



Texas City Attorneys Association

Board of Directors Meeting

Galveston, Texas

June 15, 2022

TCAA
Board of Directors
2021-2022

President

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Agenda

TCAA Board of Directors
Galveston, Texas
Wednesday, June 15, 2022
4:15 p.m.

1. Consider and approve minutes of the February 10, 2022, TCAA Board Meeting.
2. Staff report on the TCAA 2022 Summer Conference final program, including: attendee list, Susan Rocha Award (Monte Akers) and Outstanding Mentor Award winners (Tyrone Cooper, Don Glywasky, Mick McKamie, and Art Pertile).
3. Discuss and consider travel stipends for recipients of TCAA Municipal Law Scholarships.
4. Consider and approve TCAA Budget for fiscal year 2022-2023.
5. Consider and approve program for the 2022 Fall Conference in San Antonio.
6. Discuss ideas on appreciating TCAA sponsors.
7. Discuss and approve protocols for posting items on the TCAA Listserv.
8. Consider and approve Tyrone Cooper for TCAA honorary membership.
9. Next board meeting to be held on October 6, 2022 in San Antonio.
10. Other business
11. Adjourn

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Minutes
TCAA Board of Directors
Thursday, February 10, 2022

Board President Ron Stutes called the meeting to order at approximately 4:00 p.m.

Board members present:

Ron Stutes
Kuruvilla Oommen
Slater Ezra
Jennifer Richie
Julie Fort
Sharae Reed
Maleshia McGinnis
Victor Flores
Alan Bojorquez
Charles Zech

Board member absent:

Kevin Pagan

TML staff present:

Alyssa White
Amber McKeon-Mueller
Evelyn Njuguna

1. Welcome newest TCAA Board Member, Victor Flores
2. Consider and approve the minutes of the February 10, 2022 TCAA Board Meeting

A motion to approve the February 10, 2022 board meeting minutes made by Julie Fort was seconded by Charles Zech. Unanimously approved.

3. Survey results of the 2021 TCAA Fall Conference

No action.

4. Staff report on 2022 TCAA Riley Fletcher Seminar

No action.

5. Consider and approve the 2022-2023 TML affiliate services agreement

A motion to approve the 2022-2023 TML affiliate services agreement made by Victor Flores was seconded by Sharae Reed. Unanimously approved.

6. Consider and approve program for the 2022 TCAA Summer Conference

A motion to approve program for the 2022 TCAA Summer Conference made by Victor Flores was seconded by Sharae Reed. Unanimously approved.

7. Sponsorship update

Staff directed to provide notice to sponsors of deadline for call for speakers.

8. Consider request by the Houston Area Municipal Attorneys (HAMA) to expand membership criteria.

A motion to approve request by HAMA to expand membership criteria made by Alan Bojorquez was seconded by Jennifer Richie. Unanimously approved.

9. TCAA budget update

No action.

10. The next board meeting will be held on June 15, 2022, at 4:30 p.m. in Galveston.

11. Other Business

12. Adjourn

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Registrant	Organization	Title
Patricia A. Adams	Messer, Fort, & McDonald PLLC	Attorney
Liza Aguilar Wood	McKibben, Martinez, Jarvis & Wood, L.L.P	
Samuel J. Aguirre	San Marcos	Assistant City Attorney
Monte Akers	Messer, Fort, & McDonald PLLC	
Patty L. Akers	Messer, Fort, & McDonald PLLC	Attorney
Jeffrey Allen	Sweetwater	City Attorney
Courtney Alvarez	Kingsville	City Attorney
Chelsea N. Amen	Davidson Troilo Ream & Garza, P.C.	Associate Attorney
Charles R. Anderson	Messer, Fort, & McDonald PLLC	Of Counsel
Rebecca Andrews	Best Best & Krieger	Partner
Philip Arnold	Bickerstaff Heath Delgado Acosta LLP	Attorney
David H. Arredondo, Jr.	Laredo	
Jennifer Avendano	Brownsville	Assistant City Attorney
Akeem Ayinde	Grand Prairie	Assistant City Attorney
Jan S. Baker, JD	Odessa	Senior Assistant City Attorney
Rita Ballard	Mesquite	Assistant City Attorney
Daniel Basham	Krueger Law Office	Associate
Joe Basham	Allensworth	Partner
Allison Bastian-Rodriguez	Denton Navarro Rocha Bernal & Zech, P.C.	Senior Associate
Patrick C. Bernal	Denton Navarro Rocha Bernal & Zech, P.C.	Partner
Lora-Marie Bernard	Lake Jackson	Public Information Officer
Alan J. Bojorquez	Bojorquez Law Firm, PC	Managing Attorney
Ruby N. Boone	Victoria	Assistant City Attorney
Sylvia Borunda Firth	Bojorquez Law Firm, PC	Attorney
Barbara Boulware-Wells	The Knight Law Firm, LLP	Partner
Cary L. Bovey	Bovey & Cochran PLLC	Attorney
Emily Bowlin	Messer, Fort, & McDonald PLLC	Associate Attorney
Matthew C.G. Boyle	Boyle & Lowry, L.L.P.	
Thomas Brandt	Fanning Harper Martinson Brandt & Kutchin, P.C.	Partner
Scott Bray	Denton	Deputy City Attorney
Brett Brewer	Jacksonville	City Attorney
Thomas L. Brocato	Lloyd Gosselink Rochelle & Townsend, P.C.	Attorney
Natasha Brooks	Odessa	City Attorney
Amanda Brown	Denton	Deputy City Attorney
Byron Brown	Randle Law Office Ltd., LLP	Associate Attorney
Nathan Brown	New Braunfels	Assistant City Attorney
Alesha Buckner	Tyler	Senior Assistant City Attorney
Matthew Butler	Boyle & Lowry, L.L.P.	Partner
Snapper Carr	Focused Advocacy, LLC	Partner & General Counsel
Manuel Casarez, CPM	Universal City	Fire Chief
Alyssa Castillon	Law Offices of Ryan Henry, PLLC	

Robby Chapman	Bryan	Assistant City Attorney
William P. Chesser	Brownwood	City Attorney
Nena Chima-Tetteh	Arlington	Assistant City Attorney
Tad Cleaves	Texas Municipal League	Legal Counsel
Holli C. Clements	Killeen	Deputy City Attorney I
Mary Beth Coburn	Best Best & Krieger	Partner
Luke Cochran	Bovey & Cochran PLLC	Attorney
Darrin M. Coker	Pearland	City Attorney
Hugh Coleman	Sanger	City Attorney
Kimberly Coogan	Waco	Assistant City Attorney
Tyrone E. Cooper		
Sol Cortez	El Paso Water Utilities	Deputy General Counsel
Michael J. Cosentino	San Marcos	City Attorney
Aliceson Cotton	Abernathy Roeder Boyd & Hullett P.C.	Attorney
James C. Craig	Tyler	City Prosecutor
Melissa H. Cranford	Messer, Fort, & McDonald PLLC	Partner
Lauren Crawford	Lewisville	Assistant City Attorney
Lowry Crook	Best Best & Krieger	
Kevin M. Curley	Messer, Fort, & McDonald PLLC	Senior Attorney
Michelle D'Andrea	Plano	Deputy City Attorney
Amanda K. Davis	Brown & Hofmeister, L.L.P.	Assocaite
Kathryn H. Davis	Temple	City Attorney
Kelly Davis	City of Austin Law Department	Assistant City Attorney
Jason Day	Royse City	City Attorney
Jose De La Fuente	Lloyd Gosselink Rochelle & Townsend, P.C.	Chair-Litigation & Bus Service Groups
Amy DeLong	Haley & Olson, PC	
Taylor Denison	Lloyd Gosselink Rochelle & Townsend, P.C.	Associate
Lowell F. Denton	Denton Navarro Rocha Bernal & Zech, P.C.	Partner
Ashley D. Dierker	Taylor Olson Adkins Sralla & Elam, L.L.P.	Associate Attorney
Nghiem V. Doan	League City	City Attorney
Roslyn Dubberstein	Lloyd Gosselink Rochelle & Townsend, P.C.	
Thomas Duesler	Beaumont	Senior Assistant City Attorney
Christopher Duncan	Clute	City Attorney
April C. Earley	Tyler	Sr. Assistant City Attorney
Regina Edwards	Messer, Fort, & McDonald PLLC	Senior Attorney
Judith El Masri	Randle Law Office Ltd., LLP	Associate Attorney
Elizabeth A. Elam	Taylor Olson Adkins Sralla & Elam, L.L.P.	Attorney
Slater C. Elza	Underwood Law Firm, P.C.	Attorney
Amy Emerson	Allensworth	Partner
Phillip Ericksen	Texas Municipal League	Summer Intern- Law Clerk
Habib Erkan, Jr.	Burnet	Assistant City Manager/Municipal Prosecutor
Donna Marie Fairweather	Galveston	Assistant City Attorney

Neal Falgoust	Austin	Assistant City Attorney
Trevor Fanning	Baytown	First Assistant City Attorney
Ileana Nava Fernandez	Plano	Assistant City Attorney
Ross Fischer	Ross Fischer Law	Attorney
Larry L. Foerster	Willis	City Attorney
Julie Y. Fort	Messer, Fort, & McDonald PLLC	Partner
Jim G. Fox	Deer Park	City Attorney
Elizabeth M. Fraley	Baylor Law School	
Paul Fukuda	Bridge City	City Attorney
Thomas Anthony Fuller	Fuller Law Group	Attorney
Lavern Gaines	Texas Municipal League	Affiliate Association Manager
Joshua Galicia	Law Offices of Ryan Henry, PLLC	Associate Attorney
Julia J. Gannaway	Ross Gannaway Clifton, PLLC	Partner
Ana Sophia Garcia	Laredo	Assistant City Attorney
Evaristo Garcia	McAllen	Assistant City Attorney
Mike Garner	Conroe	Asst City Attny/Municipal Ct Prosecutor
Frank J. Garza	Davidson Troilo Ream & Garza, P.C.	Shareholder
Gavin Gerngross	Randle Law Office Ltd., LLP	Attorney
Bobby Gervais	Manvel	City Attorney
Benjamin Gibbs		Associate
Sheila Gladstone	Lloyd Gosselink Rochelle & Townsend, P.C.	Chair
Sarah T. Glaser	Lloyd Gosselink Rochelle & Townsend, P.C.	Associate
Donald S. Glywasky	Galveston	City Attorney
Courtney Goodman-Morris	Nichols, Jackson, Dillard, Hager & Smith L.L.P.	Attorney
Joe Gorfida, Jr.	Nichols, Jackson, Dillard, Hager & Smith L.L.P.	Partner
Joe Guillaumin, II	City Attorney's Office	
Susan Guinn	San Antonio	Assistant City Attorney
Leann Guzman	Fort Worth	City Attorney
Thomas Gwosdz	Victoria	City Attorney
Robert E. Hager	Nichols, Jackson, Dillard, Hager & Smith L.L.P.	Attorney
Lindsey Hale	Taylor Olson Adkins Sralla & Elam, L.L.P.	
Kristen Hamilton-Karam	El Paso	Assistant City Attorney
Suzanne Hanneman	Alvin	City Attorney
Samuel Hawk	Boyle & Lowry, L.L.P.	Attorney
Michael C. Hayes	Kerrville	City Attorney
Eileen Hayman	Messer, Fort, & McDonald PLLC	Partner
R. Kinley Hegglund, Jr.	Wichita Falls	City Attorney
Stephen Henninger	Fanning Harper Martinson Brandt & Kutchin, P.C.	
Deron Henry	The Knight Law Firm, LLP	
Ryan S. Henry	Law Offices of Ryan Henry, PLLC	Attorney
Sonya Herrera	Law Offices of Ryan Henry, PLLC	Associate Attorney
John J. Hightower	Olson & Olson, LLP	Senior Counsel

Stephen Michael Hines	Garland	Sr. Assistant City Attorney
Jill Hoffman	Cedar Park	Assistant City Attorney
Kristin Holmes	Baytown	Assistant City Attorney
Karen L. Horner	Friendswood	City Attorney
Karen Houchin	Floydada	City Attorney
Scott Houston	TML Intergovernmental Risk Pool	Intergovernmental Relations Manager
Aaron Douglas Huddleston	Scott, Ray, Pemberton & Goll, PLLC	
Elizabeth Hull	Best Best & Kreiger	Partner
Joshua Humphreys	Arlington	Assistant City Attorney
Stephanie Huser	Texas Municipal League	Legal Counsel
Victoria Huynh	Plano	Deputy City Attorney
E. Joyce Iyamu	Missouri City	City Attorney
Lane K. Jarvis, Jr.	McKibben, Martinez, Jarvis & Wood, L.L.P	Attorney
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Justin Johnson	Plano	Assistant City Attorney III
Bo Joseph	TML Intergovernmental Risk Pool	Attorney
James Kachelmeyer	Georgetown	Assistant City Attorney
Joshua Katz	Bickerstaff Heath Delgado Acosta LLP	Attorney
Steven M. Kean, JD	Tyler	Deputy City Attorney
Karen Kennard	Greenberg Traurig	Shareholder
Cynthia Kirchoff	Messer, Fort, & McDonald PLLC	
Steven Kirkland	Nacogdoches	City Attorney
Matthew Knebel	Mills Shirley, LLP	
Jennifer A. Knox-Walker, Esq., CPM	Plano	Assistant City Attorney III
Ramey Ko	Austin	Of Counsel District 4 Council Office
Jonathan Koury	Bryan	Assistant City Attorney
William W. Krueger, III, JD	Law Office of William W. Krueger III PC	Partner
Allison Lacey	Victoria	City Attorney
Meredith Ladd	Carrollton	City Attorney
Kayla Landeros	West, Webb, Allbritton & Gentry P.C.	
Marianne Landers-Banks	Bojorquez Law Firm, PC	
Larence M. Lansford, III	Parker	City Attorney
Kevin B. Laughlin	Nichols, Jackson, Dillard, Hager & Smith L.L.P.	Partner
J. P. LeCompte	Cedar Park	City Attorney
Thomas Leeper	Bryan	City Attorney
Katie Leininger	Pearland	Assistant City Attorney
Kelli Leisure	Lubbock	Assistant City Attorney
Jeffery Lewis	Texarkana	City Attorney
Bill Longley	Texas Municipal League	General Counsel
Shannon L. Lucero	Texas Municipal Retirement System	Regional Manager
Lyndsay Maier Lujan	Georgetown	Assistant City Attorney
Marcella Lunn	Denton	Deputy City Attorney

Betty Lynn	Lynn Law, PLLC	Partner
Akilah Mance	Houston Forensic Science Center	General Counsel
Jerris P. Mapes	Baytown	Assistant City Attorney
Lauren Marfin	Cedar Park	Assistant City Attorney
Skye Masson	Georgetown	City Attorney
Hunter Mattocks	Nichols, Jackson, Dillard, Hager & Smith L.L.P.	
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Brandon Morris	Randle Law Office Ltd., LLP	Attorney
Matthew Morton	Office of The City Attorney	
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Laura Mueller	Dripping Springs	City Attorney
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Stephen Rispoli	Baylor Law School	
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Claudia Russell	Bickerstaff Heath Delgado Acosta LLP	Attorney
Sherri Russell	Lake Jackson	City Attorney
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Joanna Salinas	Fletcher Farley Shipman & Salinas, L.L.P.	Partner
Benjamin Samples, II	Denton	Deputy City Attorney

Joseph R. Sanchez	Best Best & Kreiger	Partner
Camela Sandmann	Conroe	Assistant City Attorney
Dan Santee	Denton Navarro Rocha Bernal & Zech, P.C.	Shareholder
Megan Santee	Denton Navarro Rocha Bernal & Zech, P.C.	Senior Associate
Robert G. Schleier, Jr.	Kilgore	Kilgore City Attorney
Leslie Spear Schmidt	Amarillo	Senior Assistant City Attorney
Carlton Schwab	Texas Economic Development Council	President/CEO
Erin Selvera	Lago Vista	City Attorney
Tamara Sharkey	Best Best & Kreiger	Attorney
Molly Shortall	Arlington	Assistant City Attorney
Gregory Allen Shumpert	Terrell	Assistant City Attorney
Suzanne Shumpert	Shumpert Law Offices, PLLC	Attorney
Amy Sims	Lubbock	Deputy City Attorney
Gary W. Smith	Richmond	City Attorney
Jenni Smith	Forney	Assistant City Attorney
Jenny Smith	Lubbock Power & Light	General Counsel
Kaleb Smith	Nichols, Jackson, Dillard, Hager & Smith L.L.P.	Attorney
Loren B. Smith	Olson & Olson, LLP	Partner
Molly Solis	Davidson Troilo Ream & Garza, P.C.	Partner Attorney
Teris Solis	Arlington	City Attorney
Janet Spugnardi	Irving	Deputy City Attorney
Roxana Stevens	Denton Navarro Rocha Bernal & Zech, P.C.	Senior Associate Attorney
Bobby Stokes	Flahive, Ogden & Latson	
Randall B. Strong	Law Office of Randall B. Strong	Attorney
Ronald D. Stutes	Wilson, Robertson & Cornelius	City Attorney
William L. Tatsch	Kerrville	Assistant City Attorney
Jon Thatcher	Fate	City Attorney
Charla Thomas	Temple	Assistant City Attorney
Susan B. Thomas	Messer, Fort, & McDonald PLLC	Associate Attorney
Valecia R. Tizeno	Port Arthur	City Attorney
Steve Tomich	LexisNexis	Account Executive
Sarah Tompkins	Texas Municipal League	Legal Counsel
Afton Roette Trevino	TML Intergovernmental Risk Pool	Staff Attorney
Cynthia Trevino	Denton Navarro Rocha Bernal & Zech, P.C.	Associate
Will Trevino	Brownsville	Deputy City Attorney
Scott Tschirhart	Denton Navarro Rocha Bernal & Zech, P.C.	Partner
Tim Tuggey	Tim Tuggey Law	Owner
Caleb Villarreal	Johnson Petrov LLP	
Michelle Lavon Villarreal, J.D.	League City	Deputy City Attorney
Michelle Voirin	Plano	Assistant City Attorney III
Nicholl Wade	Allensworth	Attorney
Nicole Warren	Messer, Fort, & McDonald PLLC	Associate Attorney

Christina Weber	Irving	Assistant City Attorney
Caroline Webster	Austin	Assistant City Attorney
Beverly West	Galveston	Assistant City Attorney
Alyssa White	Texas Municipal League	Legal Assistant
Cara Leahy White	Taylor Olson Adkins Sralla & Elam, L.L.P.	Partner
Courtney White	Amarillo	Assistant City Attorney
Barry C. Willey	Galveston	Assistant City Attorney
Monique Wimberly	Odessa	Assistant City Attorney
Charles E. Zech, J.D. MPA	Denton Navarro Rocha Bernal & Zech, P.C.	Shareholder

TAB

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TAB

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Texas City Attorneys Association
Profit and Loss Statement
For the Ten Months Ending April 30, 2022

	February	March	April	YTD	Budget	Favorable (Unfavorable) Variance
Membership Dues	\$913.30	\$311.05	\$152.94	\$36,083.93	\$39,630.00	(\$3,546.07)
Investment Income	163.67	256.34	330.12	2,074.35	2,000.00	74.35
Semi-Annual Meeting (Summer)		45,343.00	14,062.69	137,838.20	106,720.00	31,118.20
Sponsor Revenue	19,097.18	15,859.42	5,000.00	74,394.28	60,000.00	14,394.28
Riley Fletcher Seminar	8,698.50	(116.47)		21,237.21	19,000.00	2,237.21
CML Revenue			150.00	300.00		300.00
Total Revenue	28,872.65	61,653.34	19,695.75	271,927.97	227,350.00	44,577.97
Professional Fees				800.00	1,100.00	300.00
Telephone					75.00	75.00
Postage	15.60			307.78	350.00	42.22
Boards and Committees	905.10	117.00	117.00	2,446.29	4,000.00	1,553.71
Semi-Annual Meeting (TML)			(185.00)	10,737.11	13,200.00	2,462.89
Semi-Annual Meeting (Summer)	497.34	1,663.28	455.00	66,272.79	255,486.00	189,213.21
Riley Fletcher Seminar	3,024.04	476.06	175.00	9,406.79	13,406.00	3,999.21
Public Relations					300.00	300.00
IMLA Scholarships				3,067.34	8,000.00	4,932.66
IMLA Small Cities Membership Contributions					3,000.00	3,000.00
Printing and Reproduction					350.00	350.00
Newsletter	1,326.00	1,326.00	1,326.00	13,260.00	15,912.00	2,652.00
Awards & Recognition				334.28	1,300.00	965.72
Office Supplies				16.62	100.00	83.38
LisTCAA Listserve	52.00	52.00	52.00	520.00	624.00	104.00
Web Site Expenses	78.00	78.00	78.00	1,279.98	10,936.00	9,656.02
Miscellaneous	5.85	185.25	185.00	839.58	3,000.00	2,160.42
TCAA Affiliate Groups	42.14	6.50	42.14	243.20	2,000.00	1,756.80
Other Association Sponsorships					1,500.00	1,500.00
Administrative Services	423.53	164.84	173.12	10,476.20	11,964.00	1,487.80
Total Expenses	6,369.60	4,068.93	2,418.26	120,007.96	346,603.00	226,595.04
Net Income (Loss)	22,503.05	57,584.41	17,277.49	151,920.01	(119,253.00)	271,173.01
Beginning Net Assets				220,464.63		
Ending Net Assets				372,384.64		

Texas City Attorneys Association

Budget Summary

FY 2022 - 2023

INCOME:

Membership Dues	37,920
Investment Income	2,000
Semi-Annual Meeting (Summer)	71,820
Sponsor Revenue	70,000
CML Revenue	<u>300</u>
TOTAL:	\$182,040

EXPENSES:

Board Meetings	4,248
Semi-Annual Meeting (TML)	19,766
Semi-Annual Meeting (Summer)	158,015
Newsletter	17,544
Web site	3,032
Administrative Services	13,618
Miscellaneous	<u>22,333</u>
TOTAL:	\$238,556

2022-2023 BUDGETED DEFICIT:

(\$56,516)

TOTAL RESERVE FUNDS:

(Approximate)

\$146,000

INCOME

Membership Dues:

228 City Attorneys (\$70.00)	15,960
274 Assistant City Attorneys (\$40.00)	10,960
132 Associate Members (\$80.00)	10,560
11 Paralegal (\$40.00)	<u>440</u>

Total: \$37,920

Investment Income:

Current Rates	\$2,000
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Summer Conference

180 Registered (\$399.00)	\$71,820
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Sponsor Revenue:

\$70,000

TOTAL INCOME: \$181,740

EXPENSES

Board Meetings:

3 Board Meetings, plus board gift and misc	1,700
TML Services Contract	1,548
Out of town Board Meeting staff travel	<u>1,000</u>

Total: \$4,248

Semi-Annual Meeting (TML):

MCLE	200
Refreshment Breaks	7,000
AV Charges	5,000
Videography	1,000
TML Service Agreement	2,666
TML Staff Expenses	1,000
Postage	400
Printing/Marketing	1,000
Speaker Expenses	500
Miscellaneous	<u>1,000</u>

Total: \$19,766

Semi-Annual Meeting (Summer)

Attendee gifts	3,000
MCLE	400

Refreshment Breaks/Reception	103,000
TML Service Agreement	6,715
TML Staff Expenses	3,000
Conference Supplies	1,650
Printing/Marketing	1,500
Postage	500
AV Charges	30,000
Videography Services	1,000
Galen Sparks/ Susan Rocha/ Mentor Awards	3,000
Speaker Expenses	1,000
Miscellaneous	<u>3,250</u>
Total:	\$158,015

Newsletter:

12 issues (\$1,462 per issue)	\$17,544
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Website:

TML Service Agreement	1,032
New Additions	2,000
Total:	\$3,032

Administrative Services:

656 Members (\$17.00)	11,152
Financial Charges	<u>2,466</u>
Total:	\$13,618

Miscellaneous:

TCAA Affiliate Groups	2,086
TCAA Municipal Law Conference Scholarship	129
TCAA Sponsorship Coordination	430
Printing and Reproduction	350
Awards and Recognition	1,300
Office Supplies	100
Public Relations	300
Professional Fee - Audit	1,100
TCAA Listserv	688
Postage	350
IMLA Small City Membership Contributions	3,000
Four IMLA Conference Scholarships	8,000
Other Associaton Sponsorships	1,500
Miscellaneous	<u>3,000</u>
Total:	\$22,333

TOTAL EXPENSES:

\$238,556

TAB

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Texas City Attorneys Association
Fall Conference in Conjunction with the Texas Municipal League Annual Conference
5 Hours of MCLE Credit (Including 1.25 Ethics Hour) – Course # _____
Thursday, October 6, 2022 – San Antonio

- 8:00 – 8:30 a.m. Registration
- 8:30 – 8:45 a.m. **Welcome and Opening Remarks:** TCAA President, Ron Stutes
- 8:45 - 9:15 a.m. **Addressing the Worst of the Worst Nuisance Properties,** Sarita Rai and Sam Adams, City of San Antonio (.5 hr)
- 9:15 – 9:45 a.m. **Sign Regulation Post *City of Austin v. Reagan*,** Laura Mueller, City of Dripping Springs (.5 hr ethics)
- 9:45 - 10:00 a.m. Break
- 10:00 - 10:45 a.m. **Ethics: Quality Legal Representation from the Client’s Perspective,** Alan Bojorquez (moderator), TCAA, TCMA, TMCA, and TAMCC (.75 hr ethics)
- 10:45 – 11:15 a.m. **Bankruptcy in the Municipal Context,** Emily Wall, Cavazos Hendricks Poirot P.C. (.5 hr)
- 11:15 a.m. - Noon **Economic Development Case Studies,** Victor Flores, City of Brownsville, and Christina Weber, City of Irving (.75 hr)
- Noon - 2:00 p.m. TML Delegates Luncheon and Presentation (Separate Ticketed Event) or Lunch on Your Own
- 2:00 - 2:15 p.m. **Business Meeting:** Election of TCAA Officers and Passing of the Gavel
- 2:15 - 2:45 p.m. **Insurance: The Costs of Contracting,** Scott Houston and Aaron Hardimam, TML Intergovernmental Risk Pool, and Jeff Chapman, The Chapman Firm (.5 hr)
- 2:45 - 3:15 p.m. **Fourth Amendment Excessive Force Claims,** Joshua Skinner, City of Arlington (.5 hr)
- 3:15 - 3:30 p.m. Break
- 3:30 - 4:00 p.m. **Recent Federal Cases of Interest to Cities,** Randy Montgomery, D. Randall Montgomery & Associates, PLLC (.5 hr)
- 4:00 - 4:30 p.m. **Public Facility Corporations,** Panel (.5 hr)
- 4:30 - 5:00 p.m. **Ethics: Third-Party Communications with Council and Staff,** Jason Rammell, Habib Erkan, and Mick McKamie (.5 hr ethics)
- 5:00 p.m. Adjourn

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

2022 FALL CONFERENCE SPEAKER PROPOSALS

Speaker	Topic
Joshua Skinner, Sr. ACA, City of Arlington	<p>Worker’s Compensation. When are Texas municipalities required to provide worker’s compensation coverage? What happens if the city’s insurance policy does not cover everyone? What if the city does not have a worker’s compensation insurance policy?</p> <p>Fourth Amendment Excessive Force Claims. How are courts currently handling Fourth Amendment excessive force claims when they interact with the qualified immunity defense? With the requirements of <i>Monell</i>? With dash cameras and body worn cameras?</p> <p>Qualified Immunity, Motions to Dismiss and Stays of Discovery</p> <p>First Amendment Viewpoint Discrimination Litigation Update</p> <p>Fourth Amendment Law Update Including an Update on <i>Franks v. Delaware</i></p> <p>Sign Regulation After the City of Austin Supreme Court Decision</p> <p>SB 45- How “Employer” is Being Interpreted</p>
Jordan Miller, Baker Moran Doggett Ma & Dobbs LLP	<p>Easements and Right-of-Way Challenges and Solutions: Whether dealing with a stubborn landowner or some other third party, acquiring easements and rights-of-way for public facilities presents a number of unique legal, financial, and logistical challenges. How can you acquire what you need, when you need it, for a fair price, and without expending too much time, energy, and money? Understanding what challenges await you, and solutions to those challenges, are essential. This presentation will cover the law of easements, encroachments, legal aspects of real property valuation, detail legal options when disputes arise, deadlines loom, or landowners tell you “no”, including an overview of the power of eminent domain and the process for exercising same in Texas, and will also discuss what to do when the State or other third party seek to take municipal property (fee-owned land, easement, etc.) without paying just compensation or reimbursing for the costs to relocate your facilities. If you have questions or want to learn more about “dirt law,” this presentation is for you!</p>
Emily Wall, Cavazos Hendricks Poirot, P.C.	<p>Bankruptcy: What cities should do when we’re notified that a person or corporation has filed bankruptcy? What debts are affected by bankruptcy, and which are not? When should we wade into bankruptcy hearings as a creditor, and when should we reach for the popcorn, sit back, and watch? Include provisions on Subchapter 5 of Chapter 11, as well as contract drafting to avoid being ensnared by the automatic stay.</p>
Christopher Duncan, Duncan Law Firm	<p>ADA for Municipal Practice: A Primer regarding ADA issues for city attorneys, and a guide to EEOC procedure with policy forms and checklists.</p>

2022 FALL CONFERENCE SPEAKER PROPOSALS

	Eminent Domain: A Case Study: What are the rules when another governmental entity seeks eminent domain against your municipality?
Panel: Scott Houston & Aaron Hardiman, TML Risk Pool Jeff Chapman, The Chapman Firm	Insurance : Costs of Contracting: Types of Insurance, Certificates of Insurance, Additional Insureds, and More. Includes the insurance a contractor or vendor would provide to the city along with the evidence of insurance, types of policies available, and the impact of common exclusions and endorsements.
Alfred Herrera, Herrera Law & Associates, PLLC	Utilities: Appeals of a city's water rates (retail and wholesale services) and the differences in how those are handled by the Public Utility Commission.
Robin Cross, Messer Fort McDonald	<p>The Continuous Workday Rule. I have previously presented on this topic and have included an interpretation of the DOL Opinion letter, helpful tips and expanded to include the impact of the ADA on telework as an accommodation.</p> <p>S.B. 45 and Beyond: Our Firm is researching the ramifications of SB 45 now. The topic below is a bit narrow, as there are about 5 different issues with SB 45 and previous employment law (to include whether the language changes from the pre-existing body of state and Title VII law. Is a complaint is even now required? Does the statute abrogate the “safe harbor” <i>Faragher-Ellerth</i> Defense established by SCOUTUS, when:</p> <ul style="list-style-type: none"> • No tangible adverse employment action was taken against the plaintiff (for example, no discharge, demotion, or undesirable reassignment). • The employer exercised reasonable care to prevent and promptly correct the harassing behavior. For example, a harassment policy generally demonstrates reasonable care to prevent harassing behavior. • The plaintiff employee unreasonably failed to take advantage of any preventative or corrective opportunities provided by the employer or to otherwise avoid harm (for example, by not taking advantage of reporting procedures outlined in an anti-harassment policy).
Panel: Jason Rammel, Habib Erkan, and Mick McKamie	Ethics: Rule 4.2 and 3 rd party lawyer communication with council and staff
Ryan Henry, Law Offices of Ryan Henry	<p>Qualified Immunity, Motions to Dismiss and Stays, First Amendment General Ordinance and Drafting Organization Injunctions Code Enforcement ETJ State law v Home Rule</p>
Joshua Galicia, Law Offices of Ryan Henry	<p>Animal Related Issues Short-term rentals Expunctions</p>
Alyssa Castillon, Law Offices of Ryan Henry	<p>380 Agreements FMLA Remote Work and other HR related issues</p>

2022 FALL CONFERENCE SPEAKER PROPOSALS

<p>Kelli Leisure, City of Lubbock</p>	<p>Zoning code amendments post <i>Acuna v. City of Austin</i> (hopefully someone will have come up with a good solution by then – wishful thinking probably).</p> <p>Sign code post <i>Reagan v. City of Austin</i></p> <p>Importance of our role as land use/zoning lawyers to periodically train the PZC and ZBA re: their roles, what their decisions should be based on, creating a record during hearings, and providing legal updates?</p>
<p>Panel: Tad Cleaves, TML Assistant Director of Planning, Georgetown Skye Masson, City of Georgetown Dallas ACA</p>	<p>Panel discussion between city attorneys and city planners discussing the communications and world view breakdowns that often occur between those groups. While lawyers may look for what is legal, planners care more about equity and "good" planning. This causes friction and other issues. The goal of this session would be to explain to attorneys the planner perspective as well as the planner's process when tough land use decisions come through the door.</p>
<p>Tad Cleaves, TML (may be able to get additional speakers)</p>	<p>Public Facility Corporations. Chapter 303 of the TLGC. A developer is using a Public Facility Corporation (in September 2021) whose creation was sponsored by an MMD in Travis County to finance multifamily development projects across the state that result in apartment complexes that are <i>completely exempt from all local property taxes!</i> City, ISD, County, ESD, etc.... No property taxes. Under the guise of creating “affordable housing” this one Public Facility Corporation is sponsoring projects across the state, in jurisdictions utterly disconnected from the Travis County MMD that sponsored the PFC. According to UT, the result is a loss of approximately \$7,400 per rental unit annually in property tax revenue, and none of the affected cities, counties, or school districts has a voice in whether the PFC sponsors a project in their jurisdiction. City attorneys might be interested in hearing about Public Facility Corporations, what they are for, how they are created, and what they can be used for. There was legislative action that failed last session.</p> <p>Here is the website that has the application where a developer can apply to take part as well as the board agendas for the PFC. You can see the number of projects being considered. https://www.winsteadspecialdistricts.com/travis-county/texas-essential-housing-public-facility-corporation/</p> <p>Here is the website of the Public Facility Corporation: https://tehpfc.org/</p>
<p>Melody Carrier, Carrier & Allison Law Group</p>	<p>Fourth Amendment Law Update Including an Update on <i>Franks v. Delaware</i> HB 4121 & HB 4447 SB 45- How “Employer” is Being Interpreted Remote work and the Continuous Workday Rule</p> <ul style="list-style-type: none"> • What’s compensable time for a teleworking employee? • How does this rule synthesize with leave practices? <p>EEOC Enforcement and Litigation Trends 10th Amendment</p>

2022 FALL CONFERENCE SPEAKER PROPOSALS

Mary Ann Powell, Olson & Olson	Ordinance Drafting
Panel: Presidents (current, past, or future) of TCAA, Texas City Managers Association (TCMA), Texas Municipal Clerks Association (TMCA), and Texas Association of Mayors, Councilmembers, and Commissioners (TAMCC) Moderator: Alan Bojorquez	Quality Legal Representation (from the Client’s Perspective): Panelists will address what it means to receive superior City Attorney Services from the client’s point of view. This session is an opportunity for city officials to share with attorneys their preferences, needs and expectations. This rare exchange allows attorneys to hear from a diverse array of officials how to better serve municipal clients. The panel is structured to address key ethical obligations and challenges faced by government attorneys (e.g., Who is the client? How do we handle Confidential data? What is the Lawyer’s role? Who has authority to direct legal actions? How to deal with Conflicts among Clients?)
Ashley Saenz, Messer Fort McDonald	HB 1925 – municipal camping bans
David Klein, Lloyd Gosselink	CCNs and Cities Interplay/Issues/Conflicts
Sarah Glaser, Lloyd Gosselink	An in-depth discussion of wage and hour and leave implications for remote workers, including those who are fully remote, hybrid, or just working from home because they aren’t feeling well. Topics include requests for accommodation, FMLA, wage & hour issues, and a discussion of handbook policies which employers should review and consider updating to address the issues raised in the presentation.
Sarah Glaser, Lloyd Gosselink	The Not-So-New Normal: A Primer on Post-COVID Workplace Law Description: A lively discussion of all the ways the workplace has changed since 2020 and which laws are implicated by these changes. Topics include technology and data privacy concerns, remote work (including wage and hour issues, working out of state, employee management), recruiting and retention struggles (and strategies!), and the ways COVID-19 has changed how employees use sick leave and FMLA. The presentation will conclude with a list of handbook policies employers should consider updating to keep abreast of changes.
Stefanie P. Albright, Bickerstaff Heath Delgado Acosta	Nuts and Bolts of Ethics Laws for Public Officials: This presentation details the basic ethics laws that public officials must adhere to. Included in the presentation are the Texas Open Meetings Act, Texas Public Information Act, conflicts of interest, and general ethics such as abuse of office and nepotism.
Philip B. Arnold, Bickerstaff Heath Delgado Acosta	Qualified Immunity: The concept of qualified immunity has recently become a topic of interest to the public. In the last few years, we have seen myriad examples where law enforcement officials have been found to have acted within the scope of their authority when arresting a suspect, even if that arrest resulted in injury or death. These cases are referred to as the use of “excessive force” by law enforcement. That is, the officer is accused of using more force than was reasonably necessary to arrest a suspect and that use of force resulted in an injury to the suspect. The term “qualified immunity” is often reported in the media, but the scope of qualified immunity is often not understood, even by lawyers. This presentation will cover what “qualified immunity” means, and how it applies to law enforcement officers who are sued in civil court for violation of an individual’s civil rights?

2022 FALL CONFERENCE SPEAKER PROPOSALS

<p>Philip B. Arnold, Bickerstaff Heath Delgado Acosta LLP</p>	<p>Sign Regulation After the City of Austin Supreme Court Decision: The US Supreme Court recently issued a decision that upheld a First Amendment challenge to the City of Austin’s off-premise sign regulations. This presentation will cover the majority and dissenting opinions of that case and the history of challenges to off-premise sign regulations across Texas</p>
<p>Philip B. Arnold, Bickerstaff Heath Delgado Acosta LLP</p>	<p>Eminent Domain 101: This presentation will provide a broad overview of the statutes, process, and timelines to condemn property. Depending on time, we could get into broad issues of how to value property under existing case law. For example, a billboard is valued differently than a building or land. There are a handful of similar technical issues that would be part of this presentation.</p>
<p>Philip B. Arnold, Bickerstaff Heath Delgado Acosta LLP</p>	<p>Changing Access to Property as Part of a Road/Highway Construction Project:This presentation will address the specific issue of how closing or moving a driveway can affect the value of property. For example, most gas stations are on corners because they are “convenient” for customers, but also because it allows for two sides of the property to have driveways, which allows large tanker trucks to enter and exit the gas station easily and safely. If you close or move a driveway, it can impair the value of the property and result in “damages to the remainder” property. This is more of an appraisal and valuation-focused topic but is something local governments need to understand so they can design projects to avoid these types of damages. Rather than a “how-to” or “101,” this is more of a midlevel eminent domain presentation.</p>
<p>Savita Rai & Sam Adams, City of San Antonio</p>	<p>DART: Dangerous Assessment Response Team which is our multi-dept proactive collaborative approach to addressing the worst of the worst nuisance properties - habitual code or criminal violators. We presented this at the Mid-Year IMLA & it was well-received.</p> <p>CODE ENFORCEMENT</p> <ul style="list-style-type: none"> • Administrative Warrants (doing an IMLA webinar on this in July) • Advising Building Standards Boards • Code Enforcement Litigation -Defending demolition appeals after Stewart as well as “Prosecuting” Ch. 54 suits against public nuisance properties. • Code Enforcement Officers Annual Training by City Attorneys - An Absolute Must (investigation, filing cases in municipal court, trial prep, and trial process) <p>MUNICIPAL PROSECUTION</p> <ul style="list-style-type: none"> • Trial Advocacy - Successful trials • San Antonio Specialty Courts <ul style="list-style-type: none"> ○ Family Violence ○ Code Enforcement ○ Animals ○ Juveniles ○ Quality of Life (homeless defendants)

2022 FALL CONFERENCE SPEAKER PROPOSALS

<p>Laura Mueller, Dripping Springs</p>	<p>Sign Regulation After the City of Austin Supreme Court Decision: An overview of the law as it relates to sign regulation, practical tips for drafting and enforcing sign ordinances, and discussion related to regulating based on commercial/non-commercial content and by zoning district.</p>
<p>George Hyde,</p>	<p>We have been handling numerous multi-million dollar contract disputes and have learned some very interesting aspects of municipal contracting that would be of great value to all, and would like to share it with our colleagues, if it works with the schedule.</p>
<p>Victor Flores, City of Brownsville</p>	<p>Economic Development: Case Study: Brownsville is very much invested in air/space development and we're using some economic development tools in some unique ways. The Air/Space industry is changing so quickly that it's requiring some innovative solutions. And, it's not just impacting Brownsville. A recent CNBC article noted that the 2020 space economy was valued at \$420 Billion and it's projected to increase to \$1Trillion by 2040. We recently met with the State's Aerospace Caucus where they discussed the potential for creating new economic incentive tools to make Texas the leader in Air/Space development, nationally (instead of Florida or California). All that said, if the board would like, I could present something similar at an upcoming TCAA meeting. I would probably label the topic: Economic Development: Meeting the Changing Demands of Air, Space and Supporting Technology Industries.</p>
<p>Christina Weber, City of Irving</p>	<p>A case study on a large economic development deal in Irving. With the CHRISTUS development that was the first high rise in Irving since the 1980's. The development secured two headquarters and includes several public improvements along the City's canals. The CHRISTUS project was voted the best office project for 2022 in the Dallas Business Journal. Also, I am working on a very large deal right now that will likely be public by the Fall that I could speak about at that time as well.</p> <p>Another idea would be a panel to discuss Chapter 380 agreements with the changing work trends</p>

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TEXAS CITY ATTORNEYS ASSOCIATION

☰ Menu

TCAA/MuniCode Listserv

TCAA, in conjunction with [MuniCode](#), is proud to announce the new-and-improved TCAA Listserv! This project was initiated by Past-President Paige Mims in 2020, and overseen to completion by President Alan Bojorquez, to increase ease of use by TCAA members. Special thanks to MuniCode for providing this service free-of-charge to TCAA.

The listserv is designed for ease of use and is available to all current TCAA members. If you were registered with the prior listserv, your email has already been imported from that database and you are ready to go! All you need to do to ask or answer a question is send an email to TCAA-LIST@listserv.municode.com. Please review the “[List Norms](#),” below, prior to posting.

To create your account password, which allows you to log in to manage your notification preferences and search archived questions, go to:

<https://listserv.municode.com/scripts/wa.exe?A0=TCAA-LIST>

To join as a new member or if you have questions or technical difficulties, please email tcaalistserv@tml.org.

If using Outlook, you may want to create an email rule that sends questions and replies to a folder other than your in-box. Here’s how to do that:

1. When you have the email open or you have selected it in your inbox, click on “Rules” and then “Create Rule.”
2. Check the box that says “from TCAA-LIST@listserv.municode.com.”
3. Click “Advanced Options.” Make sure the box “from TCAA-LIST@listserv.municode.com” is checked and click “Next.”
4. Check the boxes for “move a copy to the specified folder” and “delete it.”
5. In the bottom portion where it says, “Step 2: Edit the rule description (click an underlined value)” select the value “specified” before folder and select the folder you want the email to go to. It will change the term “specified” to the name of the folder you select. Click “Finish.”

Norms for the TCAA/MuniCode Municipal Attorney Listserv

To qualify for membership on the TCAA/MuniCode Listserv, you must be a member of TCAA and a practicing attorney representing a city for a significant portion of your time.

All participants of the TCAA/MuniCode Listserv are expected to comply with the following “norms.” The norms exist to promote efficient and responsible communication between members, while retaining the informal collegiality enjoyed by the group.

The norms are intended to reduce messages that do not contribute to the substance of a discussion thread, but they also represent courteous email protocol.

Identify yourself: Always identify yourself by name and title, and include your email address within the body of sent messages. This will allow responders to contact you directly, or off-list, should the need arise.

Replies: Do not reply to a message without adding a substantive thought to the dialogue. Thus, “Me too” or “I agree” or “Ditto” are unnecessary replies.

Subject line: Always review the subject line before sending a message or reply. If the message is a reply to an existing thread, update the subject line if your comment changes the context of discussion.

Quoting list messages: The listserv is a private discussion list for Texas municipal attorneys. Quoting a posting from the listserv or forwarding a posting to others without the specific permission from the person who posted the message isn't appropriate. This "norm" shall not apply to quoting or forwarding a message to any person bound by the attorney confidentiality requirement. Sharing information in a generic basis, such as "this subject was recently discussed on a municipal attorney list and the consensus seems to be ——, although there were some who expressed concern that ——," is acceptable. However, no request for information or for documents that are posted, reproduced, or cited on this List is intended, or should be interpreted, as a request under any federal, state or local law, rule, regulation, or ordinance requiring the disclosure of any government information or documents.

Use of list messages against a city is strictly prohibited: We all recognize that some municipal attorneys on the listserv are with law firms – or with governmental agencies – that may also have matters where they are adversarial to a particular city. It is inappropriate to use the listserv to gather opinions or strategies that would be used against cities. Abuse of the listserv will result in the membership being revoked.

Commercial messages: Messages of a commercial nature are strictly prohibited, and may result in termination as a participant. Reference checks, notices of employment, and other matters pertinent to the operational aspects of your law office are not considered "commercial messages."

Attachments: The list doesn't allow attachment for security reasons. If you happen to send a message with an attachment, the message will still be distributed, but the attachment will be removed. To exchange files related to a discussion topic, we suggest sending the file directly to a recipient or using one of the popular online file sharing tools – Dropbox, Google Drive, Microsoft OneDrive, etc.

Thanks for participating on the Listserv. Having access to the collective wisdom of the group is an invaluable resource that makes our clients more effective!

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TYRONE E. COOPER

Tyrone served as the City Attorney for the City of Beaumont, Texas, a city with an estimated population of more than 118,000 residents. He served in that capacity from the time of being appointed in November of 2004 until his recent retirement in January 2022.

Tyrone is a two-time graduate of the University of Houston, with a Bachelor of Science in 1976 and a Doctor of Jurisprudence in 1979. As a graduate of the University of Houston and the University of Houston Law Center, Tyrone began his legal career as an Assistant with the City of Beaumont City Attorney's Office in 1979.

State and locally, he is a past President of the Texas City Attorneys Association (TCAA) where he served on the Board of Directors from 2003-2010 and was returned to the board for a two (2) year term in 2013 as the TCAA representative to the Board of Directors for the Texas Municipal League (TML). As a TML board member he was appointed by the board President to the Budget and Audit Committee. In 1992, Tyrone was selected as the first recipient of the Galen Sparks Award for outstanding public service by an assistant city attorney. This award recognizes and honors assistant city attorneys for significant and distinguished career achievements in the field of municipal law in the State of Texas. In 2009, he satisfied the requirements for Merit Certification in Municipal Law, a program instituted by the TCAA to recognize municipal attorneys who demonstrate advanced knowledge and experience in municipal law. Tyrone also served as a member of the State Bar of Texas District 3, Grievance Committee for three (3) years and as Chairman for in 2011. Tyrone also is a charter member of the Board of Directors of the Beaumont Public Schools Foundation, a non-profit organization established to fund innovative educational projects in the local school system not traditionally funded by the district. He has also served time as an elementary school PTA president, Y.M.C.A. youth basketball coach and Cub Scout Webelos patrol leader.

Nationally and internationally, Tyrone has been involved with the International Municipal Lawyers Association (IMLA) since the 1980s. An association of municipal and county attorneys in the U. S. and Canada. He has served on the Board of Directors since 2013 and chaired several committees. Tyrone was honored with the IMLA James H. Epps Award in 2015 for longevity of municipal service to the same community. He was elected President of the organization for the 2020-2021 term.

Tyrone is married to Pamela and they have three children, Evan, Tyler and Corey.

Tyrone is licensed to practice in the Texas state courts, the United States District Courts for the Eastern District of Texas, the United States Fifth Circuit Court of Appeals, and the United States Supreme Court. Tyrone is a member of the State Bar of Texas, American Bar Association, Bar Association of the Fifth Federal Circuit, and holds representative membership in the Texas City Attorneys Association, and the International Municipal Lawyers Association.

Tyrone is a life member of the NAACP and life member of Alpha Phi Alpha Fraternity Incorporated where he was initiated on the campus of the University of Houston, Eta Mu Chapter in 1973.

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