	100.00%	3	3

Publicity

#	Question	False		True		Total
1	Excellent	0.00%	0	100.00%	34	34
2	Good	0.00%	0	100.00%	13	13
3	Fair	0.00%	0	100.00%	5	5
4	No Opinion	0.00%	0	100.00%	4	4

Quality of Broadcast

#	Question	False		True		Total
1	Excellent	0.00%	0	100.00%	46	46
2	Good	0.00%	0	100.00%	9	9
3	Fair	0.00%	0	0.00%	0	0
4	No Opinion	0.00%	0	100.00%	1	1

Q3 - Please provide any additional comments about the seminar.

False

Please provide any additional comments about the seminar.

True

Please provide any additional comments about the seminar.

Great job pulling this off.

I only had audio for about 1/2 of each presentation

Excellent materials, presentations, tech support and overall organization. Thank you for another great conference during such a particularly difficult year.

The technology was perfect, and it really makes staying on schedule easy to control.

I appreciate TCAA offering the webinar at no cost due to the circumstances. Nothing can replace in-person seminars but you did an excellent job with this.

Miss the in-person, but this virtual presentation was very well done!

congratulation to the new TCAA officers!

I don't think I heard about the seminar in advance, but I remember it was in October so I looked at the website. I would like to get emails about future seminars

the webinar used was incredible, hardly any issues whatsoever

Great Seminar. Thank you for all of your efforts.

I miss all the food at the in person conferences !!

Keep up the great work!

Thank you for the great job this year.

Great seminar. Well researched, well presented, and very topical

Great as always. I appreciated the moderators keeping timing running smoothly and the technology worked beautifully with no issues that I noticed.

Video & audio were excellent - I was impressed!

Great conference!

Great seminar & topics!

Platting Law; easements

Worked very well. Exceptional considering the COVID limitations.

Excellent virtual presentations during this pandemic we live it!

Enjoyed this webinar better than many others, no glitches, etc. Did miss social hour!

using the code scan to self report CLE was excellent.

Very good online seminar. I like the one-day format.

Always excellent.

Amazing job putting this all together

Q9 - If you would like to enter your city/firm into the drawing for a free 2021 TCAA Summer Conference registration (to be held at the Omni Barton Creek Resort & Spa, Austin, June 16-18), please provide your email address.

False

If you would like to enter your city/firm into the drawing for a free 2021 TCAA Summer Conference registration (to be held at the Omni Barton Creek Resort & Spa, Austin, June 16-18), please provide your email address.

True

If you would like to enter your city/firm into the drawing for a free 2021 TCAA Summer Conference registration (to be held at the Omni Barton Creek Resort & Spa, Austin, June 16-18), please provide your email address.

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SPEAKER AGENDA

Texas City Attorneys Association

Virtual Summer Conference

June 16-18, 2021

13 Hours MCLE Credit, Including 2 Ethics Hours

Wednesday, June 16 (3 hours)

- 1:00 - 1:30 p.m. **Procedure is Everything, and Substance is Nothing**, Thomas Gwosdz, City Attorney, City of Victoria (.5 hour)
- 1:30 - 1:35 p.m. Break
- 1:35 - 2:05 p.m. **Utility Rate Basics**, Heather Lockhart, Assistant City Attorney, City of New Braunfels, and Holly Heinrich, Assistant City Attorney, City of Austin (.5 hour)
- 2:05 - 2:10 p.m. Break
- 2:10 - 2:40 p.m. **COVID-19 and Takings**, Scott T. Doggett and Jordan A. Miller, Baker Moran Doggett Ma & Dobbs LLP (.5 hour)
- 2:40 - 2:45 p.m. Break
- 2:45 - 3:15 p.m. **Code Enforcement: A Case Study**, Matthew L. Butler, Partner, Boyle & Lowry, L.L.P. (.5 hour)
- 3:15 - 3:20 p.m. Break
- 3:20 - 3:50 p.m. **Recent State Cases of Interest to Cities**, Laura Mueller, City Attorney, City of Dripping Springs (.5 hour)
- 3:50 - 3:55 p.m. Break
- 3:55 - 4:25 p.m. **How to Amend Your Home-Rule Charter**, Ryan Henry, Law Offices of Ryan Henry, PLLC. (.5 hour)
- 4:30 - 6:00 p.m. **TCAA Board of Directors Meeting**

Thursday, June 17 (6.5 hours)

- 8:00 - 8:45 a.m. **Opening Remarks**, Alan Bojorquez, TCAA President
- Awards Presentations**
- 8:45 - 8:50 a.m. Break

8:50 - 9:20 a.m.	Employee Health Issues in the Wake of COVID-19: How Has the Pandemic Changed the Workplace? Katie Rutherford, Associate Attorney, Olson & Olson, LLP (.5 hour)
9:20 - 9:25 a.m.	Break
9:25 - 9:55 a.m.	Litigation Under the Public Information Act Neal Falgoust, Assistant City Attorney, City of Austin (.5 hour)
9:55 - 10:00 a.m.	Break
10:00 - 10:30 a.m.	Cybersecurity is a Risky Business , Will Trevino, Legal Counsel, Texas Municipal League and Ryan Burns, Cyber Risk Services Manager, TML Intergovernmental Risk Pool (.5 hour)
10:30 - 10:35 a.m.	Break
10:35 - 11:20 a.m.	Utility Update , Alfred R Herrera, Herrera & Boyle, PLLC, and Michael Tomsu, Vinson and Elkins, LLP (.75 hour)
11:20 - 11:25 a.m.	Break
11:25 - 11:55 a.m.	_____ (.5 hour)
11:55 a.m. - 12:25 p.m.	Lunch on Your Own
12:25 - 12:55 p.m.	Recent Federal Cases of Interest , Randy Montgomery D. Randall Montgomery & Associates PLLC (.5 hour)
12:55 - 1:00 p.m.	Break
1:00 - 1:30 p.m.	_____ (.5 hour ethics)
1:30 - 1:35 p.m.	Break
1:35 - 2:05 p.m.	_____ (.5 hour)
2:05 - 2:10 p.m.	Break
2:10 - 2:55 p.m.	Legislative Update , Monty Wynn, Director, Grassroots and Legislative Services, and Bill Longley, General Counsel, Texas Municipal League, Austin (.75 hour)
2:55 - 3:00 p.m.	Break
3:00 - 3:30 p.m.	_____ (.5 hour)
3:30 - 3:35 p.m.	Break
3:35 - 4:05 p.m.	_____ (.5 hour)

4:05 - 4:10 p.m. Break
4:10 – 4:40 p.m. _____ (.5 hour)
4:40 p.m. **Adjourn**

Friday, June 18 (3.5 hours)

8:30 - 9:00 a.m. **Update on Certificate of Convenience and Necessity Case Law**, Maris Chambers, Lloyd Gosselink Rochelle & Townsend, P.C. (.5 hour)
9:00 - 9:05 a.m. Break
9:05 - 10:05 a.m. **Ethics, Obligations and Potential Liability Related To Legal Opinion Letters: What Exactly Are You Signing?**, Slater Elza, Underwood Law Firm, P.C. (1.0 hour ethics)
10:05 - 10:10 a.m. Break
10:10 - 10:40 a.m. _____ (.5 hour)
10:40 - 10:45 a.m. Break
10:45 - 11:15 a.m. _____ (.5 hour)
11:15 - 11:20 a.m. Break
11:20 - 11:50 a.m. _____ (.5 hour ethics)
11:50 - 11:55 a.m. Break
11:55 a.m. – 12:25 p.m. _____ (.5 hour)
12:25 p.m. **Adjourn**

COMBINED SPEAKER SUBMISSIONS

INCLUDED IN DRAFT

Wednesday

Thomas Gwosdz, City Attorney, City of Victoria

Procedure is Everything, and Substance is Nothing: This is an advanced Roberts Rules presentation, that focuses not on the specific rules, but rather on how to use the rules strategically to get something done, if you support it, or to stop it, if you don't. It will also include a discussion about what courts have said about the legally binding nature of the parliamentary rules. (There's nothing legally binding about the rules)

Heather Lockhart, Assistant City Attorney, City of New Braunfels, and Holly Heinrich, Assistant City Attorney, City of Austin

Utility Rates Basics: A 30 minute presentation on municipally owned water, electric, and solid waste utilities. We will cover how rates are set, practical tips on billing & payment, and discuss tools to help increase collections.

Scott T. Doggett and Jordan A. Miller, Baker Moran Doggett Ma & Dobbs LLP (Plano)

COVID-19 and Takings: Do the emergency stay-at-home orders issued by state and local governments in response to the COVID-19 pandemic requiring non-essential businesses to close temporarily qualify as “takings” giving rise to valid inverse condemnation claims? What is inverse condemnation? Does governmental/sovereign immunity apply? Do these shutdown orders qualify as compensable “*Penn Central*” regulatory takings? Can governmental defendants successfully defend against such claims with the police power defense, the doctrine of necessity, the generally non-compensable nature of lost business profits and community damages in an eminent domain case, and/or other defenses? Baker Moran Doggett Ma & Dobbs LLP attorneys Scott T. Doggett and Jordan A. Miller, both TCAA members with experience representing municipalities and other condemning authorities across the State of Texas in eminent domain proceedings, will engage in a point-counterpoint discussion of this once-in-a-lifetime legal conundrum.

Matthew L. Butler, Partner, Boyle & Lowry, L.L.P (Irving)

Code Enforcement: A Case Study: This presentation will cover the abatement of ongoing, blatant code violations when the record owner can't be found or the apparent owner disclaims any ownership. This ongoing case involves the property owner of a 7.5 single family lot who has constructed a makeshift multi-family operation in his backyard. He has constructed at least 11 structures in violation of stop-work orders. Most recently, the district court judge agreed to order the demolition of the illegal structures with the City's temporary injunction. And also gave authority to the city to enter the property and do the work if the “owner” does not.

Thursday

Katie Rutherford, Associate Attorney, Olson & Olson, LLP (Houston)

Employee Health Issues in the Wake of COVID-19: How Has the Pandemic Changed the Workplace? This presentation would address what employees can and should do to address employee health issues using COVID-19 as the spotlight.

Neal Falgoust, Assistant City Attorney, City of Austin (Neal was formerly the education and enforcement attorney for the AG's Open Records Division)

Litigation Under the Public Information Act A guide to suing and getting sued under the Public Information Act, including the most common arguments made to requestors and strategies to avoid paying the plaintiff's attorney's fees.

Will Trevino, TML Legal Counsel, and Ryan Burns, TMLIRP Cyber Risk Services Manager)

Cybersecurity is a Risky Business: Cities are especially susceptible to cyberattacks because of the vast amounts of sensitive data they possess about infrastructure and their residents. Any town or city, regardless of size, is at risk for a cyberattack. In this session, you'll learn about the importance of safeguarding this information, and the penalties and risks associated with failing to do so. You will also learn what is required of your client in response to a cybersecurity breach.

Ryan Henry, Law Offices of Ryan Henry, PLLC. (San Antonio)

How to Amend Your Home-rule Charter

Monty Wynn, Director, Grassroots and Legislative Services, and Bill Longley, General Counsel, Texas Municipal League (Austin)

Legislative Update

Friday

Maris Chambers, Lloyd Gosselink Rochelle & Townsend, P.C. (Austin)

Update on Certificate of Convenience and Necessity Case Law

Slater Elza, Underwood Law Firm, P.C. (Amarillo)

Ethics, Obligations and Potential Liability Related To Legal Opinion Letters: What Exactly Are You Signing?

NOT INCLUDED IN DRAFT

Katie Rutherford, Associate Attorney, Olson & Olson, LLP

An Overview of the FLSA and Why You Should Care About It: This presentation would provide a basic overview of the Fair Labor Standards Act and why violations of the overtime rules can be so detrimental.

Neal Falgoust, Assistant City Attorney, City of Austin

- *PIA 101:* An introduction to the basic principles of the Public Information Act, including how to process and respond to a request, the most common exceptions to disclosure, and the penalties associated with non-compliance.
- *Everything You Wanted to Know About the PIA but Were Afraid to Ask:* Send your Public Information Act questions to the presenter prior to the conference and he will assemble them into an unpredictable presentation.

Jordan A. Miller and Scott T. Doggett, Baker Moran Doggett Ma & Dobbs LLP

Eminent Domain 101: From first-year lawyers to seasoned veterans, this is a can't miss opportunity to go from cradle to grave of right of way acquisition using eminent domain – from the first contact with a landowner to appealing a judgment and every step in between. Baker Moran Doggett Ma & Dobbs LLP attorneys Scott T. Doggett and Jordan A. Miller, both TCAA members with experience representing municipalities and other condemning authorities across the State of Texas in eminent domain proceedings, will provide a crash course in condemnation and briefly discuss what the 87th Texas Legislature is up to concerning eminent domain.

Sheila Gladstone, Lloyd Gosselink Rochelle & Townsend, P.C.

Top Ten Employment Law Hot Topics for 2021: This session will address some of the hottest topics facing cities in 2021, including changes in employment law from the Biden administration, current COVID-19 topics such as mandatory vaccination policies, developments in LGBTQ rights in the year since the USSC decision extending Title VII to sexual orientation and gender identity discrimination, trends in marijuana laws and drug testing, telework trends and reasonable accommodation, and more.

Ryan Henry, Law Offices of Ryan Henry, PLLC. (San Antonio)

1. Quo warranto and other obscure arguments to protect the City... maybe
2. Nuisance abatement, takings, and how to clean up the town without increasing liability
3. Updates under the Public Information Act and record retention requirements – how not to go to jail
4. Statute, Charter, and Ordinance Notice of Claim under the Texas Tort Claims Act

Julian Grant, Thomson Reuters

I have written on many new topics, including tips on hiring design build and CMAR firms, tips for preparing witnesses for trial on eminent domain, regulation of home-based businesses, and an overview on nonconforming uses.

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December 11, 2020

Attn: Christy Drake-Adams
Texas City Attorneys Association
Via Email: christy@tml.org

Re: TCAA Affiliate Application for “Rio Grande Valley - City Attorneys Association”

Please find the attached application for consideration of “Rio Grande Valley – City Attorneys Association” as a recognized TCAA Affiliate.

On December 11, 2020, RGV-CAA conducted its organizational meeting where I, along with three other TCAA members (Patricia Rigney, City Attorney for Pharr (TX); Rene De Coss, City Attorney for Brownsville (TX); and Eric D. Flores, City Attorney for Palmview (TX), met to create RGV-CAA.

Our purpose will be to further the general improvement of municipal law administration under the same guidelines as established by TCAA, including the following: (1) To encourage the cooperation of city attorneys in the practical study of all municipal legal problems; (2) to hold meetings for the discussion of legal and other questions affecting municipal government; and (3) to facilitate the practical study of legislation, court decisions, and administrative rulings relating to the public interest of municipal corporations.

As an organization, our goal will be to assist TCAA in providing critical resources to the attorneys representing communities in the Rio Grande Valley. Therefore, we respectfully request your favorable consideration in authorizing RGV-CAA to be designated as an official TCAA affiliate.

Respectfully submitted,



Victor A. Flores,
President, RGV-CAA
Assistant City Attorney (City of McAllen)

**RIO GRANDE VALLEY – CITY ATTORNEYS ASSOCIATION
TCAA AFFILIATE APPLICATION**

CONTACT INFORMATION:

Organization Name: Rio Grande Valley City Attorneys Association (RGV-CAA)
Application Contact (Name/Position in organization): Victor A. Flores, President
Address: 1300 West Houston Avenue
City/Zip: McAllen 78501
Contact Phone: 956-681-1090
Contact Email: vflores@mcallen.net

CURRENT OFFICERS:

Victor A. Flores, President (McAllen & Rio Grande City)
Patricia Rigney, Vice President (Pharr)
Rene De Coss, Secretary (Brownsville)
Eric D. Flores, Treasurer (Palmview)

GEOGRAPHIC AREA: (City/County)

Port Isabel (Cameron)
South Padre Island (Cameron)
Brownsville (Cameron)
Harlingen (Cameron)
Mercedes (Hidalgo)
Weslaco (Hidalgo)
Pharr (Hidalgo)
McAllen (Hidalgo)
Edinburg (Hidalgo)
Mission (Hidalgo)
Palm View (Hidalgo)
Rio Grande City (Starr)
Roma (Starr)

MEETING SCHEDULE:

Our organizational meeting was December 11, 2020. All future meetings will be the first Friday of February, May, August, and November.

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Texas City Attorneys Association
Profit and Loss Statement
For the Six Months Ending December 31, 2020

	October	November	December	YTD	Budget	Favorable (Unfavorable) Variance
Membership Dues	\$5,531.85	\$555.36	\$1,453.51	\$33,384.75	\$29,470.00	\$3,914.75
Investment Income	251.72	208.50	200.90	1,534.02	2,000.00	(465.98)
Semi-Annual Meeting (Summer)				(20.43)	62,820.00	(62,840.43)
Semi-Annual Meeting (TML)	160.00	(2.45)		394.24		394.24
Sponsor Revenue			5,941.70	5,941.70	60,000.00	(54,058.30)
Total Revenue	5,943.57	761.41	7,596.11	41,234.28	154,290.00	(113,055.72)
Professional Fees		1,100.00		1,100.00	1,100.00	
Telephone					75.00	75.00
Postage	185.00	3.80		188.80	300.00	111.20
Boards and Committees	117.00	117.00	117.00	702.00	4,000.00	3,298.00
Semi-Annual Meeting (TML)	4,300.00		137.48	12,057.48	11,200.00	(857.48)
Semi-Annual Meeting (Summer)	455.00	455.00	455.00	5,141.97	98,562.00	93,420.03
Riley Fletcher Seminar	175.00	175.00	175.00	1,050.00	2,306.00	1,256.00
Public Relations					300.00	300.00
IMLA Scholarships				26,600.00	8,000.00	(18,600.00)
IMLA Small Cities Membership Contributions				2,700.00	3,000.00	300.00
Printing and Reproduction					300.00	300.00
Dues and Publications				203.68		(203.68)
Newsletter	1,326.00	1,326.00	1,326.00	7,956.00	15,912.00	7,956.00
Awards & Recognition					1,300.00	1,300.00
Office Supplies					100.00	100.00
LisTCAA Listserve	52.00	52.00	52.00	312.00	624.00	312.00
Web Site Expenses	78.00	325.18	846.57	2,126.04	10,936.00	8,809.96
Miscellaneous	96.17		(500.00)	405.04	3,000.00	2,594.96
TCAA Affiliate Groups	6.50	6.50	6.50	39.00	2,000.00	1,961.00
Other Association Sponsorships			500.00	500.00	1,500.00	1,000.00
Administrative Services	1,400.78	275.78	515.78	9,469.68	9,609.00	139.32
Total Expenses	8,191.45	3,836.26	3,631.33	70,551.69	174,124.00	103,572.31
Net Income (Loss)	(2,247.88)	(3,074.85)	3,964.78	(29,317.41)	(19,834.00)	(9,483.41)
Beginning Net Assets				196,446.12		
Ending Net Assets				167,128.71		

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TCMA STATEMENT ON RACISM AND EQUITY

As public servants and leaders in Texas local government, we have been heartbroken and angered far too many times - the recent events in our country have shown where society has failed to promote equality and has highlighted the need for social reform and justice. TCMA adopted the code of ethics in 1984 that serves as a guide to serve the best interest of all and act with integrity so that we may earn the trust of all those we serve. Addressing systemic racism and discrimination is our ethical obligation.

As such, we are called to serve and protect the freedoms and rights of all people, especially those who have been marginalized. It is up to each of us to make our voices heard, but more importantly, to listen, to learn, and to use our voices to amplify the voices of others.

To that end, as professional members of the Texas City Management Association:

We Stand Against:

- Systemic racism and any form of discrimination in our communities
- The use of excessive, unlawful force in any instance or form
- Any inequality and oppression that exists in our organization and communities

We Stand With:

- Those who protest in peace and take a stand for change
- The Black community, people of color, and other individuals who are marginalized
- Our public safety staff in providing equitable services

We Will:

- Engage in professional dialogues within our membership and within our communities
- Embrace new ideas, methods, and skills in support of equity and social justice
- Recommit to the highest ideals of just and effective local government
- Courageously step into roles that may be uncomfortable and embrace challenging conversations to positively impact social change in our organization and communities
- Partner with our police departments and community leaders to recognize the challenge of biases to better serve our communities
- Actively work to build cultures of inclusion through training, recruitment, and other methods

As leaders, we are the ones who can forge real change in our own communities. As members of the TCMA, we are committed to being agents of change within our organizations and affirm our commitment to reimagine ways that can ensure our organization reflects ideals that value all people. As an Association, we help identify policies, practices, and strategies to assist our members in identifying and eliminating any inequities in their respective communities.

Adopted December 11, 2020

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