

TCAA PRESENTS THE TWENTY-FIRST ANNUAL

*Riley Fletcher*  
BASIC MUNICIPAL LAW SEMINAR

FEBRUARY 8-9, 2024  
Texas Municipal Center • Austin

**Texas City Attorneys Association**

**Board of Directors Meeting**

Austin, Texas

February 8, 2024

**TCAA  
Board of Directors  
2023-2024**

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## **Agenda**

TCAA Board of Directors Meeting  
TML Center – Luther Jones Conference Room  
Austin, Texas  
Thursday, February 8, 2024  
3:30 p.m.

1. Consider and approve minutes of the October 4, 2023 TCAA Board Meeting.
2. Consider and approve minutes of the October 5, 2023 TCAA Business Meeting.
3. Consider and approve the 2024-2025 TML and TCAA Services Agreement.
4. Consider and approve the location of the 2026 TCAA Summer Conference.
5. Staff report on the 2024 Riley Fletcher Basic Municipal Seminar.
6. Staff report on the survey results of the 2023 TCAA Fall Conference.
7. Consider and approve the 2024 Summer Conference program.
8. Staff report on TCAA budget.
9. Staff report on directors and officers' liability insurance.
10. Consider and approve recommending a TCAA member to serve on the 2024 TML Policy Summit.
11. Consider and approve appointing a TCAA member to fill a vacancy on the TCAA Board for the remainder of the term (Victoria Huynh resignation).
12. Next board meeting.
13. Other business
14. Adjourn





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## **Minutes**

TCAA Board of Directors Meeting  
Dallas, Texas  
Wednesday, October 4, 2023  
4:00 p.m.

Board President K.O called the meeting to order at approximately 4:02 p.m.

### **Board members present:**

Kuruvilla Oomen  
Slater Elza  
Jennifer Richie  
Sharae Reed (via telephone)  
Maleshia B. McGinnis  
Victor Flores  
Victoria Huynh  
Laura Mueller  
Ron Stutes  
Frank Garza

### **Board members absent:**

Julie Fort

### **TML staff present:**

Evelyn Njuguna  
Amber McKeon Mueller  
Miguel Martinez

1. Consider minutes of the June 14, 2023 TCAA Board Meeting.

A motion to approve the June 14, 2023 board meeting minutes made by Jennifer Richie was seconded by Frank Garza. Unanimously approved.

2. Survey results of the 2023 TCAA Summer Conference.

No action.

3. Staff report on the TCAA 2023 Fall Conference.

No action.

4. Report on the 2023-2024 TCAA Board of Directors applications.

No action.

5. Discuss and consider the 2024 Riley Fletcher Conference program.

6. Report on TCAA budget.

The Board requested staff to make a notation on the budget regarding the overestimated expenses on the FY 2022-2023 budget (see attached budget with notation).

7. Report on the paralegal/legal assistance training program.

No action.

8. Report from TCAA Board Representative on TML Board.

No action.

9. Next board meeting.

The next board meeting will be held on February 8, 2024, in Austin.

10. Other business

11. Adjourn

**Texas City Attorneys Association**  
Profit and Loss Statement  
For the Twelve Months Ending June 30, 2023

	April	May	June	YTD	Budget	Favorable (Unfavorable) Variance
Membership Dues	\$290.15	\$258.24	\$334.98	\$37,060.46	\$37,920.00	(\$859.54)
Investment Income	569.36	563.88	589.70	4,807.53	2,000.00	2,807.53
Semi-Annual Meeting (Summer)	10,902.12	27,095.90	5,061.87	98,923.93	71,820.00	27,103.93
Sponsor Revenue	1,765.69	1,929.71		78,379.79	70,000.00	8,379.79
CML Revenue	143.53	100.00		357.89	300.00	57.89
<b>Total Revenue</b>	<b>13,670.85</b>	<b>29,947.73</b>	<b>5,986.55</b>	<b>219,529.60</b>	<b>182,040.00</b>	<b>37,489.60</b>
Professional Fees				825.00	1,100.00	275.00
Postage			8.82	427.19	350.00	(77.19)
Boards and Committees	672.25	129.00	129.00	3,874.97	4,248.00	373.03
Semi-Annual Meeting (TML)	222.17	222.17	222.17	18,041.21	19,766.00	1,724.79
Semi-Annual Meeting (Summer)	1,046.52	3,771.89	108,806.23	240,285.03	158,015.00	<b>(82,270.03)*</b>
Public Relations					300.00	300.00
IMLA Scholarships	(96.75)	1,900.00		4,350.00	8,000.00	3,650.00
IMLA Small Cities Membership Contributions				3,000.00	3,000.00	
TCAA Municipal Law Conference Schol	107.50	10.75	10.75	129.00	129.00	
TCAA Sponsorship Coordination	358.30	35.83	35.83	429.96	430.00	0.04
Printing and Reproduction				302.70	350.00	47.30
Newsletter	1,462.00	1,462.00	1,462.00	17,544.00	17,544.00	
Awards & Recognition		301.80		877.92	1,300.00	422.08
Office Supplies				50.15	100.00	49.85
ListTCAA Listserve	57.33	57.33	57.33	687.96	688.00	0.04
Web Site Expenses	86.00	171.27	192.44	2,798.27	3,032.00	233.73
Miscellaneous				14.33	3,000.00	2,985.67
TCAA Affiliate Groups	7.17	7.17	7.17	259.16	2,086.00	1,826.84
Other Association Sponsorships	(322.47)				1,500.00	1,500.00
Administrative Services	290.50	307.50	324.50	13,584.00	13,618.00	34.00
<b>Total Expenses</b>	<b>3,890.52</b>	<b>8,376.71</b>	<b>111,256.24</b>	<b>307,480.85</b>	<b>238,556.00</b>	<b>(68,924.85)</b>
<b>Net Income (Loss)</b>	<b>9,780.33</b>	<b>21,571.02</b>	<b>(105,269.69)</b>	<b>(87,951.25)</b>	<b>(56,516.00)</b>	<b>(31,435.25)</b>
Beginning Net Assets				308,806.19		
Ending Net Assets				220,854.94		

\* In August 2021, the TCAA Summer Conference was held at the Omni Barton Creek Resort & Spa in Austin. The OMNI sent a pre-estimate bill to TCAA in July for \$97,098.75 and it was paid. However, the amount was put into TCAA prepaid expenses instead of directly to the TCAA Summer Conference in the correct Fiscal Year 2021-2022. The \$97,098.75 remained in the TCAA prepaid expenses until October 2022 when it was discovered. At that point, the FY 2021-2022 was closed. Therefore, the amount was expensed in FY 2022-2023. This had the effect of understating expenses in FY 2021-2022 and overstating expenses in FY 2022-2023. We apologize for this oversight and have since implemented controls to review the prepaid expense account at the end of each year before the books are closed.

Joe Foster, TML Deputy Executive Director, Administrative Services

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## **Minutes**

TCAA Business Meeting  
Dallas, Texas  
Wednesday, October 5, 2023  
2:00 p.m.

Board President K.O called the meeting to order at approximately 2:00 p.m.

1. Consider and approve TCAA constitutional amendments

A motion to amend the proposed budget as described in Appendix A was approved by a majority vote of the TCAA membership on a motion made by Frank Garza and seconded by Victor Flores. Jennifer Richie and K.O. voted nay.

2. Consider and approve the 2023-2024 Board of Directors

A majority of the membership approved the appointment of the directors as presented by the nominating committee (see Appendix B).

## **Appendix A**

### **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, 2016, and 2023.)

#### **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: (1) to encourage the cooperation of city attorneys in the practical study of all municipal legal problems; (2) the holding of annual and semi-annual meetings for the discussion of legal and other questions affecting municipal government; (3) 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.

#### **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 has been duly elected or appointed to the office of city attorney or assistant city attorney of a municipality which is an active member of the Texas Municipal League shall be eligible for membership in the association.

Section 3. 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 a

person's initial application for associate membership and continued eligibility.

Section 4. 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 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 months after the candidate has received notice of the member's election.

Section 5. 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 6. 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 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 members. No later than 24 hours before the annual meeting, the nominating committee shall inform the President of the nominees. In making its recommendation of nominees, the 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 race, ethnicity, religion, gender, sexual orientation, gender identity, age, disability, veteran status, geographic location, or kind of employer (governmental entity or private law firm).

At the annual meeting of the association, the nominating committee shall submit nominees for association officers. Additional nominations may be made from the floor. Each of the offices shall be filled by a majority vote of the membership present and voting. When determined necessary by the executive committee, members will be presented with the nominees and may vote by means of any remote communication that sufficiently identifies the member. In the event of an election by remote communication, additional nominations may occur as write-in candidates and votes submitted on those candidates, provided the candidates have filed an application with the proper person in accordance with established deadlines adopted by the executive committee. In case of a tie vote, the office will be determined by lot. In the instance of voting by remote communication, the vote will be tallied and ratified at a meeting of the executive committee.

The association officers shall begin their regular term of office at the close of the annual meeting. In the event of voting by remote communication, the association officers shall begin their regular term of office at the close of the meeting of the executive committee where votes are tallied and ratified.

Section 4. Term of Office. All officers' terms shall be for one year with the exception of the Director to the Executive Board of the Texas Municipal League, whose term of office shall be for two years, the director 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;
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

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) end of the officer's term; or (b) three months after the end of the initial qualifying position; or

5. Resignation.

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 officers and Texas Municipal League staff may participate in a meeting of the executive committee by means of conference telephone, or by any other means of communication by which all 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 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. Officers may also meet and vote via electronic means such as email so long as the identity of each officer is made clear in the means of voting.

ARTICLE V.

**MEETINGS.**

Section 1.

An annual meeting of the association shall be held, when practicable, 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 as may be determined by the executive committee. Meetings shall be held in person, or by means of or in combination with, a conference

telephone or similar communications equipment, another suitable electronic communication system, including videoconferencing technology or the Internet, if each person participating in the meeting can communicate with all other persons participating in the meeting.

## ARTICLE VI. **DUES.**

Section 1. The dues of each active, associate, 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. **COMMITTEES.**

Section 1. **Amicus Curiae Committee.** Each year at the annual meeting of the Texas City Attorneys Association, the incoming President shall appoint a committee of three officers, as a review committee to provide guidance to the General Counsel of the Texas Municipal League relating to authorizing the preparing and filing 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. **Ad Hoc Committees.** The President may appoint Ad Hoc committees as the President deems necessary to make recommendations to the executive committee. Once the Ad Hoc Committee has accomplished its stated purpose, it shall cease to function.

## ARTICLE IX. **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 X. **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, or by means of mail or electronic ballot by a majority vote of the members who voted on the amendment, 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. **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.)

## Appendix B

### TCAA Board of Directors 2023-2024

**President**

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TAB

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## TCAA Services Agreement

Current Agreement FY 22-23 (rolled over to FY 23-24)	Proposed Agreement FY 24-25
<b>Base Services</b> 600 members @ \$17 per member = \$10,200	<b>Base Services</b> 700 members @ \$20 per member = \$14,000
<b>Financial Services</b> 1% of \$246,603.98 = \$2,466.03	<b>Financial Services</b> 1% of 208,999.79 = \$2,090
<b>User Fees at \$43 per hour</b>  Newsletter (12) 34 hours each = \$17,544 Summer Conference 157 hours = \$6,751 Fall Conference 62 hours = \$2,666 Board Meetings (3) 12 hours each = \$1,548 Website maintenance 24 hours = \$1,032 Listserv 16 hours = \$688 Affiliate Groups Program 2 hours = \$86 Law students conference scholarships 3 hours = \$129 Sponsorship program coordination 10 hours = \$430  Total User Fees 718 hours = \$30,874  *The Riley Fletcher Seminar will be charged every other year beginning FY 2023-2024 at 73 hours. With the current user fee of \$43 per hour, that would be \$3,139.	<b>User Fees at \$49 per hour</b>  Newsletter (12) 34 hours each = \$19,992 Summer Conference 157 hours = \$7,693 Fall Conference 62 hours = \$3,038 Board Meetings (3) 12 hours each = \$1,764 Website maintenance 24 hours = \$1,176 Listserv 16 hours = \$784 Affiliate Groups Program 2 hours = \$98 Law students conference scholarships 3 hours = \$147 Sponsorship program coordination 10 hours = \$490 Paralegal Programming 8 hours = \$392  Total User Fees 726 hours = \$35,574  *The Riley Fletcher Seminar will be charged every other year beginning FY 2025-2026 at 73 hours. With the current user fee of \$49 per hour, that would be \$3,577.
<b>Total Agreement = \$43,540.03 (increase of \$7,080.64 or 19.4%) from FY 20-21.</b>	<b>Total Agreement = \$51,664 (increase of \$8,123.97 or 18.7%) from FY 22-23.</b>
\$43,540.03 as a percent of TCAA budget of \$174,124 = 25%	\$51,664 as a percent of TCAA budget of \$193,900 = 26.7%



**Texas City Attorneys Association**  
**2024-2025~~2022-2023~~ SERVICES AGREEMENT**

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

- I. Base Services to be Provided. TML will provide the services listed under this Section to the Affiliate at a cost to Affiliate of ~~\$20~~\$17 per Affiliate member per year:
- A. Review Affiliate constitution/bylaws to ensure compatibility with TML's constitution.
  - B. Assemble and maintain Affiliate membership records.
  - C. Design draft versions of Affiliate membership certificates, awards, or recognition plaques.
  - D. Design, conduct, and analyze a membership interest survey, upon request.
  - E. Conduct the membership dues billing process to include: (1) an initial billing; (2) a reminder mailing after 45 days; (3) and where applicable, a membership suspension letter following Board approval.
  - F. Assist in the formulation of membership recruitment strategies.
  - G. Assist in the development of prospective membership records and maintain such records.
  - H. Design draft versions of appropriate membership recruitment literature including a cover memorandum, membership services information, and an application form.
  - I. Conduct one membership recruitment mailing or emailing annually upon request, with appropriate membership promotional literature.
  - J. With regard to new Affiliate members, mail a membership application acknowledgment to the prospective new member and mail a copy of such acknowledgment to the appropriate Affiliate Board member. Mail a membership notification letter and a membership packet to the new member after the membership has been approved by the Affiliate Board.
- II. Financial Services to be Provided. TML will provide the financial services listed under this Section to the Affiliate at an annual cost to TCAA of 1% of the Fund Balance as recorded on ~~November 30, 2023~~November 30, 2024. For TCAA this is ~~\$2,090~~\$2,466.03 annually given a balance of ~~\$208,999.79~~\$246,603.98.
- A. Provide the appropriate Affiliate officers with a monthly financial statement to include a balance sheet and line—item comparison of actual revenues and expenditures to budgeted revenues and expenditures.
  - B. Assist the Affiliate Board with the development of its annual budget and service plan.

- C. Arrange for an annual review of Affiliate financial transactions. If an audit is preferred or required by constitution, TML will obtain a cost estimate from its auditor for the Affiliate's approval.
  - D. Manage Affiliate funds to ensure timely and accurate receipt of revenues, payment of expenses, and maximum investment earnings.
  - E. Assist in the preparation and filing of Affiliate tax returns.
- III. Additional Services to be Provided. TML will provide the following additional services to Affiliate at the following cost to Affiliate.
- A. **TCAA Newsletter - Web and e-newsletter**  
 Compensation: In consideration for work on the TCAA e-newsletter, the Affiliate will compensate TML for TML's actual costs. The Affiliate's obligation to reimburse TML for actual costs not to exceed ~~\$19,992~~~~\$17,544~~ annually. The appropriate Affiliate account will be debited monthly for the costs following publication/distribution. (408 hours at ~~\$493~~ per hour)
  - B. **Meeting planning/coordination onsite logistical assistance for TCAA Summer Conference**  
 Compensation: In consideration for meeting planning services, the Affiliate will, in addition to direct conference expenses such as postage, speaker expenses, food and beverage costs, etc., reimburse TML for its staff time (estimated at ~~\$7,693~~~~\$6,751~~), plus actual staff travel expenses. (157 hours at ~~\$493~~ per hour)
  - C. **Meeting planning/coordination onsite logistical assistance for TCAA Fall Conference**  
 Compensation: In consideration for meeting planning services, the Affiliate will, in addition to direct conference expenses such as postage, speaker expenses, food and beverage costs, etc., reimburse TML for its staff time (estimated at ~~\$3,038~~~~\$2,666~~), plus actual staff travel expenses. (62 hours at ~~\$493~~ per hour)
  - D. **Meeting planning/coordination onsite logistical assistance for the biennial Riley Fletcher Basic Municipal Law Seminar**  
 Compensation: In consideration for meeting planning services for the Riley Fletcher Basic Municipal Law Seminar, the Affiliate will, in addition to direct conference expenses such as postage, speaker expenses, food and beverage costs, etc., reimburse TML for its staff time (estimated at ~~\$3,577~~~~\$139~~), plus actual staff travel expenses, every other fiscal year, beginning with fiscal year 202~~53~~-202~~64~~. (73 hours at ~~\$493~~ per hour)
  - E. **Board and Committee Meeting planning/coordination assistance**  
 Compensation: In consideration for board and committee planning and coordination, the Affiliate's obligation to reimburse TML for actual costs of \$1,~~764~~~~548~~ annually, plus actual staff travel expenses. This amount is calculated upon the preparation and attendance of three Board meetings. (36 hours at ~~\$493~~ per hour)
  - F. **TCAA Website Maintenance**  
 Compensation: In consideration for maintenance, and monitoring of TCAA site for one-year with an estimated cost of \$1,~~176~~ plus direct expenses~~032~~. The appropriate Affiliate account will be debited monthly for these costs. (24 hours at ~~\$493~~ per hour)

G. **TCAA Listserv**

Compensation: The Affiliate will reimburse TML for cost of \$~~784688~~.  
(16 hours at \$~~493~~ per hour)

H. **TCAA Affiliate Groups**

Compensation: In consideration for coordinating the TCAA Affiliate Groups Program, the Affiliate will reimburse TML for its staff time (estimated at \$~~9886~~), plus actual staff travel expenses. (2 hours at \$~~493~~ per hour)

I. **TCAA Conference Scholarships for Law Students**

Compensation: In consideration for coordinating Conference Scholarships for Law Students, the Affiliate will reimburse TML for its staff time (estimated at \$~~14729~~), plus actual staff travel expenses. (3 hours at \$~~493~~ per hour).

J. **TCAA Sponsorship Program Coordination**

Compensation: In consideration for coordinating the TCAA Sponsorship Program, the Affiliate will reimburse TML for its staff time (estimated at \$~~490430~~), plus ~~an~~ actual staff travel expenses. (10 hours at \$~~493~~ per hour)

K. Paralegal Programing

Compensation: In consideration for coordinating Paralegal Programming, the Affiliate will reimburse TML for its staff time (estimated at \$392), plus actual staff travel expenses. (8 hours at \$49 per hour).

L. **Graphics and Videography Services**

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

IV. Terms of Agreement. **THE PROGRAMS AND ACTIVITIES IDENTIFIED IN THIS AGREEMENT ARE ACTIVITIES WHICH TML WILL INDEMNIFY TCAA FOR LIABILITY ARISING OUT OF ERRORS, OMISSIONS, OR OTHER ACTIONS BY TCAA AT OR DURING SUCH ACTIVITIES AND PROGRAMS. FOR ANY OTHER PROGRAMS OR ACTIVITIES PERFORMED OR PROVIDED BY TCAA WHICH ARE NOT SET FORTH IN THIS AGREEMENT OR WHICH ARE EXCLUDED FROM COVERAGE UNDER THE COVERAGE PROVIDED TO TML BY THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL, TML DOES NOT INDEMNIFY TCAA, AND TCAA AGREES TO INDEMNIFY TML FOR ANY SUCH ERRORS OR OMISSIONS OR OTHER ACTIONS.**

This agreement will be in full force and effect until June 30, 202~~53~~. On June 30, 202~~53~~, and on June 30th of each year thereafter, this agreement will be automatically renewed for a term of one year. However, this agreement may be terminated by either TML or Affiliate on June 30th of any year, beginning with June 30, 202~~53~~, provided written notice of such termination is received by the other party on or before March 1st of that year.

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

- V. Required Changes to this Agreement. This agreement shall be amended, upon 30 days written notice, to conform the agreement to any policy adopted or amended by the TML board or membership.
- VI. Notice of Changes/Termination. A written notice of any changes or termination provided under the provisions of Section IV of this agreement shall be sent certified mail, return receipt requested. Such notice shall be deemed to have been received when the receiving party signs the return receipt. Notices must be addressed to the respective, current contact persons. Presently, these persons and their addresses are:

**Texas City Attorneys Association**

Slater Elza Ron Stutes

Shareholder

Wilson, Robertson & Cornelius,

P.C. Underwood Law Firm

One American Center, 909 ESE

Loop PO Box 9158

-323, Suite 400, Tyler, TX

75701 Amarillo, TX 79105

**TML**

Evelyn Njuguna

TML Legal Services Director

Texas Municipal League

1821 Rutherford Lane, Suite 400

Austin, TX 78754

- VII. Additional Work Projects. Other activities that fall outside of the programs and activities identified in this Agreement may be performed, after approval by TCAA, at a rate of \$493 per hour. TML will provide TCAA an estimate of hours for the new programs and/or activities and an estimate of the costs to perform the new program and/or activities.

VIII. Miscellaneous Provisions

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

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 202~~4~~<sup>2</sup>.

By: ~~Slater Elza~~<sup>Ron Stutes</sup>, Affiliate President

By: Bennett Sandlin, TML Executive Director

TAB

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TAB

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ID	Name	TITLE	Firm	02/08/2024 - 02/09/2024
115841	Garza, Ana		Alamo	
102081	Holmes, Kristin	Assistant City Attorney	Baytown	
74243	Murray, Mylinda		Bojorquez Law Firm, PC	
74243	Delgado, Joseph		Bojorquez Law Firm, PC	
96940	Townsend, Stephen	Attorney	Bradley Law Firm	
116411	Peterson, John-Richard	Attorney	Brown & Hofmeister, L.L.P.	
66407	Ribitzki, Matt	Deputy City Attorney	Burleson	
116215	Kim, Hye		Carrollton	
102953	Garcia, Ana Sophia	City Attorney	Eagle Pass	
91975	Mosley, Sherron	Council Member, Place 1	Glenn Heights	
113810	Harper, Ronald	Assistant City Attorney	Grand Prairie	
106717	Ayinde, Akeem	Assistant City Attorney	Grand Prairie	
115834	Gullo, Natalie	Assistant City Attorney	Grapevine	
116165	Rojas-Stoppel, Kristina		Guevara Law, P.C.	
103922	Dickman, Stephen	Attorney at Law	Law Office of Stephen C Dickman	
86721	Brua, Megan	Associate Attorney	Messer & Fort, PLLC	
86721	Arellano, Raylene	Paralegal	Messer & Fort, PLLC	
86721	Kerr, Sara	Associate Attorney	Messer Fort PLLC	
66005	Flores, Victor	City Attorney	Mission	
116206	Ditman, Matthew		Missouri City	
96940	Bradley, Lance	City Attorney	Port Neches	
2663	Thompson, Monica	Executive Office Manager	Royse City	
96414	Houston, Scott	Intergovernmental Relations Manager	TML Intergovernmental Risk Pool	
106361	Buckner, Alesha	Senior Assistant City Attorney	Tyler	
5414	Elza, Slater	Attorney	Underwood Law Firm, P.C.	
114756	Ross, Sarah	Partner	Wyatt Hamilton Findlay PLLC	

Report Total:26

Where: not ({Orders.STATUS} startswith "C") and  
{Meet\_Master.MEETING} = {?Meeting Number} and  
not ({Order\_Meet.REGISTRANT\_CLASS} in ["STAFF", "SPEAK", "COMP"])



ID	Name	TITLE	Firm	02/08/2024 - 02/09/2024
61486	Ballard, Susan	Legal Assistant		
86866	Olayiwola, Omoniyi	Assistant City Attorney	Arlington	
66364	Franco, Brie	Intergovernmental Relations Officer	Austin	
74243	Duarte, Desiree	Attorney at Law	Bojorquez Law Firm, PC	
111291	Rincon-Flores, Criselda	Assistant City Attorney	Brownsville	
30905	Campbell, Ken	Attorney	Burns Anderson Jury & Brenner	
116457	Elliott, Olivia		Cactus	
111291	Chaisson-Munoz, Lena		City of Brownsville	
114441	Sandmann, Camela	Assistant City Attorney	Conroe	
114441	Overton, William	Assistant City Attorney	Conroe	
115409	Troncoso, Ignacio	Assistant City Attorney 1	El Paso	
115409	Stanton, Mayra		El Paso	
115409	Gomez, Oscar	Assistant City Attorney	El Paso	
115409	Phifer, Larry	Attorney	El Paso	
115409	GomezBaca, Carlos	Assistant City Attorney 1	El Paso	
115409	Lempke, Jason	Assistant City Attorney	El Paso	
115409	Saenz, Karla	Assistant City Attorney 1	El Paso	
115409	Quintanilla, Jesus	Assistant City Attorney	El Paso	
115409	Garcia, Joyce	Assistant City Attorney 1	El Paso	
115409	Marquez, Matthew	Assistant City Attorney I	El Paso	
115409	Heydarian, Mona		El Paso	
110841	Gravelyn, Todd	Assistant City Attorney (Police & Fire)	Killeen	
98267	Pender, Asha	Deputy City Attorney	Killeen	
109946	Wallander, Andrew	Assistant City Attorney - Public Works	Killeen	
113102	Yates, Ashley	Assistant City Attorney	Longview	
107355	Skillern, Kristi	City Attorney	Lufkin	
51951	Maldonado, Bobby	Principal Partner	Maldonado Law Group, PLLC	
116259	Fernandez, Ana		McAllen	
86721	Meredith, Tessa	Associate Attorney	Messer & Fort, PLLC	
86721	Mungiguerra, Peter	Associate Attorney	Messer & Fort, PLLC	
86721	Saenz, Ashley	Associate Attorney	Messer & Fort, PLLC	
86721	Bonilla, Zinzi	Associate Attorney	Messer & Fort, PLLC	
86721	Shankle, Heather	Associate Attorney	Messer & Fort, PLLC	
116115	Thoppil, Sharon	Junior Associate	Missouri City	
116027	Guerrero, Kristen	Assistant City Attorney	Missouri City	
116427	Baker, Jerry	City Attorney	Nacogdoches	
1462	Boedeker, Philip	Attorney	Olson & Olson, LLP	
112621	Stanphill, Amy	City Attorney	Parker	
26585	James, Theresa	City Attorney	San Angelo	
105620	Voth, Holly	Assistant City Attorney	San Angelo	
105453	Dabbert, Kathleen	Assistant City Attorney- Prosecutor	San Angelo	
76547	Dyson, Brandon	Assistant City Attorney	San Angelo	
115443	Saunders, Ashley		The Gwosdz Law Firm, PLLC	
104612	Tuggey, Tim	Owner	Tim Tuggey Law	

Report Total:44

Where: not ({Orders.STATUS} startswith "C") and {Meet\_Master.MEETING} = {?Meeting Number} and not ({Order\_Meet.REGISTRANT\_CLASS} in ["STAFF", "SPEAK", "COMP"])

TAB

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# Initial Report

*TCAA Fall Conference 2023*

November 16, 2023 1:07 PM MST

Q1 - Please provide your name.

False

Please provide your name.

---

True

Please provide your name.

---

Will Conrad

Mike Hayes

Kuruvilla Oommen

Trisha Dang

Kristi Skillern

Laura Mueller

SCOTT BOUNDS

Slater Elza

Herschel Bowens

Gary Smith

Jennifer Knox-Walker

## Q5 - Please provide your city or firm if applicable.

False

Please provide your city or firm if applicable.

---

True

Please provide your city or firm if applicable.

---

City of Waco

City of Waco

Kerrville

City of Irving

City of Sugar Land

Lufkin

TEXARKANA

City of Dripping Springs

OLSON AND OLSON

Underwood

Husch Blackwell LLP

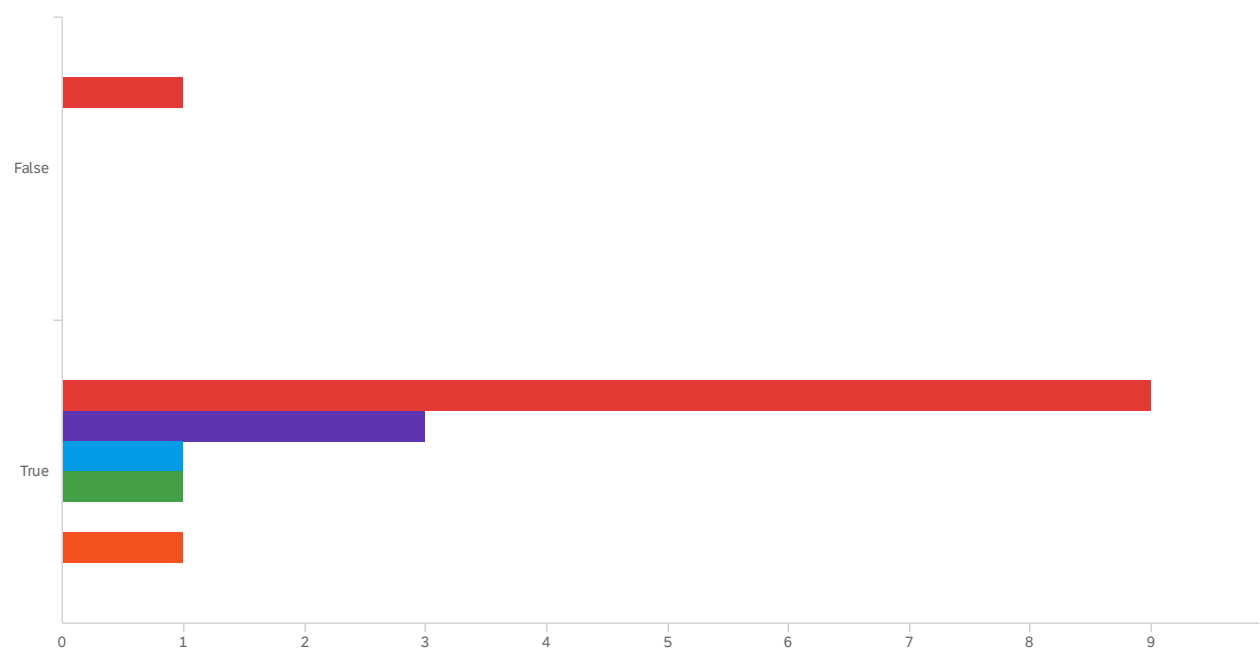
Richmond

Wilson Law Firm

City of Deer Park

City of Plano

Q6 - Please provide your job title.

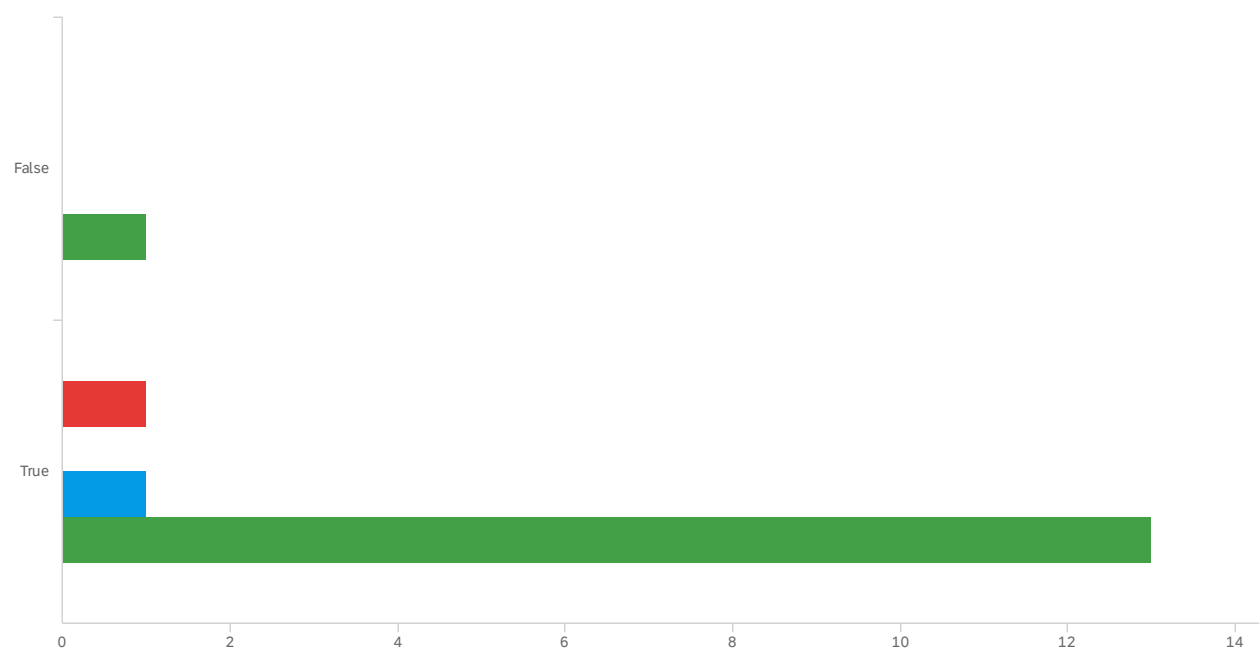


#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
0	False	1.00	1.00	1.00	0.00	0.00	1
1	True	1.00	6.00	1.87	1.41	1.98	15

#	Field	False		True		Total
1	City Attorney	10.00%	1	90.00%	9	10
2	Assistant City Attorney	0.00%	0	100.00%	3	3
3	Partner/Shareholder	0.00%	0	100.00%	1	1
4	Associate	0.00%	0	100.00%	1	1
5	Paralegal/Assistant	0.00%	0	0.00%	0	0
6	Other	0.00%	0	100.00%	1	1

Showing rows 1 - 6 of 6

Q10 - Years licensed to practice law

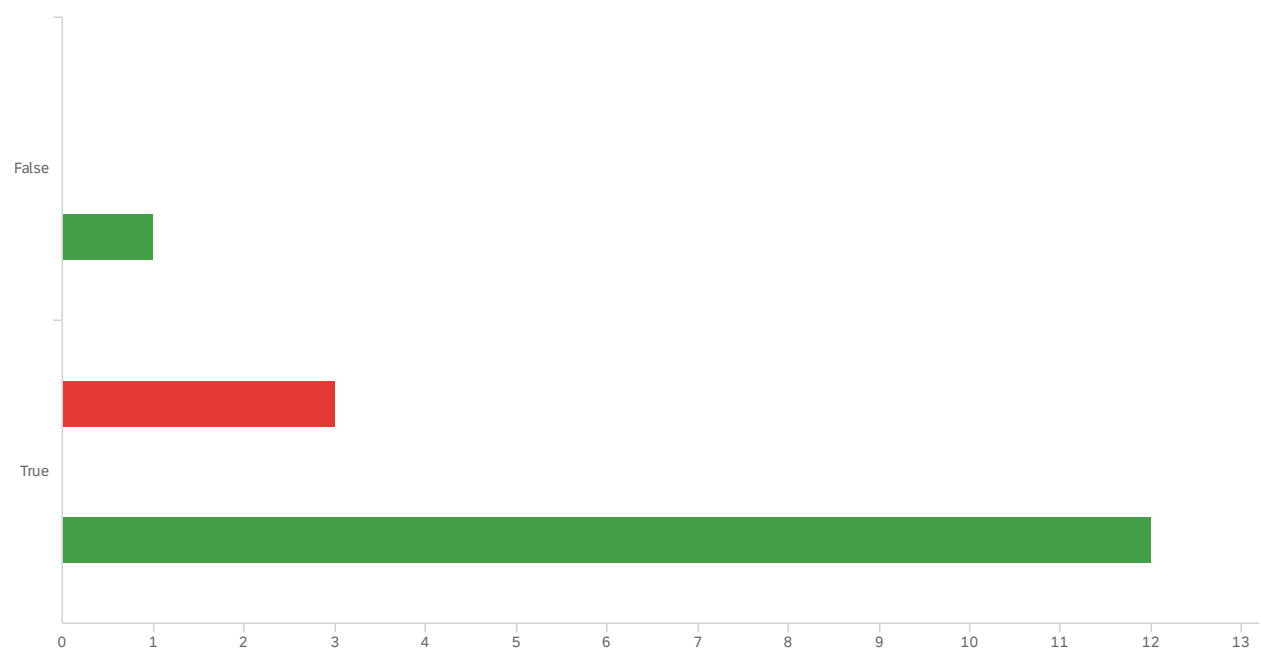


#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
0	False	4.00	4.00	4.00	0.00	0.00	1
1	True	1.00	4.00	3.73	0.77	0.60	15

#	Field	False		True		Total
1	0-5 years	0.00%	0	100.00%	1	1
2	5-10 years	0.00%	0	0.00%	0	0
3	10-15 years	0.00%	0	100.00%	1	1
4	Over 15 years	7.14%	1	92.86%	13	14

Showing rows 1 - 4 of 4

Q11 - Years practicing municipal law



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
0	False	4.00	4.00	4.00	0.00	0.00	1
1	True	1.00	4.00	3.40	1.20	1.44	15

#	Field	False		True		Total
1	0-5 years	0.00%	0	100.00%	3	3
2	5-10 years	0.00%	0	0.00%	0	0
3	10-15 years	0.00%	0	0.00%	0	0
4	Over 15 years	7.69%	1	92.31%	12	13

Showing rows 1 - 4 of 4

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

False

If "Other", what is your title?

---

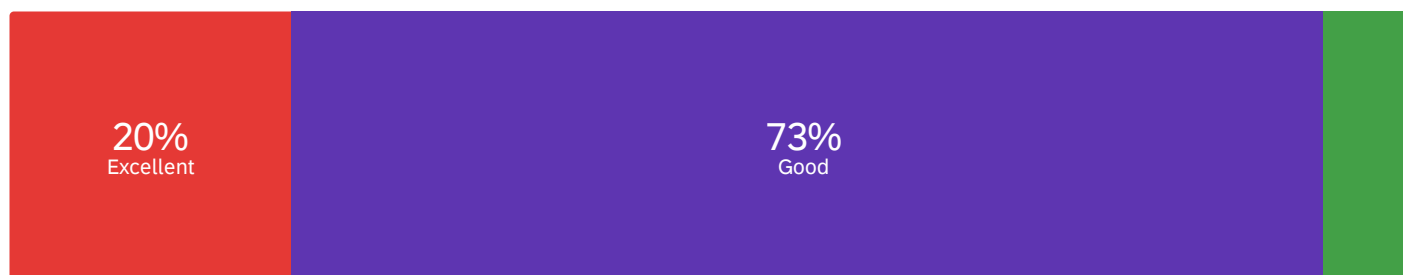
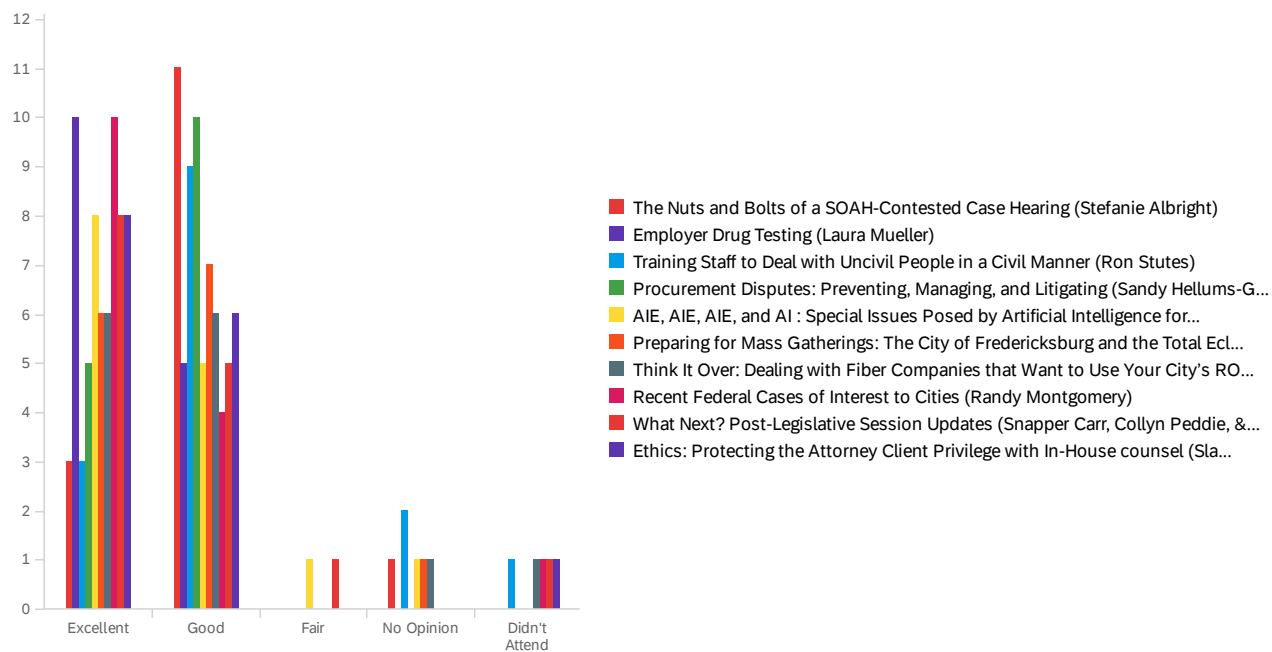
True

If "Other", what is your title?

---



## Q4 - Please rank the following sessions.



■ Excellent
 ■ Good
 ■ Fair
 ■ No Opinion
 ■ Didn't Attend

## 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...

---

Annexation and eminent domain issues

Can we get a streaming-only post-annular follow-up from Mick before the total eclipse?

Rewriting Zoning Codes In House/Managing Planning Consultants

Employment

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

### Relevancy of Session Topics

#	Field	False		True		Total
1	Excellent	0.00%	0	100.00%	7	7
2	Good	0.00%	0	100.00%	8	8
3	Fair	0.00%	0	0.00%	0	0
4	No Opinion	0.00%	0	0.00%	0	0

Showing rows 1 - 4 of 4

### Reasonableness of Seminar Pricing

#	Field	False		True		Total
1	Excellent	0.00%	0	100.00%	8	8
2	Good	0.00%	0	100.00%	4	4
3	Fair	0.00%	0	100.00%	1	1
4	No Opinion	0.00%	0	100.00%	2	2

Showing rows 1 - 4 of 4

### Publicity

#	Field	False		True		Total
1	Excellent	0.00%	0	100.00%	5	5
2	Good	0.00%	0	100.00%	8	8
3	Fair	0.00%	0	0.00%	0	0
4	No Opinion	0.00%	0	100.00%	2	2

Showing rows 1 - 4 of 4

### Quality of Broadcast

#	Field	False		True		Total
1	Excellent	0.00%	0	100.00%	3	3
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%	7	7

Showing rows 1 - 4 of 4

False

#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count	Bottom 3 Box	Top 3 Box
1	Relevancy of Session Topics	0.00	0.00	0.00	0.00	0.00	0	0.00%	0.00%
2	Reasonableness of Seminar Pricing	0.00	0.00	0.00	0.00	0.00	0	0.00%	0.00%
3	Publicity	0.00	0.00	0.00	0.00	0.00	0	0.00%	0.00%
4	Quality of Broadcast	0.00	0.00	0.00	0.00	0.00	0	0.00%	0.00%

True

#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count	Bottom 3 Box	Top 3 Box
1	Relevancy of Session Topics	1.00	2.00	1.53	0.50	0.25	15	100.00%	53.33%
2	Reasonableness of Seminar Pricing	1.00	4.00	1.80	1.05	1.09	15	86.67%	46.67%
3	Publicity	1.00	4.00	1.93	0.93	0.86	15	86.67%	66.67%
4	Quality of Broadcast	1.00	4.00	2.79	1.26	1.60	14	50.00%	78.57%

### 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.

---

Ethics needed to be first. Afternoon time management went off the rails; move the business meeting to the end.

MASS GATHERING- EMERGENCY POWERS; DISAGREE WITH T. WELCH PREMISE CITIES CANNOT REGULATE STR;

Q9 - If you would like to enter your city/firm into the drawing for a free 2024 TCAA

Summer Conference registration (to be held at South Padre Island on June 12-14), please provide your email address.

False

If you would like to enter your city/firm into the drawing for a free 2024...

True

If you would like to enter your city/firm into the drawing for a free 2024...

[williamc@wacotx.gov](mailto:williamc@wacotx.gov)

[Mike.Hayes@kervilletx.gov](mailto:Mike.Hayes@kervilletx.gov)

[koommen@cityofirving.org](mailto:koommen@cityofirving.org)

[tdang@sugarlandtx.gov](mailto:tdang@sugarlandtx.gov)

[kskillern@cityoflufkin.com](mailto:kskillern@cityoflufkin.com)

[jlewis@arwhlaw.com](mailto:jlewis@arwhlaw.com)

City of Dripping Springs

[spyderbounds@gmail.com](mailto:spyderbounds@gmail.com)

[herschel.bowens@huschblackwell.com](mailto:herschel.bowens@huschblackwell.com)

[gsmith@richmondtx.gov](mailto:gsmith@richmondtx.gov)

[rstutes@wilsonlawfirm.com](mailto:rstutes@wilsonlawfirm.com)

**End of Report**

TAB

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## **SPEAKER AGENDA**

***Texas City Attorneys Association***

***Summer Conference***

***June 12-14, 2024***

***12 hours (including 3 hours ethics)***

### **Wednesday, June 12 (2.75 hours)**

12:30 – 4:00 p.m.	Registration and Refreshments
1:00 – 1:30 p.m.	<b>Making Your Ordinances Constitutional Again</b> , Ryan Henry, The Law Offices of Ryan Henry (.5 hour)
1:30 – 2:00 p.m.	<b>Take this Job and Shove It</b> , Joshua D. Katz, Bickerstaff Heath Delgado Acosta LLP (.5 hour)
2:00 – 2:30 p.m.	<b>Contracts: When Things Go Wrong</b> , George Hyde, Hyde Kelley LLP (.5 hour)
2:30 – 2:45 p.m.	<b>Break</b>
2:45 – 3:15 p.m.	
3:15 – 4:00 p.m.	<b>Ethics: Housing Finance Corporations: The Good, the Bad, and the Ugly</b> , Derra Purnell, Best Best & Krieger (.75 hour ethics)
4:00 – 5:30 p.m.	<b>TCAA Board of Directors Meeting</b>
5:30 p.m.	Welcome Reception

### **Thursday, June 13 (5.5 hours)**

7:00 – 8:00 a.m.	Breakfast
8:00 – 8:30 a.m.	<b>Opening Remarks</b> , Slater Elza, TCAA President
	<b>Welcome Remarks</b> ,
	<b>Awards Ceremony</b>
8:30 – 9:00 a.m.	<b>Common Human Resources Issues</b> , Rey Lansford and Kurt Banowsky, City of Garland (.5 hour)
9:00 – 9:30 a.m.	<b>Revitalizing Cities: Tools for Innovative Development</b> , Sandy Hellums-Gomez, Husch Blackwell, and Arturo Michel, City of Houston (.5 hour)
9:30 – 10:00 a.m.	<b>Administrative Search Warrants for Beginners</b> , Katie Leininger, City of Pearland (.5 hour)
10:00 – 10:15 a.m.	Break



10:15 – 10:45 a.m. **Transitioning from a Litigator to a City Attorney**, Kristi Skillern, City of Lufkin (.5 hour)

10:45 – 11:45 a.m. **The Murdaugh Murder Trial: Ethical Violations to Murder**, Joel Oster, Brian Hermanson, Pamela Turner (1 hour ethics)

11:45 a.m. – 1:15 p.m. Lunch on Your Own

1:15 – 2:15 p.m. **Recent State Cases of Interest to Cities**, Laura Mueller, City of Dripping Springs (.5 hour)

2:15 – 2:45 p.m. **Legal Risks and Potential Liability of Cities in Natural Disasters: From Floods to Freezes, and What the Governor has to Say about It**, James Parker and Gabrielle Smith, Lloyd Gosselink Rochelle & Townsend, P.C. (.5 hour)

2:45 – 3:15 p.m. **Sovereign Citizens and Your Local Government**, Judith El Masri, Randle Law Office Ltd., L.L.P. (.5 hour)

3:15 – 3:30 p.m. Break

3:30 – 4:00 p.m. **Local Option Alcohol Elections: Statutory Requirements and the Role of the City Attorney**, Julie Doshier, Wyatt Hamilton Findlay, PLLC (.5 hour)

4:00 – 4:30 p.m. **Ethics of Writing Ethics Policies**, Jonathan Koury, City of Bryan (.5 hour ethics)

5:30 p.m. Reception

**Friday, June 14 (3.75 hours)**

7:00 – 8:00 a.m. Breakfast

8:00 – 8:30 a.m. **Dive into the Nuts and Bolts of Purchase and Sales Agreements**, Allison Bastian-Rodriguez, Denton, Navarro, Rodriguez, Bernal, Santee & Zech (.5 hour)

8:30 – 9:00 a.m. **Title VII and ADA Update**, Melissa H. Crawford and Robin Cross, Messer Fort (.5 hour)

9:00 – 9:30 a.m. **Prayer at Local Government Meetings**, Julian Grant, City of San Marcos (.5 hour)

9:30 – 9:45 a.m. Break

9:45 – 10:15 a.m. \_\_\_\_\_

10:15 – 10:45 a.m. \_\_\_\_\_

10:45 – 11:15 a.m. \_\_\_\_\_

11:15 – 12:00 p.m. **Conflicts with City Council and City Staff**, Chris Duncan, Duncan Law Firm (.75 hours ethics)

12:00 p.m. **Adjourn**

Speaker	Topic
<i>Trey Lansford and Kurt Banowsky</i> City of Garland	<p><b>Ethics.</b> Ethics presentation regarding general legal ethics, including alternative roles an attorney may have or play within a given lawsuit.</p> <p><b>Common Human Resources Issues.</b> Common Human Resources issues, including the hiring process and the in-house attorney's role in investigation and decision making.</p>
<i>Rebecca Hayward</i> Denton, Navarro, Rocha, Bernal & Zech P.C.	<p><b>Labor and Employment.</b> Recent legal updates in Labor and Employment. PWFA/PUMP, recent cases, etc.</p>
<i>George Hyde</i> Hyde Kelley LLP	<p><b>Contracts: When Things Go Wrong.</b> I have several cases pending before the 3<sup>rd</sup> Court of Appeals and Texas Supreme Court that are fully briefed, waiting on decisions regarding the impact to multi-million dollar contract when there is no City Council Authority to enter contracts, and the contracting party failed to meet statutory requirements such as the anti-Israel Boycott provision, Ethics filing requirement in local government contracts and failing to get AG approval to issue \$14M of PID bonds using an out-of-state issuer (which the Texas AG says is a no-no).</p> <p>Legacy Hutto, LLC v. City of Hutto, Texas (Pending in the Texas Supreme Court) Failure to obtain City Council authority and failure to file Ethics Disclosure</p> <p>River Creek Local Government Corporation v. Texas Attorney General, et. al (3<sup>rd</sup> Court of Appeals) Failure to obtain Texas Attorney General approval for issuing debt by LGC</p> <p>Wolverine Interests LLC v. City of Hutto, Texas (Williamson County District Court) Failure to file Ethics Disclosure / include Anti-Israeli clause.</p> <p>Cottonwood Development Corporation v. Longhorn Title Co. (3<sup>rd</sup> Court of Appeals) Closing a \$15M loan in conflict with terms of Loan Agreement, failure to obtain LGC Board and City Council authority.</p> <p>Preston Hollow Capital LLC v. Cottonwood Development Corporation (3<sup>rd</sup> Court of Appeals) Failure to obtain LGC Board and City Council authority to close \$15M, loan.</p>
<i>Arturo Michel</i> City of Houston <i>Sandy Hellums-Gomez</i> Husch Blackwell	<p><b>Revitalizing Cities: Tools for Innovative Development.</b> This presentation will examine legal tools such as P3s, economic development, and interlocal cooperation to create more dynamic cities regardless of the size.</p>
<i>Katie Leininger</i> City of Pearland	<p><b>Administrative Search Warrants for Beginners.</b> The presentation would be in the context of a case study. My idea was to explain how 18.05 warrants work by talking through an administrative warrant search we had a few years ago that was pretty wild. We had an unusually combination of complaints and violations forming the basis for seeking the warrant in the first place, and then we observed even more wide-ranging types of violations than staff expected.</p>

	<p>Among other concerns at the property, people were living there after power and water had been shut off, so they had mounted a generator in the attic that was creating carbon monoxide issues, there were tires piled to the ceiling in the living room, and two large potbelly pigs were living in the master bedroom closet.</p>
<p><i>Joshua D. Katz</i> Bickerstaff Health Delgado Acosta LLP</p>	<p><b>Take This Job and Shove It.</b> This presentation will address what to do when your city’s elected official resigns, changes their mind about resigning, gets charged with a crime, or moves out of town.</p> <p><b>MUDs, ETJ, and Other TLAs (Three Letter Acronyms).</b> Developers are pursuing Municipal Utility Districts more than ever, and recent changes in Texas law regarding your city’s extraterritorial jurisdiction (ETJ) may make it easier to set one up. Can a city still have any say in large-scale developments within its ETJ, or is that a thing of the past?</p>
<p><i>Gregory D. Miller</i> Bickerstaff Health Delgado Acosta LLP</p>	<p><b>Public Facility Corporations.</b> This presentation will provide an overview of Public Facility Corporations with particular emphasis on multifamily housing developments.</p>
<p><i>Philip B. Arnold</i> Bickerstaff Health Delgado Acosta LLP</p>	<p><b>Ultra Vires Claims.</b> An ultra vires claim is a suit that alleges that a government official acted without legal authority or failed to perform a purely ministerial act – it is a suit against an individual rather than the government and is an exception to governmental immunity. This presentation includes an introduction to ultra vires claims, a discussion of the leading cases, and tips on how to fight an ultra vires claim.</p> <p><b>Qualified Immunity.</b> 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.</p> <p><b>Changing Access to Property as Part of a Road/Highway Construction Project.</b> 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 the location 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.</p> <p><b>Sign Regulation After the City of Austin Supreme Court Decision.</b> The U.S. Supreme Court recently issued a decision that denied 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><i>Melissa H. Crawford and Robin Cross</i> Messer Fort</p>	<p><b>Title VII and ADA update:</b> Over the last year, the 5<sup>th</sup> Circuit and SCOTUS have either issued opinions or heard arguments which may drastically change the landscape for employers managing discrimination claims. For example, significant religious accommodation cases have reshaped the terrain for religious exercise in the workplace. The 5<sup>th</sup> Circuit has altered long-standing precedent, abandoning the “ultimate employment action” standard for Title VII</p>

	<p>actions. The US Supreme Court heard arguments this term to determine whether a Title VII plaintiff would have to show damages to maintain a cause of action. While there are also notable ADA decisions, most courts analyze the ADA and Title VII under similar or identical legal standards.</p>
<p><i>Jamie Maudlin and/or Thomas Brocato</i> Lloyd Gosselink Rochelle &amp; Townsend, P.C.</p>	<p><b>Stop the Rate Cases! – Why in an Era of Streamlined Regulation Cities are Seeing More Utility Rates Cases Than Ever.</b> Over the past 15 years, electric and gas utilities have successfully lobbied the legislature to adopt legislation increasing the number of rate case applications while reducing the amount of oversight. As regulatory authorities and ratepayers, cities have an important role in the ratemaking process. This presentation will explain the legislative changes, the types of cases being filed and what action cities need to take to be prepared for these complicated and confusing matters.</p> <p><b>Electric, Gas, Water Utility Update.</b> As regulatory authorities, ratepayers and public entities, cities are uniquely impacted by changes in utility rates. This presentation will provide a summary of rate and regulatory filings over the past year and the impact on cities. In addition, it will address important changes within the ERCOT market and provide a preview of upcoming regulatory filings that will impact cities.</p>
<p><i>Kristi Skillern</i> City of Lufkin</p>	<p><b>Transitioning from a litigator to a city attorney.</b> Examples of things handled:</p> <ul style="list-style-type: none"> <li>An animal control tech who took a racoon home</li> <li>Fire Department personnel who are abusing WC and the leave policies in Civil Service (Changes in policies relating to sick leave accruals)</li> <li>Two officer-involved shootings and how to get ahead of the media fallout (policy of transparency)</li> <li>A council member who resigned to run and the law regarding same</li> <li>A director who was terminated for a relationship with a subordinate and how we changed our Disciplinary policy.</li> <li>Dealing with BYOB venues and the ordinance I wrote to regulate them</li> </ul>
<p><i>Derra Purnell</i> Best Best &amp; Krieger</p>	<p><b>Housing Finance Corporations: The Good, the Bad and the Ugly.</b> Across the country there is an affordable housing crisis, and our Texas cities are no exception. Municipalities and counties are experiencing the pressure to develop affordable housing at a record rate. As the need for housing escalates, cities will need to leverage all possible sources of financing that are available. Housing Finance Corporations (HFCs) often play a crucial role in filling this financial gap. However, HFCs come with their own legal, political and ethical challenges for local government attorneys. This presentation will discuss the legal relationship between an HFC and the governing public agency, the statutes that guide that relationship, and best practices for favorable interactions, along with pitfalls to avoid. This presentation will also provide a high-level overview of “standard” HFC and affordable housing transactions to assist general counsel city and county attorneys with advising their clients on these types of transactions.</p> <p><i>Note:</i> This presentation can be ethics-focused to provide MCLE ethics credit, or focused on best practices, depending on TCAA’s needs for the conference agenda.</p>

<i>Ryan Henry</i> Law Offices of Ryan Henry, PLLC	<ul style="list-style-type: none"> <li>• Making your ordinances constitutional again – Dos and Don'ts</li> <li>• Charter Amendments – What Your City Secretary Wishes You Knew</li> <li>• Ordinance Writing and Statutory Construction</li> <li>• Short-Term Rentals and the Changing Landscape</li> <li>• Leveraging the Power of Your Municipal Court</li> <li>• Sign Ordinances</li> </ul>
<i>Andrew Devine</i> Law Offices of Ryan Henry, PLLC	<ul style="list-style-type: none"> <li>• Public Information Act Updates</li> <li>• Updates under Title VI – Transportation Assurance</li> <li>• Essential Contract Clauses – Pros and Cons</li> </ul>
<i>Snapper Carr</i> Focused Advocacy	Legislative or litigation pertaining to legislative matters.
<i>Julie Doshier</i> Wyatt Hamilton Findlay, PLLC	Local Option Alcohol Elections: Statutory Requirements and the Role of the City Attorney.
<i>Chris Duncan</i> Duncan Law Firm	<p><b>Conflicts with City Council and City Staff.</b> The presentation will be an examination of difficult conflicts of interest regarding the City Attorney, Individual Council Members, and City Staff. These issues are based on real-life situations that I faced including:</p> <ol style="list-style-type: none"> <li>1. City claim against a council member for illegally taking \$250,000 of city funds.</li> <li>2. City manager/City Secretary making false written statements to the AG's Office in response to an AG investigation</li> <li>3. City Manager and Mayor requesting the City Attorney to hide information from the City Council.</li> <li>4. City council member making threats of physical violence toward the City Attorney</li> <li>5. Slashing city attorney's car tires, and City attorney house set on fire.</li> </ol> <p>In addition to the shocking course of events, these facts present serious questions of ethics, and faithful compliance to identify and represent your true client. I will go through the Texas Rules of Disciplinary Conduct and notes to analyze the ethical duty of the City. I would also like to ask questions of the audience to give their opinion about the proper course of action under each complicated fact scenario.</p> <p>When small town politics spin crazy, out of control, you must clearly identify your client and hold steady to your ethical duties.</p>
<i>Judith El Masri</i> Randle Law Office Ltd., L.L.P.	<p><b>Sovereign Citizens and Your Local Government.</b> Sovereign citizens believe in anti-government conspiracy theories and have historically been rooted in racism. Sovereign citizens intentionally frustrate law enforcement agencies, judges, judicial staff, elected officials, municipalities, and municipal employees. All city attorneys need to advise their clients that sovereign citizens are capable of terrible violence and no person that purports to be a sovereign citizen should be underestimated regarding such capability.</p>

<i>Julian Grant</i> City of San Marcos	<b>Prayer at local government meetings.</b> We had the Satanic Temple give a very controversial invocation last year. So the city attorney and I had a lot of discussion on how best to approach this type of issue in the future. It could add some Establishment clause topics as well if desired.
<i>Jonathan Koury</i> City of Bryan	The first is First Amendment Auditors, not just for police anymore. The second is an ethics presentation – Ethics of Writing Ethics Policies. The third would be Real Estate for City Attorneys.
<i>Matthew Boyle</i> Boyle & Lowry, L.L.P.	I would be glad to present an update on Short-Term Rental litigation and regulations based on our Grapevine case being back before the trial court on the merits, plus the new legislative issues relating to HB 2127 and Section 211.019 of the Local Government Code. We can and would also address the pending litigation with Ft. Worth and Dallas regarding their STR ordinances.
<i>Savita Rai and Samuel Adams</i> City of San Antonio	<ol style="list-style-type: none"> <li>1. Nuisance Litigation (Chs. 125 [criminal] &amp; 54 [code]);</li> <li>2. Administrative Warrants</li> <li>3. XTC: A Case Study - SOB &amp; Criminal violations intersecting with Certificate of Occupancy violations</li> <li>4. SOB Litigation</li> </ol>
<i>Laura Mueller</i> Dripping Springs	Recent state cases.
<i>Violet Sullivan</i> Redpoint Cybersecurity	<b>Artificial Intelligence (AI)- impact on legal issues, ethical, compliance problems, PRIVACY and Cybersecurity.</b>
<i>Bobby Debelak</i> McDowell Hetherington LLP	<b>Robert Moses and the Use of Eminent Domain in Development of NYC.</b> This presentation discusses how one man used eminent domain power to make an enormous and everlasting impact on the development of New York City. The Big Apple owes virtually all of its major infrastructure development in the 20th Century to one individual: Robert Moses. Though Moses was never elected to any office, he wielded an astounding amount of control over public works for five decades, starting in the mid-1920s through the mid-1970s. Moses personally decided when and where to build bridges, parks, highways, and housing projects throughout the five boroughs of New York City, forever changing how New Yorkers lived, worked, and played. His illustrious and infamous career provides a fascinating story of money, power, politics, and the role of government takings in a democracy.
<i>Allison Bastian-Rodriguez</i> Denton, Navarro, Rodriguez, Bernal, Santee & Zech P.C.	<b>“Dive” (since it would be summer... swimming pool... ha) into the nuts and bolts of purchase and sale agreements, and/or deeds.</b> Best practices... what all the provisions mean.
<i>Joel Oster</i> <i>Brian Hermanson</i> <i>Pamela Turner</i>	<p><b>"The Murdaugh Murder Trial: Ethical Violations to Murder"</b> – an extraordinary Continuing Legal Education program that delves into the riveting case that shook the legal world. Don't miss this extraordinary opportunity to gain invaluable insights into the complex interplay between ethics, addiction, and the criminal justice system.</p> <p>Prepare to be enthralled as Joel Oster, the renowned "Comedian at Law," takes you on a unique exploration of the Murdaugh murder trial. Through his signature blend of wit and legal expertise, Joel will provide a fresh perspective on</p>

	<p>this high-profile case, offering invaluable insights into the ethical violations that unfolded. Witness the drama and intrigue as key courtroom moments are discussed and reviewed.</p> <p>You won't want to miss the powerful contributions of our esteemed guests. <i>Brian Hermanson, President of the Oklahoma Bar Association</i>, shares his firsthand knowledge of trying a high-profile criminal case, shedding light on the immense pressure and ethical dilemmas faced by attorneys in such circumstances.</p> <p>Joining us is Pamela Turner, a respected substance abuse nurse, who explores the profound impact of addiction on an individual's behavior and decision-making process. By drawing connections between Mr. Murdaugh's ethical misconduct and his battle with addiction, this underscores the chilling link between professional misconduct and the tragic murder of his wife and son.</p>
<i>Jose de la Fuente</i> Lloyd Gosselink	<b>Injunction, mandamus, and specific performance: equitable relief, discussed equitably</b> – The power to compel a party to do something or to prevent a party from taking an action are among the greatest powers courts have. This presentation examines the requirements and procedures involved both in seeking or resisting equitable relief, particularly in light of cities' governmental immunity.
<i>James Parker and Gabrielle Smith</i> Lloyd Gosselink	<b>The legal risks and potential liability of municipalities in natural disasters; from floods to freezes, and what the governor has to say about it</b> – Significant natural disasters affecting the State of Texas over the past several years have highlighted the legal risks cities may face based on their response to the disaster, from taking-by-flood claims to multi-billion-dollar lawsuits alleging property damage and personal injury arising from the power outages during Winter Storm Uri, with recent appellate decisions helping to define the circumstances and limitations of such risks. Additionally, a 2023 Supreme Court of Texas opinion established limits on a city's power to address natural disasters in light of the governor's parallel authority to manage disasters. This presentation offers guidance for municipal disaster planning and response in light of these risks and limitations.
<i>James Parker and Gabrielle Smith</i> Lloyd Gosselink	<b>Validation of municipal bonds/debt: Chapter 1202, Chapter 1205, and the advantages and pitfalls to both processes</b> – Legal challenges to publicly financed projects are a risk faced by any entity issuing public debt, and the landscape for obtaining validation of public debt to avoid or defeat those challenges has changed, both at the Attorney General's office and in the courthouse. Those changes present uncertainty and risk to large and expensive public projects. Planning ahead can help cities issue debt and pursue projects the right way, to both serve their constituents and avoid costly and risky legal challenges.

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**Texas City Attorneys Association**  
Profit and Loss Statement  
For the Five Months Ending November 30, 2023

	September	October	November	YTD	Budget	Favorable (Unfavorable) Variance
Membership Dues	\$703.20	\$7,378.14	\$1,686.62	\$31,032.35	\$37,920.00	(\$6,887.65)
Investment Income	384.11	390.99	497.69	2,077.15	2,000.00	77.15
Semi-Annual Meeting (Summer)					79,800.00	(79,800.00)
Sponsor Revenue					70,000.00	(70,000.00)
Riley Fletcher Seminar			1,790.00	1,790.00	19,000.00	(17,210.00)
CML Revenue		96.02	143.78	132.88	300.00	(167.12)
Webinar Revenue		480.00	63.44	543.44		543.44
<b>Total Revenue</b>	<b>1,087.31</b>	<b>8,345.15</b>	<b>4,181.53</b>	<b>35,575.82</b>	<b>209,020.00</b>	<b>(173,444.18)</b>
Professional Fees		590.00		590.00	1,100.00	510.00
Postage	152.46		80.48	232.94	400.00	167.06
Boards and Committees	129.00	83.25	129.00	774.93	4,248.00	3,473.07
Semi-Annual Meeting (TML)	982.92	4,111.87	222.17	7,708.41	20,766.00	13,057.59
Semi-Annual Meeting (Summer)	562.58	704.10	562.58	8,189.24	100,015.00	91,825.76
Riley Fletcher Seminar	261.58	261.58	261.58	1,307.90	13,794.00	12,486.10
Public Relations					300.00	300.00
IMLA Scholarships			5,741.32	5,741.32	8,000.00	2,258.68
IMLA Small Cities Membership Contributions					3,000.00	3,000.00
TCAA Municipal Law Conference Scholarship	10.75	10.75	10.75	53.75	129.00	75.25
TCAA Sponsorship Coordination	35.83	35.83	35.83	179.15	430.00	250.85
Printing and Reproduction		54.45		54.45	350.00	295.55
Newsletter	1,462.00	1,462.00	1,462.00	7,310.00	17,544.00	10,234.00
Awards & Recognition				155.77	1,300.00	1,144.23
Office Supplies		59.66		59.66	100.00	40.34
LisTCAA Listserve	57.33	57.33	57.33	286.65	688.00	401.35
Web Site Expenses	171.27	155.51	294.86	2,598.84	3,032.00	433.16
Miscellaneous			239.32	645.61	3,000.00	2,354.39
TCAA Affiliate Groups	7.17	7.17	7.17	35.85	586.00	550.15
Other Association Sponsorships				500.00	1,500.00	1,000.00
Administrative Services	528.50	2,160.50	800.50	11,006.50	13,618.00	2,611.50
<b>Total Expenses</b>	<b>4,361.39</b>	<b>9,754.00</b>	<b>9,904.89</b>	<b>47,430.97</b>	<b>193,900.00</b>	<b>146,469.03</b>
<b>Net Income (Loss)</b>	<b>(3,274.08)</b>	<b>(1,408.85)</b>	<b>(5,723.36)</b>	<b>(11,855.15)</b>	<b>15,120.00</b>	<b>(26,975.15)</b>
Beginning Net Assets				220,854.94		
Ending Net Assets				208,999.79		

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**From:** Rachael Pitts <rpitts@tml.org>  
**Sent:** Monday, January 22, 2024 4:01 PM  
**Subject:** TML Policy Summit Delegates for Affiliates

HI Affiliate Directors on the TML Board,

We need each TML affiliate group represented at the 2024 TML Municipal Policy Summit. The summit plays a key role in developing the TML legislative program.

The TML Municipal Policy Summit will meet on August 12-13, 2024 in Austin. TML President Tito Rodriguez will make appointments to the summit.

**Please send me your affiliate's suggestion by February 23.**

Below is an overview of TML's legislative process. Feel free to contact me with any questions.

Texas Municipal League (TML) advocacy efforts are based on a legislative program that is developed by member city officials. The program is essential to the legitimacy of the League's advocacy efforts. To develop the program, city officials provide input in primarily two ways.

First, member city officials can participate in the League's Municipal Policy Summit during each interim. The report of the Summit takes the form of a resolution that is submitted to the annual conference. The goal of the committee process is two-fold: (1) it allows input on the legislative program from a broad cross section of cities and city officials; and (2) it educates new city officials to the legislative issues faced by cities. The Summit participants will be appointed by the TML president in early 2024 based on volunteers and others chosen to balance the demographics of the TML membership at large. The report of the Summit will take the form of a resolution that is submitted to the annual conference in interim years.

The Summit is an intensive, two-day workshop during which League staff briefs the participants on the myriad legislative issues faced by cities. Most are issues that arise each session, but several consist of solicited or unsolicited issues brought by city officials. Even if no changes are recommended to the fixed program, which is an unlikely prospect, staff will fulfill its educational goal through continued briefing on the issues. After each subject-matter briefing, the participants make concise recommendations on the issues. Those recommendations are placed into resolution form and submitted to the League's annual business meeting, discussed next.

Second, a member city, TML region, or TML affiliate may submit a resolution for consideration at the business meeting of each year's annual conference. Each city is asked to provide one delegate to serve as its liaison at the meeting. The delegates will be briefed on the content of the resolutions and given a chance to discuss and vote on whether they merit inclusion in the legislative program. The resolutions form the basis of a fixed legislative program, under which – each session – modifications to the program will be made as needed.

The somewhat complex policy development process is necessary to ensure that the League advocates as directed by its members. The League is nothing without the involvement and expertise of its members, and participation in the process is an invaluable part of protecting municipal authority.

Rachael Pitts  
Deputy Executive Director, Affiliate and Member Services  
Texas Municipal League (TML)  
1821 Rutherford Lane, Suite 400, Austin, TX 78754  
[rpitts@tml.org](mailto:rpitts@tml.org) / 512-231-7472 / [www.tml.org](http://www.tml.org)

*Empowering Texas cities to serve their citizens*

TAB

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## Resigning from Board Position

Victoria Huynh <Victoria@plano.gov>

Mon 1/29/2024 3:39 PM

To:Evelyn Njuguna <evelyn@tml.org>;Frank Garza <fgarza@dtgrglaw.com>;Jennifer Richie <JenniferR@wacotx.gov>; Julie Fort <julie@txmunicipallaw.com>;Kuruvilla Oommen <koommen@cityofirving.org>;Laura Mueller <lmuelles@cityofdrippingsprings.com>;Maleshia McGinnis <mmcginnis@nrhtx.com>;Ron Stutes <rstutes@wilsonlawfirm.com>;Sharae Reed <Sharae.Reed@BeaumontTexas.gov>;Slater Elza <Slater.Elza@uwlaw.com>; vaflores@missiontexas.us <vaflores@missiontexas.us>  
Cc:Miguel Martinez <miguel@tml.org>;Amber McKeon-Mueller <Amber@tml.org>

Good afternoon TCAA Board and Evelyn,

I have just accepted the Human Resources/Risk Management/Civil Service Director position with the City of Plano. I'm super excited about the new opportunity but sad that I need to resign from the TCAA Board. However, I understand I must do so per Board rules. I have enjoyed serving on the Board with you all.

I wish you all continued success!

Best regards,  
Victoria



**Office of City  
Attorney**

**Victoria Huynh**  
Deputy City Attorney

1520 K Avenue, 3rd Floor  
Suite 340, Plano, Texas 75074  
T 972.941.7313  
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*Connect with us*




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## Application for TCAA

Aguirre, Sam <SAguirre@sanmarcostx.gov>

Wed 8/23/2023 4:30 PM

To:Evelyn Njuguna <evelyn@tml.org>

 2 attachments (68 KB)

TCAA Board Application Supplement.docx; 2021-TCAA-Board-Application-Form.pdf;



**Sam Aguirre**

City Attorney I Legal

630 E Hopkins, San Marcos, TX 78666

512.393.8154

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**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

The TCAA Constitution provides that the President of the Association shall appoint a nominating committee of at least three persons, who, at the annual meeting of the Association (the fall meeting), shall submit nominees for Association officers. By custom, one Director position becomes available and is filled with a new nominee each year, while each current officer succeeds to the next highest office. The Director position is filled by a majority vote of the membership present and voting.

By completing and submitting this application, I hereby attest to the following:

- I am interested in serving on the TCAA Board of Directors (Board) and wish to be so considered.
- I am an “active member” (defined by the TCAA Constitution as “*any person duly licensed to practice law in this state who have been duly elected or appointed to the office of city attorney or assistant city attorney of a city, town, or village which is an active member of the Texas Municipal League*”) in good standing with TCAA.
- I understand that service on the Board requires that I attend several meetings during the course of a year, including:
  1. Winter Board meeting (January or February, typically in Austin or President’s home town)
  2. Summer Conference (June at different locations throughout the state)
  3. Fall Conference (fall at different locations throughout the state).
- I understand that Board service typically lasts for several years (typically 8-10 years) as current Board members are customarily re-nominated for service in successively higher positions that often culminate with service as President.
- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

Name: Samuel J. Aguirre

Position: San Marcos City Attorney

Address: City of San Marcos, 630 East Hopkins Street, San Marcos Texas 78666

Phone: (512) 393-8151

Email: saguirre@sanmarcostx.gov

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.



## Samuel Aguirre: TCAA Board Application Supplement

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### MUNICIPAL LAW EXPERIENCE

- ☐ Recently appointed San Marcos City Attorney following 18 years as an assistant city attorney, advising the city council, management and staff.
- ☐ Significant experience with and knowledge of full range of substantive legal areas affecting municipalities, e.g., Open Meetings Act, Public Information Act, land use and zoning, procurement, conflicts of interests, employment, contracts, real estate and eminent domain.
- ☐ Experience with issues in cities with universities or colleges, ranging from drafting agreements with state university systems to writing ordinances addressing student impacts on single-family neighborhoods, parking and noise.
- ☐ Negotiated and drafted multiple Chapter 380 economic development incentive agreements.
- ☐ Prosecuted dangerous dog cases and code enforcement proceedings involving unsafe structures and other nuisances.
- ☐ Municipal court Class C misdemeanor prosecution experience.
- ☐ Drafted numerous ordinances and ordinance amendments on a wide range of subjects.
- ☐ Drafted numerous interlocal agreements with state university systems, counties and municipalities.
- ☐ Handled land and easement acquisitions for various purposes such as drainage, water, wastewater and electric utilities, and rights-of-way, parks and cemeteries, including matters requiring the use of eminent domain.
- ☐ Handled the disposition and leasing of city owned land, including airport hangars, in compliance with state law and city charter provisions.
- ☐ Experience with federally funded projects, including HUD and FTA funded programs.

### MUNICIPAL LAW EMPLOYMENT HISTORY

- |              |  |
|--------------|--|
| 5/23-Present | <b><i>City of San Marcos, Texas, City Attorney.</i></b> Advise and represent city council, boards and commissions, and department managers and staff in all departments.   |
| 12/22-4/23   | <b><i>City of Seguin, Texas, City Attorney.</i></b> Advised and represented city council, boards and commissions, and department managers and staff in all departments.  |
| 2008-11/22   | <b><i>City of San Marcos, Texas, Assistant City Attorney.</i></b> Advised city council, boards and commissions, and department managers and staff in all departments. <ul style="list-style-type: none"><li>▪ Primarily responsible for land use matters, serving as the attorney liaison for the Planning and Zoning Commission, the Historic Preservation Commission and the Zoning Board of Adjustments. Backup to the City Attorney for city council meetings in his absence.</li><li>▪ I drafted <i>all</i> Chapter 380 economic development incentive agreement for the Amazon fulfillment center and the Springtown mixed-use residential and retail redevelopment, among other projects. I handled all land acquisitions for the city, including acquisitions for TXDOT funded projects.</li><li>▪ I handled the acquisition of 100's of acres of permanent green space for habitat and aquifer protection using federal, state, and other funding sources, including Texas Water Development Board funding.</li></ul> |
| 2005-2008    | <b><i>City of Bryan, Texas, Assistant City Attorney.</i></b> Advised boards and commissions and department managers and staff in all departments on a wide range of municipal issues.<br><i>Supervisor: Michael Cosentino, City Attorney.</i> <ul style="list-style-type: none"><li>▪ I oversaw the assembly and acquisition from eight property owners of 300 contiguous acres of land to be donated by the city to the Texas A&amp;M University System for its new Health Sciences</li></ul>   |

Center Campus using an anonymous buyer's agent. The acquisitions were completed in six months in spite of having to clear numerous oil and gas interests and encumbrances to title.

- Drafted the incentive agreement to revitalize an aging baseball stadium to be operated by a private company as an entertainment venue and the new home of the Bryan Bombers, a summer collegiate baseball league.
- Drafted an agreement restructuring the terms of a development project between private developers and the City for the Traditions residential development and golf course.

## **REASONS FOR WISHING TO SERVE ON TCAA BOARD**

I began my municipal law career as an assistant city attorney for the City of Bryan in May, 2005. A month later, I attended my first TCAA summer CLE conference. While the course was invaluable, I was also impressed by the level of peer support offered by TCAA and its members.

As a newly appointed city attorney, I am looking for the opportunity to keep growing professionally and to help other municipal lawyers. I wish to contribute my time and experience to the organization that provided me with the tools and resources that enabled me to become a city attorney. I believe my past volunteer experience, combined with my municipal law experience could be beneficial to the TCAA board in managing the organization and in program and event planning. My previous volunteer leadership experience includes:

- ❑ Vice-president of the Dona Ana County, New Mexico Bar Association
- ❑ Board President of the River's Bend Childrens' Residential Treatment Facility
- ❑ Chair of the San Antonio Young Lawyers Association Pro Bono Committee
  - I established the Clear Title Pro Bono Project which was recognized as an outstanding pro bono project by the American Bar Association and the State Bar of Texas
- ❑ I was active as a member of the City of San Antonio Noise Ordinance Task Force and as a member of a stakeholder committee to evaluate and recommend amendments to the San Antonio Unified Development Code pertaining to historic preservation.


It would be an honor to serve on the TCAA board and to work with and assist my fellow colleagues.

## TCAA Board Application - Martin Buzak

Buzak, Martin - LGL <Martin.Buzak@houstontx.gov>

Fri 8/25/2023 1:27 PM

To:Evelyn Njuguna <evelyn@tml.org>

 1 attachments (430 KB)

TCAA-Board-Application-Form - Martin Buzak.pdf;

Hi, Evelyn. Hope you're doing well. I'm attaching my application and statement of interest for the vacant TCAA Board position. Thanks for your consideration.

Regards,  
Martin

### **Martin Buzak**

Chief, Contracts Section

City of Houston Legal Department

900 Bagby Street, 4th Floor

Houston, Texas 77002

[martin.buzak@houstontx.gov](mailto:martin.buzak@houstontx.gov)

832-393-6431 (O)

The information contained above or attached is privileged and/or confidential. If you received this data in error, please notify me, destroy all copies immediately and do not copy or distribute the information.

**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

The TCAA Constitution provides that the President of the Association shall appoint a nominating committee of at least three persons, who, at the annual meeting of the Association (the fall meeting), shall submit nominees for Association officers. By custom, one Director position becomes available and is filled with a new nominee each year, while each current officer succeeds to the next highest office. The Director position is filled by a majority vote of the membership present and voting.

By completing and submitting this application, I hereby attest to the following:

- I am interested in serving on the TCAA Board of Directors (Board) and wish to be so considered.
- I am an “active member” (defined by the TCAA Constitution as “*any person duly licensed to practice law in this state who have been duly elected or appointed to the office of city attorney or assistant city attorney of a city, town, or village which is an active member of the Texas Municipal League*”) in good standing with TCAA.
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  2. Summer Conference (June at different locations throughout the state)
  3. Fall Conference (fall at different locations throughout the state).
- I understand that Board service typically lasts for several years (typically 8-10 years) as current Board members are customarily re-nominated for service in successively higher positions that often culminate with service as President.
- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

Name: Martin Buzak

Position: Sr. Assistant City Attorney, Contracts Section Chief

Address: 900 Bagby St., 4th Floor, Houston TX 77002

Phone: 832-393-6431

Email: martin.buzak@houstontx.gov

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.

**Texas City Attorneys Association Board of Directors Application  
Statement of Experience and Interest**

**Martin Buzak**

I have practiced municipal law for my entire career, and I love it. As an assistant city attorney with the City of Houston Legal Department for the past 18 years, I have significant experience in all aspects of local government procurement and commercial contract negotiation. Currently, I have the privilege of leading the Contracts Section – sixteen attorneys and nine paralegals who handle much of the City’s transactional matters. I’ve been honored to receive the Legal Department’s Susan T. Taylor Award for exemplifying collaboration, mentoring, excellence, achievement, and continuing growth in attorneys and staff, and the Edward A. Cazares Award for Excellence and Professionalism in Municipal Law.

I want to serve on the Board because I believe in our shared mission as public servants of the cities we represent. I want to be more involved in the larger municipal attorney experience. I want to share knowledge and perspectives and to collaborate with others doing the same work. And I want to help bring greater awareness of the TCAA to my own office. I am ready to commit to the obligations required for service on the Board. Thank you for considering me.

Martin Buzak  
Senior Assistant City Attorney, Section Chief, Contracts Section  
City of Houston Legal Department  
900 Bagby Street, 4th Floor  
Houston, Texas 77002


## TCAA Board Member Application

Brandon Davis <bdavis@olsonllp.com>

Fri 8/25/2023 12:54 PM

To: Evelyn Njuguna <evelyn@tml.org>

Cc: Art Pertile <apertile@olsonllp.com>; sharae.reed@beaumonttexas.gov <sharae.reed@beaumonttexas.gov>; Kuruvilla Oommen <koommen@cityofirving.org>

 1 attachments (172 KB)

Brandon Davis TCAA Board Application.pdf;

Evelyn,

Attached, please find a copy of my application for a position on the TCAA Board of Directors. Please feel free to email or call me at (936)402-4238 if you have any questions.

Sincerely,  
Brandon Davis

**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

The TCAA Constitution provides that the President of the Association shall appoint a nominating committee of at least three persons, who, at the annual meeting of the Association (the fall meeting), shall submit nominees for Association officers. By custom, one Director position becomes available and is filled with a new nominee each year, while each current officer succeeds to the next highest office. The Director position is filled by a majority vote of the membership present and voting.

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  3. Fall Conference (fall at different locations throughout the state).
- I understand that Board service typically lasts for several years (typically 8-10 years) as current Board members are customarily re-nominated for service in successively higher positions that often culminate with service as President.
- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

Name: Brandon Davis

Position: Attorney, Olson & Olson, LLP

Address: 1517 Trinity St, Liberty, TX 77575

Phone: (936) 402-4238

Email: bdavis@olsonllp.com

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.

## **TCAA Board of Directors Application**

**Brandon Davis**

### **Brief description of municipal law experience:**

My name is Brandon Davis, and I am an attorney with Olson & Olson, LLP, in Houston and Liberty. Since I began practicing municipal law in 2009, I have served as the city attorney or assistant city attorney for the cities of Liberty, Dayton, Devers, Daisetta, Dickinson, Edna, and Ames. I also represent the Liberty Community Development Corporation and the Dickinson Economic Development Corporation, and I have had the pleasure of representing the cities of Baytown and Anahuac on special projects over the years.

During my time as a city attorney in a rapidly growing region of Texas, I have had the opportunity to work on projects to help cities manage and leverage this population and economic growth, such as negotiating residential and commercial developments. I have helped create and manage multiple public improvement districts (PIDs), tax increment reinvestment zones (TIRZs), and municipal utility districts (MUDs). Additionally, I have worked with a developer to create a large industrial logistics park that we hope will eventually result in the creation of thousands of new jobs in one of the cities that I represent. In order to make that development a reality, we had to create a TIRZ and MUD over the same property and convince the developer to voluntarily annex into the city—this project went well beyond Municipal Law 101.

In an effort to drive new development within one of the cities I represent, I helped create and manage one of the first municipally-owned fiber internet utilities in the state of Texas. Other tools that I have used over the years to encourage development include annexations (both voluntary and involuntary), industrial district agreements, tax abatements, and chapter 380 economic development agreements. I have also worked with Type B Corporations to negotiate and prepare grant agreements as allowed by law for those entities.

One of my favorite things about being a municipal attorney is the variety of tasks and projects that I get to work on. A large part of my time over the years has been spent working with cities on personnel matters. I've negotiated and drafted both separation agreements and new hire agreements for city managers. On multiple occasions I've investigated personnel complaints and provided legal advice to staff and city council regarding those investigations. There are days when



I feel more like an employment law attorney than a city attorney due to the time spent on employment issues.

During my time as a city attorney, I have attended hundreds of city council meetings, board meetings, and planning and zoning meetings providing legal advice on various items. A large part of my job has included providing training and advice to city council members on everything from developments, open meetings act rules, tax rate adoptions, and local politics.

As the sole city attorney for most of my clients I have had to know a little bit about everything in order to provide them with the best legal advice. I've interacted with local citizens and prepared hundreds of letters to the Attorney General regarding public information act requests. I've dealt with both the local and national news media on various situations involving my clients. As a city attorney I have also prepared ordinances, resolutions, negotiated real estate transactions and other contract matters for the city, handled nuisance abatement issues, and prosecuted both civil and criminal matters in municipal court.

Additionally, at the 2023 TCAA Summer Conference in San Antonio, I presented on the topic of "Working with Delinquent Tax Collection Attorneys to Help Clean Up the City," in which I demonstrated the law and practical considerations for using the delinquent tax collection process to assist with municipal abatement efforts. I had a unique perspective on this topic due to the fact that I work as both a city attorney and a municipal tax collection attorney for many of my clients.

**Brief description of reasons for wishing to serve on the TCAA Board of Directors:**

Ever since I attended my first TCAA Summer Conference in South Padre, it has been a goal of mine to serve on the TCAA Board of Directors. I have learned so much and built so many relationships by attending the TCAA summer and fall conferences over the past fourteen (14) years, and serving on the TCAA Board would allow me to give back to the organization that has meant so much to my career.

As the field of municipal law seems to be growing and changing daily, I would love the opportunity to help TCAA grow and change along with it. Prior to joining Olson & Olson in 2021, I spent the previous 12 years practicing municipal law as a solo practitioner in Liberty County. As a solo practitioner, I often had to figure things out on my own, and I greatly benefitted by having the information I learned from the TCAA seminars and the connections I made through TCAA as a resource. On a personal note, I met my mentor, former TCAA President Art Pertile, at one of the TCAA conferences. That relationship developed into me eventually joining Olson & Olson as an attorney. Serving as a TCAA Board Member would give me the opportunity to mentor and be a resource for other attorneys.

I feel like my background as a municipal attorney, as well as my relationship with Olson & Olson, which currently represents more than forty (40) clients in the greater Houston area, would add a needed perspective to the TCAA Board. Texas is a very large and diverse state, and I feel like it would be beneficial to have a representative on the TCAA Board from the greater Houston area. I would love to represent the greater Houston area as a TCAA Board member.

Finally, I believe that serving on the TCAA Board of Directors truly is a service to TCAA, to my firm, and to my clients, and I intend to serve by being active and engaged with the TCAA board meetings and conferences, as well as the day-to-day governance of the organization.

I appreciate your consideration of my application to the TCAA Board of Directors, and please let me know if you need anything else.

Sincerely,

*Brandon Davis*


Brandon Davis

**FW: TCAA Application**

Dick Gregg Jr. <dgreggj@gregg-gregg.com>

Wed 8/23/2023 12:03 PM

To: Evelyn Njuguna <evelyn@tml.org>

 1 attachments (100 KB)

20230823115945.pdf;

To: Evelyn Njuguna

See enclosed Application Form. Please acknowledge receipt.

---

**From:** Gay Meldrum <gmeldrum@gregg-gregg.com>

**Sent:** Wednesday, August 23, 2023 11:57 AM

**To:** Dick Gregg Jr. <dgreggj@gregg-gregg.com>

**Subject:** TCAA Application

Gay Meldrum  
Office Manager  
[gmeldrum@gregg-gregg.com](mailto:gmeldrum@gregg-gregg.com)



16055 Space Center Boulevard  
Suite 150  
Houston, Texas 77062  
Phone: (281) 480-1211 Fax: (281) 480-1210  
[www.gregg-gregg.com](http://www.gregg-gregg.com)

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**\*\*ATTENTION PUBLIC OFFICIALS!!\*\***

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**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

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- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

Name: Dick H. Gregg, Jr.

Position: President, Gregg & Gregg, P.C.

Address: 16055 Space Center Blvd., Suite 150, Houston, Texas 77062

Phone: 281-480-1211

Email: dgreggj@gregg-gregg.com

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.

Description of Municipal Law Experience.

Current cities Dick H. Gregg, Jr., represents:

City of Nassau Bay (Attorney for original incorporation in 1970 and chronologically ever since);  
City of South Houston; and  
City of Webster.

Current cities the Firm represents with Dick H. Gregg, Jr., available as a partner:

City of Bayou Vista;  
City of Brookside Village;  
City of Clear Lake Shores; and  
City of Shoreacres.

Current cities the Firm provides municipal prosecution services:

City of Iowa Colony;  
City of Kemah; and  
City of Manvel;  
City of Nassau Bay; and  
City of Webster.

Current cities Dick H. Gregg, III provides Municipal Judicial services:

City of Dickinson;  
City of LaPorte;  
City of League City;  
City of Morgans Point; and  
City of Seabrook.

Cities where the Firm has been the City Attorney in the past:

Arcola;  
Kemah;  
League City;  
Pearland;  
Seabrook; and  
Simonton (solely as the lawyer for the incorporation of the City).

Description of Reasons to Serve on the Board.

With my years of experience and knowledge, I feel that I will bring valuable contributions to this organization.


A handwritten signature in blue ink, appearing to read "Dick H. Gregg, Jr.", is positioned below the text of the previous block.

## application form - TCAA Board

Mike Hayes <mike.hayes@kerrvilletx.gov>

Thu 8/24/2023 5:33 PM

To:Evelyn Njuguna <evelyn@tml.org>

 1 attachments (2 MB)

TCAA board submission\_082423.pdf;

Ms. Njuguna –

I have attached my application form and other information for membership consideration on TCAA's Board. Please let me know if you have any questions. Thank you.

Mike

**Michael C. Hayes** | City Attorney | City of Kerrville  
City Hall | 701 Main St. | Kerrville, Texas 78028  
T: 830.258.1115 direct | 830.257.8000  
[mike.hayes@kerrvilletx.gov](mailto:mike.hayes@kerrvilletx.gov) | [www.kerrvilletx.gov](http://www.kerrvilletx.gov)

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**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

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- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

Name: Michael C. Hayes

Position: City Attorney, City of Kerrville, TX

Address: City Hall, 701 Main St., Kerrville, TX 78028

Phone: (830) 258-1115 ofc; (830) 890-1350 cell

Email: mike.hayes@kerrvilletx.gov

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.



August 24, 2023

Dear Nominating Committee:

Ever since my 2<sup>nd</sup> year in law school (St. Mary's), I have gravitated toward service as a municipal attorney. My first experience in this area was working for a San Antonio law firm that mainly provided defense work for law enforcement officers. I was drawn to the stories of persons I thought of as really great law enforcement officers and persons, but whom through their actions in often super-charged, emotional situations that required split-second reactions, were now the subject of lawsuits. The work and the research I did was fascinating, along with the people I met.

After law school, I headed to El Paso for work in its city attorney office. On my first day there, I learned that the attorney who had essentially hired me, had been "pulled upstairs" for work as the mayor's chief of staff. That left me, fresh out of law school, to handle her files. Her files consisted of issues including employment (civil service and union matters); mass transit (I found myself representing Sun Metro not because I was experienced or capable, but because I kind of got lost in the shuffle!); and helping keep the fire department in line – which mostly consisted of reigning in the marshal's office, despite its noble intent. In El Paso, I worked for and with a bunch of outstanding attorneys, several of which I count on as mentors today and who have served on the TCAA Board.

Eventually, I followed one of those mentors to Houston for work with Olson and Olson. Olson and Olson afforded me a little more independence in the sense that I became the attorney that worked for various city boards and eventually served as city attorney for a few cities. I was called "Manvel Mike" for a while. While there, I learned one of the greatest lessons that a city attorney should know – there is no way you can know the answer to every legal question that arises during a meeting; and its complement – it is ok to say "I don't know. I need to get back to you on that issue?" A lesson I keep in mind still today and preach!

On one particularly bad commuting day, I threw my hat into the ring for the position as assistant city attorney in Kerrville. Eight months later my boss left (still a mentor!), and I was appointed city attorney.

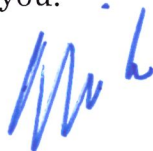
I have worked for Kerrville since 2001. During that time, I have done and seen it all, but can count on one hand, the number of truly bad days. Kerrville is a full-service home-rule municipality, with police and fire, utilities, and robust parks and recreation system – plus county government across the street, so there is that! There is never enough time to do all the work nor is there seemingly ever a month where I don't have to tackle a new issue. Fortunately, the City has budgeted for an



assistant, which I have been able to fill about half the time. My current assistant arrived with virtually no municipal law experience and so it's been enjoyable and rewarding trying to get him up to speed on the big-ticket items involved in our corner of law and to remember – there will be days and meetings where he does not know and it's alright to say so! Short of civil litigation, we handle nearly all of the legal work for the city. I am certified by both TCAA and IMLA.

If you have any questions or need additional information, please let me know.

Thank you.

A handwritten signature in blue ink, appearing to be "Mick", written in a cursive style.

August 24, 2023

Dear Nominating Committee:

Service on the board would be a great honor. I have not missed a summer or fall meeting since 2001, so I know first-hand what talented and passionate people serve or have served on the board. Based upon my experience, I know that the board does great work supporting its membership and the TML attorneys, planning TCAA events, deciding what issues to advocate for as to litigation or legislation, among its other activities. One reason I recommend that law students consider city attorney work is the incredible amount of camaraderie, support, and cooperation that exists among such attorneys. This is in no small part due to the work of the board. I believe that based upon my experience and tenure serving as city attorney for a city the size of Kerrville, I could bring unique views and understandings to the board's discussions and decision-making.

Please let me know if any questions. Thank you.


A handwritten signature in blue ink, appearing to read "Mike", is centered below the text.

## TCAA Board Application

Kinley Hegglund <kinley.hegglund@wichitafallstx.gov>

Fri 8/25/2023 10:00 AM

To:Evelyn Njuguna <evelyn@tml.org>

 1 attachments (242 KB)

Hegglund-TCAA-Board-Application-Form 2023.pdf;

Please find attached my TCAA board application. Thank you.

--

**R. Kinley Hegglund, Jr.**  
**City Attorney**



(940) 761-7625

(940) 761-7626 fax

1300 7th Street

Wichita Falls, Texas 76307

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**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

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- I am an “active member” (defined by the TCAA Constitution as “*any person duly licensed to practice law in this state who have been duly elected or appointed to the office of city attorney or assistant city attorney of a city, town, or village which is an active member of the Texas Municipal League*”) in good standing with TCAA.
- I understand that service on the Board requires that I attend several meetings during the course of a year, including:
  1. Winter Board meeting (January or February, typically in Austin or President’s home town)
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- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

Name: Kinley Hegglund

Position: City Attorney, City of Wichita Falls

Address: 1300 7th Street, Wichita Falls, Texas 76301

Phone: (940) 761-7625

Email: kinley.hegglund@wichitafallstx.gov

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.

I am the City Attorney for the City of Wichita Falls. I've served in the Wichita Falls City Attorney's Office since May of 2000, first as the City Prosecutor, then as the Senior Assistant City Attorney, before being appointed City Attorney in 2014. I was licensed to practice law in Texas in 1999 and am also admitted as an attorney authorized to practice before the United States Court of Appeals for the Fifth Circuit as well as before the Supreme Court of the United States.

I was recognized by the International Municipal Lawyers Association as a Local Government Fellow in 2014 and was awarded the Susan Rocha Award for Outstanding Service by an Assistant City Attorney in June 2014 by the Texas City Attorneys Association.

### **Publications and Papers**

- ❖ *Contempt of Court for Texas Gang Injunction Violators. A novel approach to keeping gang members off the streets while they await trial in Wichita County*  
The Texas Prosecutor: March- April 2010, Volume 40, No. 2
- ❖ *The Implementation and Enforcement of Texas Gang Injunctions*  
Co-presenter & co-author with James McKechnie, Wichita Falls Asst. City Attorney  
2014 Code Summit
- ❖ *Injunctions Against Street Gangs- Constitutionality, Legality, and Methodology*  
Co-presenter & co-author with Miles Risley, Wichita Falls City Attorney  
International Municipal Lawyers Association  
IMLA 2012-77th Annual Conference
- ❖ *Municipal Court: The Basics*  
Co-presenter and co-author with Miles Risley, Wichita Falls City Attorney  
The Texas City Attorneys Association: 2010 Summer Conference

### **City Attorney for the City of Wichita Falls: November 2014- present**

- ❖ Legal advisor to the following:
  - Wichita Falls City Council
  - Wichita Falls Type A Sales Tax Corporation
  - Wichita Falls Type B Sales Tax Corporation
  - City/ County Hospital Board
  - TIFs #2 and #4 Citizen Advisory Committee
- ❖ Managed Legal Office consisting of 5 attorneys and 2 support staff (\$1,074,372 budget)
- ❖ City representative to Atmos Cities Steering Committee (ACSC)
- ❖ City representative to ONCOR Steering Committee
- ❖ Major Projects Completed
  - Convention Hotel via public/ private partnerships 2017-2022
  - Overhaul of City Sanitation Ordinance 2022
  - Revision of City Charter 2019-2020
  - Drafted and Passage of hands-free cell phone ordinance 2016
  - Drafted and Passage of Rideshare Ordinance 2016
  - Obtained Certification of Legal Office for Civil Law 2016
    - Texas City Attorney Association

## **Wichita Falls Senior Assistant City Attorney: December 2004- November 2014**

- ❖ Planning and Zoning Attorney
  - Legal liaison to Plats Committee: 2004- 2014
  - Legal advisor to Planning and Zoning Commission: 2004- 2014
  - Legal advisor to Board of Adjustments: 2004- 2016
- ❖ Transactional and Economic Development Attorney
  - Draft and review contracts and memorandums of understanding
  - Review all City Construction Contracts
- ❖ Ordinance drafting and review
  - Crafted Precious Metals Ordinance: 2014
  - Taxicab Ordinance: 2010
  - Tow Truck Ordinance: 2010
- ❖ Real Estate Attorney
  - Legal Advisor to City Property Administrator
    - Draft deeds, easements, leases, and conveyance documents
  - Legal advisor to City Lake Lot Coordinator
    - Review all lake lot leases
    - Drafted 2014 Lake Arrowhead Lease Agreement form
- ❖ Perform complex state and federal litigation, including appellate work
  - Lead Counsel on City Gang Injunction Litigation: 2005- 2014
    - *City of Wichita Falls v. Varrio Carnales Gang*: 2012
    - *City of Wichita Falls v. The Hoova Crips Gang*: 2011
    - *City of Wichita Falls v. The North Side Crips Gang*: 2009
    - *City of Wichita Falls v. The Puro Lil' Mafia Gang*: 2008
    - *The State of Texas v. The Varrio Carnales Gang*: 2006
  - Primary Attorney for Tort Claims Act Claims and lawsuits: 2004- 2014
    - Review and evaluate all personal injury claims
    - Negotiate and settle claims as appropriate
    - Litigate personal injury lawsuits when necessary
      - *Walter Bull v. City of Wichita Falls*: 2013
      - *Wichita Falls v. Romm*, Fort Worth Court of Appeals: 2010
  - Eminent Domain Attorney: 2004- 2016
    - Handle all condemnation legal work
    - Represent City in Special Commissioners hearings
      - *Wichita Falls v. Saison Hills Development, Inc.*: 2010
      - *City of Wichita Falls v. Gary Mahan*: 2009
    - Handle Inverse Condemnation Suits
      - *DTC, LLC (Dominos Pizza) v City of Wichita Falls*: 2012
- ❖ Supervised attorney under the Texas Open Records Act
- ❖ Assistant District Attorney: 2006- 2012 (related to gang injunction enforcement)
  - Wichita County Criminal District Attorney's Office

## **Wichita Falls Assistant City Attorney - Prosecutor: May 2000 - December 2004**

- ❖ Managed City Prosecutor's Office
- ❖ Prosecuted all Class C Misdemeanors for the City via jury and bench trials

My name is Kinley Hegglund, and I am interested in serving on the Board of Directors of the Texas City Attorney's Association. I am the City Attorney for the City of Wichita Falls and have been a governmental attorney for 23 years.

I started out working as an intern for the City of San Angelo, and I remember how the attorneys in that office were so supportive at the genesis of my legal career in municipal law. When I moved to Wichita Falls, I became aware of the vast complexity and diversity of governmental law. In a midsized city, it is not feasible to specialize in any one practice area. As such, you rely on friends, mentors, and colleagues from across Texas to help you when you come across new issues. TCAA and TML have long been some of the resources I rely on to assist me in better representing my client. Over the years, I have sought help from their staff attorneys as well as some of the outstanding legal analysis papers found online.


I want to give back to the TCAA and ensure that City Attorneys across the State of Texas continue to receive the valuable services provided by the organization and to do my part to assist the next generation of municipal attorneys.

## 2023 TCAA BOD Application

George Hyde <Ghyde@txlocalgovlaw.com>

Mon 8/21/2023 4:41 PM

To:Evelyn Njuguna <evelyn@tml.org>

 4 attachments (740 KB)

2023 TCAA BOD Application Letter.pdf; 2023 TCAA BOD Application - George Hyde.pdf; 2023 George Edward Hyde Curriculum Vitae.pdf; Past and Present Municipal Clients.pdf;

Dear Evelyn,

Attached (in the aggregate) is my application to be considered for the TCAA Board.

Thanks, and if you have any questions, let me know.

**GEORGE HYDE | MANAGING PARTNER**

ghyde@txlocalgovlaw.com

512.540.3102 Direct

210.325.4330 Mobile

Please note our new contact information below.



**HYDE KELLEY LLP**

2806 Flintrock Trace, Suite A104

Austin, TX 78738

www.txlocalgovlaw.com

512.686.0700 Office

866.929.1641 Fax

**Confidentiality Notice:** This e-mail message is covered by the Electronic Communications Privacy Act and may be legally privileged. Unauthorized review, use, disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender at 512.686.0700, or by reply e-mail, and destroy all copies of the original message. Thank you.



**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

The TCAA Constitution provides that the President of the Association shall appoint a nominating committee of at least three persons, who, at the annual meeting of the Association (the fall meeting), shall submit nominees for Association officers. By custom, one Director position becomes available and is filled with a new nominee each year, while each current officer succeeds to the next highest office. The Director position is filled by a majority vote of the membership present and voting.

By completing and submitting this application, I hereby attest to the following:

- I am interested in serving on the TCAA Board of Directors (Board) and wish to be so considered.
- I am an “active member” (defined by the TCAA Constitution as “*any person duly licensed to practice law in this state who have been duly elected or appointed to the office of city attorney or assistant city attorney of a city, town, or village which is an active member of the Texas Municipal League*”) in good standing with TCAA.
- I understand that service on the Board requires that I attend several meetings during the course of a year, including:
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- I understand that Board service typically lasts for several years (typically 8-10 years) as current Board members are customarily re-nominated for service in successively higher positions that often culminate with service as President.
- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

**Name:** George E. Hyde

**Position:** Assistant Village Attorney

**Address:** 2806 Flintrock Trace, Lakeway, Texas 78738

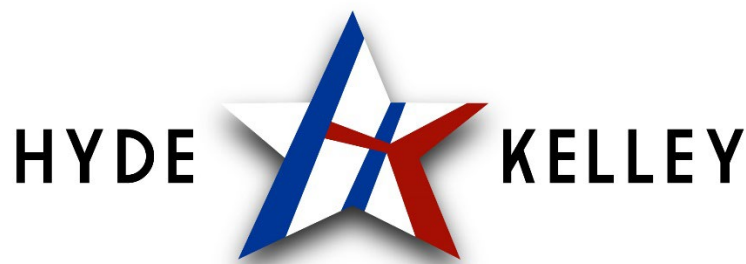
**Phone:** Office 512-686-0700, Direct: 512-940-3104 and Mobile: 210-325-4330

**Email:** ghyde@txlocalgovlaw.com

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.



ATTORNEYS AND COUNSELORS AT LAW

## GEORGE EDWARD HYDE

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ATTORNEY & COUNSELOR AT LAW

Texas licensed attorney with a multi-disciplinary statewide law practice possessing almost three decades of litigation and trial experience and twenty-two years of service as general and special legal counsel to local governmental entities, including their boards, commissions, officials, and employees.

### **PRACTICE AREAS:**

Administrative Law	Facilitator	Public Meeting Protocol
Appellate Litigation - State	Government Officials Trainer	Public Meeting Representation
Appellate Litigation - Federal	Government Appointee Trainer	Procurement
City Attorney	Government Employee Trainer	Products Liability
Civil Service	Investigations	Public Information Act
Civil Rights	Labor and Employment	Real Property
Conflict Resolution	Land Use Regulations	TACRMP Claims Counsel
Conflict of Interest Counsel	Law Enforcement	TMLIRP Claims Counsel
Contracts	Legal Issue Management	TMPA Claims Counsel
Constitutional Law	Legal Malpractice	TWCARMF Claims Counsel
Corporate General Counsel	Legal Risk Management	Torts
Economic Development	Local Taxation	Trial Litigation - State
Election Law	Municipal Prosecution	Trial Litigation - Federal
Eminent Domain	Negotiations Consulting	Utilities
Employee Discipline	Open Meetings Act	Water Law
Ethics	Premises Liability	Zoning

### **LAW PRACTICE LAW FIRM ASSOCIATIONS:**

Hyde Kelley LLP  
Russell Rodriguez Hyde Bullock, LLP.  
Denton Navarro Rocha Bernal Hyde & Zech, P.C.  
Law Offices of Katherine Duff, P.C.  
Lemler & Associates, P.C.  
O'Connell, Benjamin & Coghlan, LLP

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Hyde Kelley LLP

Flintrock Office Park | 2806 Flintrock Trace, Suite A104, Austin, Texas 78738  
Phone: 512.686.0700 | Facsimile: 866.929.1641 | URL: [www.txlocalgovlaw.com](http://www.txlocalgovlaw.com)

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*Pre-Licensed Litigation & Trial Support Experience (1989-1998):*

Law Clerk - O'Connell & Benjamin, LLP  
Law Clerk - Law Offices of Gaul & Dumont, P.C.  
Law Clerk - Lang Ladon Green Coghlan & Fisher, P.C.  
Paralegal - Clemens & Spencer, P.C.  
Paralegal - Biodynamic Research Corporation

**Licensed & Admitted:**

Texas Supreme Court and all Texas state courts  
U.S. District Court Western District of Texas  
U.S. District Court Southern District of Texas  
U.S. District Court Northern District of Texas  
U.S. District Court Eastern District of Texas  
U.S. Court of Appeals Fifth Circuit  
U.S. Supreme Court

*Pro-Hac Vice Admissions:*

Northern Federal District Court of California, San Francisco, California  
Eastern Division, U.S. Bankruptcy Court, Alexandria, Virginia  
Southern District Court of New York, Manhattan, New York

**EDUCATION**

Juris Doctor, *cum laude*  
St. Mary's University School of Law, San Antonio, Texas  
---  
Bachelor of Science in Criminal Justice  
Texas State University, San Marcos, Texas

**CONTINUING EDUCATION PRESENTER/SPEAKER/ARTICLE CONTRIBUTOR:**

FBI-Law Enforcement Executive Development Association Command College  
University of Texas Land Use Conferences  
Texas State University Political Science Dept. Public Administration master's degree program  
Texas State University Local Government Seminars  
Hobby Center of Public Service Certified Public Manager Program  
Texas City Attorneys Association Conferences  
Texas Municipal Human Resources Association Conferences  
Texas Municipal League Intergovernmental Risk Pool Annual Workshop  
Texas Municipal Clerks Association Continuing Education Conferences  
Texas Police Chiefs Association Continuing Education Conferences  
Texas Police Association Continuing Education Conferences  
Texas Council Risk Management Fund Conferences  
Texas Municipal Court Education Center Conferences  
Alamo Area Council of Governments Legal Education Programs  
Capital Area Council of Governments Legal Education Programs  
City of Austin Open Government Symposium

**PUBLISHED ARTICLES:**

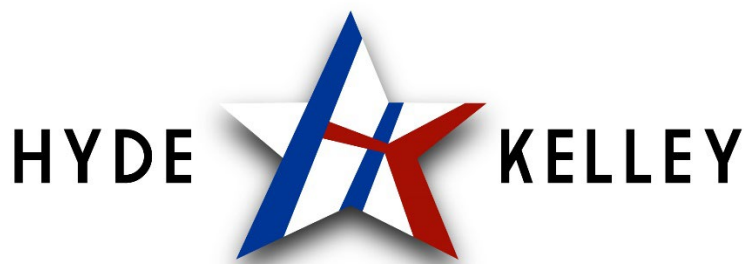
Extra Jobs – Are they worth it? Factors Police Officers and Police Administrators Should Consider When Deciding on the Ability to Work the Extra Job, Texas Police Journal, Vol. 48, No. 5, May '20  
Advanced Legal Drafting for Texas Paralegals 2003 (Training Textbook)

**MEMBERSHIPS:**

Phi Delta Phi International Legal Honors Fraternity  
St. Mary's University Law Alumni Association, Board of Directors Term: 2017-2021  
Texas City Attorneys Association  
International Municipal Lawyers Association  
Texas District & County Attorneys Association  
Williamson County Attorneys Association  
Travis County Attorneys' Association  
Texas Bar Association  
Federal Bar Association  
Bar Association of the Fifth Federal Circuit  
Texas State Bar College

**COMMUNITY RELATED ACTIVITIES:**

Texas Peace Officer - 23.5 years (with both city and county, and in paid and volunteer capacities)  
Volunteer Firefighter - 6 years (Lake Dunlap Area Volunteer Fire Department; South Hays County Fire-Rescue Fire Prevention District)



ATTORNEYS AND COUNSELORS AT LAW

August 21, 2023

Ms. Evelyn Njuguna  
Director of Legal Services  
Texas Municipal League

evelyn@tml.org

RE: 2023 TCAA BOD Application  
Introduction and desire to serve as a Board Member

Dear Ms. Njuguna,

Please accept this letter seeking consideration to serve on the TCAA Board of Directors. Having been a member of TCAA for over 20 years, I have experienced the fabulous way in which the Association creates an environment for municipal attorneys to come together, to learn, to play, and to take care of our municipalities in the best way possible.

If selected for the board, I would share my passion for the work, my knowledge, and my experience through the Association to others and seek out the same for me. I want to do my part to do the work needed to serve the members in any way necessary in support of the Association. I also want to play a part in ensuring the continuation of the Association, by offering the lessons learned from the past, while seeking out the imagination of the future. I can lead, when necessary, but am just as comfortable working in teams or accomplishing individually assigned tasks alone. In discussions I look to facilitate compromise. I just want to help. I find serving on the Board appears to be a means that I could make a difference in an area important to me.

Attached to the email which sent this letter are my Application, my Curriculum Vitae, and a list of Past and Present Municipal Clients to fulfill the attachments requested to go along with the Application. Unfortunately, both court and client demands will unfortunately prevent me from attending the 2023 Annual Conference which is just around the corner but hope for favorable consideration and approval. I thought at least my offer of support to the TCAA would be a means to contribute, even when I cannot attend personally.

Very Respectfully,

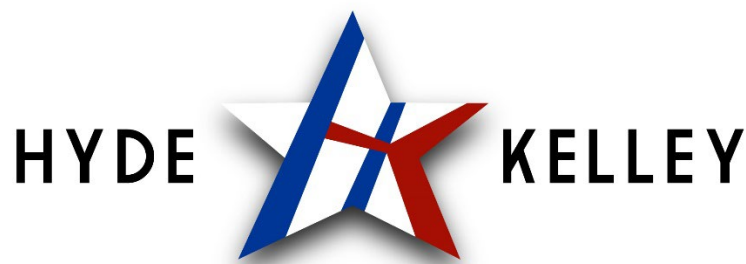
George E. Hyde

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Hyde Kelley LLP

Flintrock Office Park | 2806 Flintrock Trace, Suite A104, Austin, Texas 78738  
Phone: 512.686.0700 | Facsimile: 866.929.1641 | URL: [www.txlocalgovlaw.com](http://www.txlocalgovlaw.com)

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ATTORNEYS AND COUNSELORS AT LAW

**Hyde Kelley Past and Present Municipal Clients**

Hyde Kelley has over 20 years of experience representing municipal clients. It is nearly impossible to list every client, however, a list of representative current and past firm clients is below.

**City Attorney**

City of Bay City, Texas  
City of Brady, Texas  
City of Burnet, Texas  
City of Buda, Texas  
City of Copperas Cove, Texas  
City of Garden Ridge, Texas  
City of Hearne, Texas  
City of Mountain City, Texas  
City of Pflugerville, Texas  
City of Rosenberg, Texas  
City of Somerset, Texas  
City of Victoria, Texas (Interim for approximately one year)  
City of Watauga, Texas  
Village of Point Venture, Texas

**Special Counsel**

City of Buda, Texas  
City of Bryan, Texas  
City of Carrollton, Texas  
City of Converse, Texas  
City of Hitchcock, Texas  
City of Hutto, Texas  
City of Liberty Hill, Texas  
City of Little Elm, Texas  
City of Missouri City, Texas  
City of Plano, Texas  
Town of Addison, Texas

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Hyde Kelley LLP

Flintrock Office Park | 2806 Flintrock Trace, Suite A104, Austin, Texas 78738  
Phone: 512.686.0700 | Facsimile: 866.929.1641 | URL: [www.txlocalgovlaw.com](http://www.txlocalgovlaw.com)

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**General Counsel**

Bay City TIRZ 1 & TIRZ 2  
Buda Economic Development Corporation  
Capital Area Council of Governments  
Alamo Area Council of Governments  
Hutto Economic Development Corporation  
Pflugerville Community Development Corporation  
Rosenberg Economic Development Corporation  
Pflugerville TIRZ 1  
Somerset Economic Development Corporation

**County Government**

Bandera County  
Bexar County  
Edwards County  
Frio County  
Gillespie County  
Karnes County  
Karnes-Wilson Juvenile Probation Department  
Kendall County  
Kerr County  
Limestone County  
Maverick County  
McMullen County  
Medina County  
Smith County  
Williamson County

**RE: Applications for a Position on the TCAA Board Now Open**

Jeff Lewis <jlewis@arwhlaw.com>

Tue 8/1/2023 9:49 AM

To:Evelyn Njuguna <evelyn@tml.org>

 1 attachments (630 KB)

08012023 TCAA board app ltr resume 5 pgs.pdf;

Evelyn,

My board application is attached.

Thank you.

**Jeffery C. Lewis**



Atchley, Russell, Waldrop & Hlavinka, L.L.P.  
1730 Galleria Oaks Dr.  
Texarkana, Texas 75503  
Tel 903-792-8246

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**From:** Texas City Attorneys Association <TCAA-LIST@LISTSERV.MUNICODE.COM> **On Behalf Of** Evelyn Njuguna

**Sent:** Tuesday, July 25, 2023 3:38 PM

**To:** TCAA-LIST@LISTSERV.MUNICODE.COM

**Subject:** Applications for a Position on the TCAA Board Now Open

Good afternoon, all:

TCAA is now accepting applications for a position on the TCAA Board. Those interested in applying for a position on the board should fill out an application and return it via email to me at [evelyn@tml.org](mailto:evelyn@tml.org). Application forms are available [here](#) and under the "About TCAA" tab, "Board of Directors" section, on the TCAA website at <https://texascityattorneys.org>. Applications must be received by **5:00 p.m.** on **August 25, 2023**.

If anyone has questions, please feel free to reach out.

Thanks,

Evelyn

**Evelyn W. Njuguna**  
Director of Legal Services  
Texas Municipal League  
[www.tml.org](http://www.tml.org)  
[evelyn@tml.org](mailto:evelyn@tml.org)  
(512) 231-7400 (Main)



(512) 231-7461 (Direct)

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[Access the TCAA-LIST Home Page and Archives](#)

[Unsubscribe from the TCAA-LIST List](#)

**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

The TCAA Constitution provides that the President of the Association shall appoint a nominating committee of at least three persons, who, at the annual meeting of the Association (the fall meeting), shall submit nominees for Association officers. By custom, one Director position becomes available and is filled with a new nominee each year, while each current officer succeeds to the next highest office. The Director position is filled by a majority vote of the membership present and voting.

By completing and submitting this application, I hereby attest to the following:

- I am interested in serving on the TCAA Board of Directors (Board) and wish to be so considered.
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- I understand that service on the Board requires that I attend several meetings during the course of a year, including:
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- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

Name: Jeffery C. Lewis

Position: City Attorney, City of Texarkana, Texas

Address: 1730 Galleria Oaks Drive, Texarkana, Texas 75503

Phone: 903-792-8246

Email: jlewis@arwhlaw.com

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.

# ATCHLEY RUSSELL WALDROP & HLAVINKA, LLP.

ATTORNEYS AT LAW

Jeffery C. Lewis



1730 Galleria Oaks Drive  
Texarkana, Texas 75503  
Tel 903-792-8246  
jlewis@arwhlaw.com

August 1, 2023

## **To the TCAA Board of Directors and Nominating Committee:**

### *Municipal Law Experience*

In 2008, the City Council of the City of Texarkana, Texas, appointed my law firm as the primary provider for legal services to the City; the ordinance designated me as “the primary contact”. My law practice prior to that appointment – eighteen years of civil litigation (mostly defense), civil appeals, education law, and a significant wade into municipal water district law – all served as preparation for representing a municipality.

I attend all regular City Council meetings; prepare or edit proposed ordinances and resolutions; and advise directly the elected officials, city manager, assistant city managers, city secretary, respective chiefs for police and fire, and department directors on many aspects of law: Alcoholic Beverage Code; animal control; annexation; bi-state contracts; charter provisions and revisions; code enforcement; code revision; economic development; elections; finance; fire; housing authority; health department; information technology; interlocal contracts with Texas municipalities, agencies, and other local governmental entities; litigation [apart from TML-IRP covered claims ... and liaison to retained defense attorneys on covered claims]; parks; policing; public information; public utilities; public works; purchasing; TOMA; water and wastewater; and zoning. (Two of my law partners with board certifications, respectively, in Commercial Real Estate Law and Labor and Employment Law, take point on the City’s real estate and HR work.) Indeed, it is a privilege to represent Texarkana.

### *Reasons for Wishing to Serve on the Board*

I want to help ... and I want to learn more. If you need representation from the northeast border of the state, and if my experience and skills will help my colleagues in their respective work for municipalities, I welcome the opportunity to serve on the Board.

Respectfully submitted,

Jeffery C. Lewis

Attachment – Resume (3 pages)

# Jeffery C. Lewis, J.D.

**Practice Areas** Municipal Law and Local Government; Civil Appeals; Litigation

**Peer Review**



**Certification**



**Contact Information**

Atchley, Russell, Waldrop & Hlavinka, L.L.P.  
1730 Galleria Oaks Dr.  
Texarkana, Texas 75503  
Tel 903-792-8246  
jlewis@arwhlaw.com

**Education**

Baylor University; Waco, Texas  
(J.D., 1990; B.B.A., *cum laude*, 1987)

**Bar Admissions**

Texas (all courts)  
Arkansas (all courts)  
United States Supreme Court  
U.S. Courts of Appeals (Fifth Circuit, Eighth Circuit)  
U.S. District Courts (E.D. Tex.; E.D. Ark.; W.D. Ark.)

**Recognitions**

Life Fellow  
Texas Bar Foundation



Member  
Texas Bar College



AV®, AV Preeminent®, Martindale-Hubbell Distinguished<sup>SM</sup> and Martindale-Hubbell Notable<sup>SM</sup> are Certification Marks used under license in accordance with the Martindale-Hubbell certification procedures, standards and policies.

## Selected Appeals

*Ransom v. Gibson*, 553 S.W.3d 89 (Tex. App.—Texarkana 2018, no pet.) – personal injury; dismissal in client’s favor for plaintiffs’ failure to appear for trial; trial court’s judgment dismissing case affirmed.

*Edgin v. Correct Care Solutions LLC*, No. 18-1127 (8th Cir., Sept. 12, 2018) (per curiam) civil rights; trial court’s dismissal of client from suit for lack of personal jurisdiction affirmed.

*Liberty Mutual Ins. Co. v. Transit Mix Concrete & Materials Co.*, No. 06-12-00117-CV (Tex. App.—Texarkana 2013, pet. denied) (mem. op.) – subrogation; forum non conveniens dismissal in client’s favor affirmed.

*Johnson v. TDS Erectors, Inc.*, No. 10-41059 (5th Cir. 2011) – wrongful death claim brought against client by daughter of client’s employee; summary judgment in client’s favor affirmed.

*In re Ward*, No. 06-06-00098-CV, (Tex. App.—Texarkana 2006) (orig. proceeding), mandamus denied, No. 07-0230 (Tex. 2007) – medical malpractice; trial court dismissed claim against client; claimant’s mandamus petition denied by court of appeals and Texas Supreme Court.

*Employers Reinsurance Corp. v. Gordon*, 209 S.W.3d 913 (Tex. App.—Texarkana 2006, no pet.) – contract claim; trial court’s judgment against client for \$430,000 reversed and remanded.

*Sluder v. Steak & Ale of Little Rock, Inc.*, 361 Ark. 267, 206 S.W.3d 213 (2005), *second appeal*, 368 Ark. 293, 245 S.W.3d 115 (2006) – “dram ship” liability claim; trial court’s judgment in client’s favor affirmed.

*Roberts v. Titus County Mem. Hosp.*, 159 S.W.3d 764 (Tex. App.—Texarkana 2005, pet. denied), *cert. denied*, 126 S.Ct. 1070 (2006) – Whistleblower Act; summary judgment in client’s favor affirmed.

*O'Donald v. Wadley Regional Medical Center*, No. 06-04-00121-CV (Tex. App.—Texarkana 2005, pet. denied) – medical malpractice; summary judgment in client’s favor affirmed.

*Roberts v. Titus County Mem. Hosp.*, 129 Fed.Appx. 82,2005, No 04-41101 (5th Cir. 2005), *cert. denied*, 126 S.Ct. 631 (2005) – civil rights; summary judgment in client’s favor affirmed.

*Toshiba Int’l Corp. v. Henry*, 152 S.W.3d 774 (Tex. App.—Texarkana 2004, no pet.) – products liability; trial court’s \$450,000 judgment against client reversed and take-nothing judgment in client’s favor rendered.

*Stiger v. Christus Health Ark-La-Tex*, No. 03-40972 (5th Cir. 2004) – labor dispute; judgment in favor of client health care facility affirmed.

*Therapy Corp. v. City of Texarkana*, No. 02-40565 (5th Cir. 2003) – FHA / ADA claims; trial court’s judgment in client’s favor affirmed.

*Mullinax v. Texarkana I.S.D.*, No. 02-40220 (5th Cir. 2002) – First Amendment retaliation claim; summary judgment in client’s favor affirmed.

*In re Collom & Carney Clinic Ass’n*, 62 S.W.3d 924 (Tex. App.—Texarkana 2002, orig. proceeding) – client’s petition for mandamus relief granted.

*Buls v. Fuselier*, 55 S.W.3d 204 (Tex. App.—Texarkana 2001, no pet.) – medical malpractice; judgment in client’s favor affirmed.

*Lynch v. NorAm Energy Corp.*, No. 06-99-73-CV (Tex. App.—Texarkana 2000, pet. denied) – products liability; judgment in client’s favor affirmed.


*Arnold & Arnold v. Williams*, 315 Ark. 632, 870 S.W.2d 365 (1994), *cert. denied*, 513 U.S. 990, 115 S.Ct. 489, 130 L.Ed.2d 400 (1994) – legal malpractice; summary judgment in client’s favor affirmed.

## TCAA Board Application

Levine, Scott <SLevine@garlandtx.gov>

Tue 8/22/2023 9:21 AM

To:Evelyn Njuguna <evelyn@tml.org>

 1 attachments (64 KB)

Scanned from a Xerox Multifunction Printer.pdf;

Evelyn,

See attached application. Thank you for the reminder.

**Scott D. Levine**

*First Assistant City Attorney*



City of Garland

(w) 972.205.2384

(f) 972.205.2389

[slevine@garlandtx.gov](mailto:slevine@garlandtx.gov)

**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

The TCAA Constitution provides that the President of the Association shall appoint a nominating committee of at least three persons, who, at the annual meeting of the Association (the fall meeting), shall submit nominees for Association officers. By custom, one Director position becomes available and is filled with a new nominee each year, while each current officer succeeds to the next highest office. The Director position is filled by a majority vote of the membership present and voting.

By completing and submitting this application, I hereby attest to the following:

- I am interested in serving on the TCAA Board of Directors (Board) and wish to be so considered.
- I am an "active member" (defined by the TCAA Constitution as "*any person duly licensed to practice law in this state who have been duly elected or appointed to the office of city attorney or assistant city attorney of a city, town, or village which is an active member of the Texas Municipal League*") in good standing with TCAA.
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- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

Name: Scott D. Levine

Position: First Assistant City Attorney - City of Garland

Address: 200 N. Fifth Street, Garland, Texas 75040

Phone: 972 205 2384

Email: slevine@garlandtx.gov

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.





August 22, 2023

Ms. Njuguna,

I am the First Assistant City Attorney for the City of Garland and I have a sincere interest in serving on the TCAA Board. I wish to serve as a board member because I believe that it is important that the City of Garland take a leadership role in the TCAA. Additionally, I believe that I have significant municipal experience, in both the private and public sector, which would allow me to contribute to the TCAA in a meaningful way.

As I indicated previously, I have over three decades of experience in municipal law. As a managing partner in my former firm, Banowsky & Levine, P.C. I represented several municipalities in the Dallas Fort Worth Metroplex including the cities of Anna, Arlington, Denton, Garland, Parker, and Royse City, as well as Collin County. In 2022, I left my firm to take the First Assistant position at Garland.

In addition to my professional career, I also served five terms on the City of Parker city council and currently serve on the board for the North Texas Tollway Association where I serve as the chair of the Customer Service, Projects, and Operations Committee.

Please do not hesitate to contact me if you have further questions. I appreciate your consideration.

Best Regards,

Scott D. Levine

## Re: Board Application and Letter

McWilliams, Bryan <Bryan.Mcwilliams@amarillo.gov>

Fri 8/25/2023 4:34 PM

To:Evelyn Njuguna <evelyn@tml.org>

 2 attachments (84 KB)

LTRNjuguna.pdf; 2023-TCAA-Board-Application-Form.pdf;

Evelyn,

Please find attached my application and brief description of service for consideration for Board membership.

Have a great weekend!

Bryan McWilliams  
City Attorney  
City of Amarillo

### Disclaimer

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**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

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- I understand that Board service typically lasts for several years (typically 8-10 years) as current Board members are customarily re-nominated for service in successively higher positions that often culminate with service as President.
- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

Name: Bryan McWilliams

Position: City Attorney      City of Amarillo

Address: PO Box 1971 Amarillo, TX 79105-1971

Phone: 806-378-6067

Email: bryan.mcwilliams@amarillo.gov

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.



August 25, 2023

Via email at [evelyn@tml.org](mailto:evelyn@tml.org)

Ms. Evelyn Njuguna  
Texas City Attorneys Association  
1821 Rutherford Ln., Suite 400  
Austin, Texas 78754

Re: TCAA BOARD APPLICATION

Dear Ms. Njuguna,

Please accept this letter and application for membership on the TCAA Board of Directors. I have served in the City Attorney's Office for the City of Amarillo since 2007. Over the past 16 years I have served in every capacity including my current role as City Attorney since 2018. During this time, I have given presentations for TML and the Government Law Section for the State Bar of Texas and want to continue to grow in my knowledge of the challenges that all municipalities face and more actively participate in the problem-solving collegialism that is mission of the Texas City Attorney's Association.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Bryan McWilliams'.


Bryan McWilliams  
City Attorney

## Application for TCAA Board of Directors

Deborah Pullum <dpullum@tylertexas.com>

Fri 8/25/2023 5:11 PM

To:Evelyn Njuguna <evelyn@tml.org>

 3 attachments (145 KB)

Scanned from a Xerox Multifunction Printer.pdf; TCAA - Statement of Interest.docx; Munic Law Experience - CV DPullum.docx;

Ms. Njuguna

I am interested in serving on the TCAA Board of Directors, therefore I am submitting my **Application Form** and two attachments (my **Municipal Law Experience brief /CV** and my **Statement of Interest**). Please find these three documents attached above. If you have any questions or need additional information, please don't hesitate to contact me. My contact information is provided below.

Sincerely,  
*Deborah Pullum*

**Deborah Pullum** | City Attorney  
City Attorney's Office  
City of Tyler | [www.cityoftyler.org](http://www.cityoftyler.org)  
212 N. Bonner Ave., Tyler, TX 75702  
P: (903) 531.1161, C: (903)262-8958  
[dpullum@tylertexas.com](mailto:dpullum@tylertexas.com)

*Deborah*



**Deborah Pullum** | City Attorney  
[dpullum@tylertexas.com](mailto:dpullum@tylertexas.com)  
903-531-1164

**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

The TCAA Constitution provides that the President of the Association shall appoint a nominating committee of at least three persons, who, at the annual meeting of the Association (the fall meeting), shall submit nominees for Association officers. By custom, one Director position becomes available and is filled with a new nominee each year, while each current officer succeeds to the next highest office. The Director position is filled by a majority vote of the membership present and voting.

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- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

Name:

Deborah Pullum

Position:

City Attorney, City of Tyler, TX

Address:

212 N. Bonner Ave., Tyler, TX 75702

Phone:

903-262-8958

Email:

dpullum@tylertexas.com

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.

# DEBORAH PULLUM



## HONORS AND AFFILIATIONS

◆ Member, Texas City Attorneys Association

◆ Member, International Municipal Lawyers Association

◆ Member, Board of Disciplinary Appeals, State Bar of Texas, 2014 – 2017, reappointed 2017-2020

◆ Harvard Kennedy School, Senior Executives in State & Local Gov't (July 2018 Class)

◆ President of the Smith County Bar Association, Jul. 2016 – Jul. 2017

◆ Member, College of the State Bar of Texas, 2011-2019

◆ Member, Paralegal Advisory Committee, Tyler Junior College

## **LICENSED AND ADMITTED TO PRACTICE:**

◆ Supreme Court of the United States, June 2014

◆ Fifth Circuit Court of Appeals, May 2014

◆ U. S. District Court for the Eastern District of Texas  
Apr. 2014

◆ In all Courts of the State of Texas, Nov. 1996

## EDUCATION

□ J.D., College of William & Mary, Marshall-Wythe School of Law. Williamsburg, VA, May 1996

□ B.S., *with honors* in Business Administration, Florida A&M University, Tallahassee, FL, August 1984

## MUNICIPAL LAW EXPERIENCE

### **TYLER CITY ATTORNEY'S OFFICE ♦ Tyler, TX**

**CITY ATTORNEY**

-

**JULY 2013-PRESENT**

**ASSISTANT CITY ATTORNEY**

-

**NOVEMBER 2004 – JUNE 2013**

◆ **ANALYSIS & ADVICE.** Serves as the City Attorney for the City of Tyler, provides legal counsel to the City Manager and City Council, executive staff and departments, and City boards and commissions in all aspects of municipal law. Provides in-depth legal analysis and advice in various areas of law, including but not limited to employment, operational and policy issues, elections, economic development, ethics, land acquisition/transfers, environmental law, code enforcement, utilities, federal programs/grants, construction contracting, zoning and land use, and open government/public information.

◆ Prepares legal opinions in response to questions from the City Council, City Manager, department leaders and other entities. Responds to inquiries from citizens related to City legal matters. Researches and analyzes complex legal issues and correctly applies legal principles, case law, statutes, and other legal authority in the preparation of opinions and briefs.

◆ Analyzes state and federal legislation including proposed bills affecting City interests. Maintains and updates knowledge of state statutes, federal laws, City charter and ordinances, and court decisions relating to municipal issues.

◆ **LEGAL DRAFTING & NEGOTIATION EXPERIENCE.** Drafts original form documents including contracts, ordinances, resolutions, policies, council communications, releases, deeds, leases, and other legal documents as necessary to achieve City's intended purpose. Conducts reviews of various legal documents/ contracts to ensure legality, accuracy, and completeness. Negotiates contracts, settlements, etc., benefiting and/or protecting the City's interests.

◆ **TRIAL/LAWSUIT MANAGEMENT EXPERIENCE.** Represents the City of Tyler and supervises contract attorneys in civil litigation in county, district, and federal courts and before state administrative agencies. Manages litigation in actions including personal injury, property damages, injunctions, excessive force, utility CCNs, election contests, and governmental immunity. Oversees the Prosecution division for Municipal Court.

◆ **MANAGEMENT & BOARD EXPERIENCE.** Acts as Department Leader for the City Attorney's office, the City Clerk's office and oversees the Housing and Community Development departments. Serves on the City Manager's Executive Team and provides legal oversight for City operations. Serves as legal advisor to various City of Tyler quasi-judicial Boards and Council committees, including the Civil Service Board, Board of Adjustments, Neighborhood Revitalization Board, Infrastructure Improvements & Investments Committee, and Quality of Life and Space Committee.

## **STATEMENT OF INTEREST IN SERVING ON THE TCAA BOARD OF DIRECTORS**

Over the years that I have been involved in local government, I have seen cities, city staff and the communities that rely on our service face many challenges to its underlying purpose of local governance and to its subsistence by the limitation of funding sources. I have been proud to see how the legal professionals that are employed by our Texas cities and are members of the Texas City Attorneys Association have provided the leadership needed to develop the best solutions for our cities and communities. The Texas City Attorneys Association and its membership provide such a high level of legal support and a depth of knowledge to its members, that city attorneys across the state would be hard press to respond to such challenges without the Association's guidance and advocacy.

Throughout the past nineteen years that I've worked in municipal government, TCAA has been a trusted resource for me and the assistant city attorneys that work with me. I would like to be a part of ensuring that legacy endures, so that future city attorneys and their assistants will continue to have a community of interest that will help them meet the challenges of their day. I hope you will consider my Application.

Respectfully,

*Deborah Pullum*

Deborah Pullum | City Attorney  
City Attorney's Office  
City of Tyler | [www.cityoftyler.org](http://www.cityoftyler.org)  
212 N. Bonner Ave., Tyler, TX 75702  
P: (903) 531.1161  
[dpullum@tylertexas.com](mailto:dpullum@tylertexas.com)




## Application for TCAA Board

Kristi Skillern <kskillern@cityoflufkin.com>

Mon 8/21/2023 9:16 AM

To: Evelyn Njuguna <evelyn@tml.org>

 1 attachments (141 KB)

TCAA Board of Directors application.pdf;

Ms. Njuguna:

Attached please find my application with attachment to the TCAA Board of Directors. TML and TCAA has been a wonderful resource for me in my role, and I would be honored to serve on the Board. Thank you for your kind consideration.

Kristi

Kristi C. Skillern  
City Attorney



300 E. Shepherd  
Lufkin, Texas 75901  
Office (936) 633-0260  
Cell (214) 577-5900  
Fax (936) 633-0381  
[kskillern@cityoflufkin.com](mailto:kskillern@cityoflufkin.com)

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**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

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- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

Name: \_Kristi C. Skillern

Position: \_Board

Address: 300 E. Shepherd, Lufkin, Tx. 75901

Phone: 936-633-0260

Email: kskillern@cityoflufkin.com

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.

**Municipal law experience:**

I have been the City Attorney for Lufkin, Texas for one year. We are the county seat of Angelina County with about 38,000 citizens. I have no assistants, so I am basically the law department for the City. And, let me tell you it has been an incredibly busy and rewarding year. I have handled numerous HR issues, written ordinances and resolutions, advised council members, dealt with civil service issues, worker's compensation claims, a pending lawsuit and an arbitration. I also oversee municipal court and its budget. And, I am starting a Teen Court program in September that I am looking forward to running. My prior experience for the past 15 years was as in-house counsel for State Farm handling insurance defense cases.

**Reasons for wishing to serve:**


The main reason for my application is my desire to serve and "give back" to this profession. Since I am new to a role in municipal government, I feel I can contribute a fresh perspective to the Board. A secondary reason revolves around our City slogan to "Meet the needs of citizens." In order to accomplish that mission, it is important for me to keep apprized of the legal issues surrounding cities today. I feel that my representation on the Board would assist with my role as City attorney and serving our City and our community in the best way possible.

## TCAA Board Application 2023

Clarissa Rodriguez <cmrodriguez@rampagelaw.com>

Thu 8/24/2023 10:32 PM

To: Evelyn Njuguna <evelyn@tml.org>

 3 attachments (76 KB)

TCAA 2023 Application (4890-9176-9467.1).pdf; Bio and Resume (4817-1706-5659.1).docx; Essay- TCAA Application 2023 (4887-9810-0091.2).docx;

Hi Evelyn,

Please see attached for my TCAA Board application. If you need anything further, please let me know.

Thank you!

**Clarissa M. Rodriguez**

Partner

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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**Board of Directors**  
**- Application Form -**

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Name:

Clanissa M. Rodriguez

Position:

Shareholder

Address:

2517 N. Main San Antonio, TX 78217

Phone:

210/227-3243

Email:

CMRodriguez@rampagelaw.com

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.



**Clarissa M. Rodriguez** is a Partner at Denton, Navarro, Rocha, Bernal & Zech P.C.. Ms. Rodriguez earned her Bachelor of Arts in Speech Communication from Texas A&M University in 1998, her Masters of Public Administration from the University of Texas at San Antonio in 2001, and her Juris Doctor from Drake University School of Law in 2006. She was admitted to the State Bar of Texas in 2006. She has 17 years of legal experience and 15 years of municipal, government law, and economic development legal experience. Ms. Rodriguez is experienced in local government and municipal law, Texas Public Information Act, Open Meetings Act, ordinance and resolutions drafting, and municipal prosecution, with expertise in civil litigation, employment issues, ordinance drafting, land use, municipal infrastructure issues, premises liability, personal injury, and constitutional issues. Ms. Rodriguez is admitted to practice before the United States District Court, Southern District of Texas, the United States District Court, Western District of Texas, and the Fifth Circuit Court of Appeals.

Ms. Rodriguez serves as the City Attorney for the City of Live Oak and City of Kirby, Texas. On a daily basis, she assists the Firm with a range of municipal law issues, focusing in particular on legal requirements for employment, police, fire and civil service issues, including revisions to personnel manuals for legal compliance, personnel training for discrimination and harassment, drug testing, ADA, FLSA, FMLA, EEOC Charges and daily personnel matters. She also manages daily issues related to planning, zoning, contracts and serves as EDC general counsel. She is also the General Counsel for the San Antonio Housing Trust, its PFC and FC as well, which requires evaluation of housing regulations and compliance on a daily basis related to contract review, procurement and other legal matters. She serves as litigation counsel for the Firm, working on a multitude of pre-litigation and litigation matters for the TMLIRP, which includes complex litigation issues, defending cities on immunities, 1983 and other civil rights cases, personal injury, employment, land use, among many others.

# CLARISSA M. RODRIGUEZ

---

**Clarissa M. Rodriguez** is a Partner. She joined the Firm in 2008. She is experienced in representing municipalities as City Attorney and General Counsel, with expertise in handling day to day operations, human resources/employment matters including training and personnel manual updates, ordinance drafting, contract review, planning & zoning matters and tracking legislation for municipal entities and associations. She also has experience in Police and Fire civil service issues. Her litigation practice involves employment issues, land use, municipal infrastructure issues, premises liability, personal injury, and constitutional issues. Ms. Rodriguez has been practicing law since 2006 and has been practicing municipal law since 2008.

## Areas of Practice

City Attorney/General Counsel

Civil Appeals – State & Federal Courts

Civil Rights Litigation/Constitutional Litigation

Including §1983, excessive force, takings, First Amendment, Due Process, etc.

Civil Trial – State & Federal Courts

Development Agreements

Economic Development

Labor & Employment Litigation

Including Title VII, Whistleblower, ADAAA, FLSA, etc.

Land Use, Annexation & Code Compliance Litigation

Including zoning, vested rights, etc.

Municipal Incorporation Litigation

Municipal Prosecutions

Ordinance Drafting

Special Counsel Projects

Texas Tort Claims Act Litigation

Texas Public Information Act – Open Records

Open Meetings Act

## Bar Admissions

State of Texas, 2006

State Bar No. 24056222

U.S. District Court Southern District of Texas, 2009

U.S. District Court Western District of Texas, 2007

U.S. Court of Appeals 5<sup>th</sup> Circuit, 2011

## Employment Experience

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

2008 to Present

Partner. Assists with representation of clients in state and federal litigation matters in civil defense litigation, including motion practice, discovery and depositions for governmental

entities. Assists with representation of municipalities, economic development corporations, and counties as City Attorney and General Counsel. Researches legislation, statutes, performs statutory interpretation, and assists with negotiations in municipal and state government relations in lobbying for municipal and governmental entities.

*Shelton & Valadez, P.C.*

2006 - 2008

Associate Attorney. Assisted with representation of clients in state and federal trial and arbitration matters in a wide range of commercial, work injury and civil defense litigation disputes. Extensive written discovery, depositions and motion practice experience, including appearances in federal and state trial courts. Researched statutes, performed statutory interpretation, contract interpretation and assisted with negotiations in municipal and state government relations for multiple clients within the law firm.

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

Summer 2004 and 2005

Law Clerk. Served as a law clerk during law school. Analyzed and drafted memoranda regarding employment law, 11<sup>th</sup> Amendment, sovereign, and official immunity, premises liability, and civil procedure issues.

### **Professional Associations and Memberships**

State Bar of Texas

San Antonio Bar Association

American Bar Association

Texas City Attorneys Association

### **Education**

*Drake University School of Law, Des Moines, Iowa*

Juris Doctor – 2006

Legislative Practice Certificate – 2006

*The University of Texas at San Antonio, San Antonio, Texas*

Master of Public Administration – 2001

*Texas A&M University, College Station, Texas*

Bachelor of Arts – 1998



Clarissa M. Rodriguez

Denton, Navarro, Rocha, Bernal, & Zech, PC

San Antonio, Texas

**2023 Statement for TCAA Board Application**

For the last 15 years I have actively participated in TCAA as a member through my firm Denton, Navarro, Rocha, Bernal & Zech. An opportunity to continue that service on the TCAA Board would allow me the ability to help others while collaborating with my fellow colleagues across the state. In my activities with TCAA, I have attended almost all Fall and Summer Conferences. I have also presented several times and offer topics for presenting. As an attorney who has experience in representing municipalities and governmental entities in both the litigation, general counsel, and city attorney work, I believe I have a unique skillset to contribute to TCAA Board. I have become quite proficient at advising clients in advance of litigation and explaining the repercussions on the back end helping them through those legal proceedings.

This year, there are significant changes recently to legal issues as they pertain to municipal law, such as the "Death Star Bill" HB 2127 and HB 471 on fire/police benefits which will be critical in assisting our fellow colleagues navigate over the year. My experience and education in Public Administration can provide leadership in that arena. My experience as both a litigator and city attorney will contribute to developing a range of information for contributing to the interpretation of these issues. Developing networking opportunities for our colleagues is an important way for municipal attorneys to grow and connecting people is one thing I do well; being a part of the TCAA Board will afford opportunities to connect people across the state. I love doing training and can assist in developing the CLE for TCAA. I would like to contribute to the Board to assist with facilitating information to its members more regularly I would like an opportunity to bring new ideas in how the Board can expand its work, to possibly include service opportunities and communicating the Board's work and efforts with the members across the state. TML has active Regional groups, therefore, if I am selected, I would like to facilitate additional Regional TCAA opportunities across the state or quarterly webinars as noted in the TCAA constitution related to emerging and specific municipal legal topics. I believe the TCAA Listserve can also be improved with determining whether there can be a way to efficiently and directly share documents, instead of how we have to ask for email addresses and send separately. And also, identify those making comments or asking for guidance from our colleagues because that information is not always available. Also, with the continuation of disasters affecting municipalities across the state, we should consider expanding the CARE unit and additional resources to those who need them in the areas affected.

TCAA has afforded me opportunities to grow my practice and knowledge in and municipal law and I am very grateful for every day with connecting with other attorneys at the conferences, reading case summaries, reading and gathering helpful information on the TCAA Listserve. I have applied to join the TCAA Board of Directors for several years and my commitment to serve remains unwavering; as a Partner of one of the leading municipal government Firms in the State, I am looking forward to continuing to contribute to the legacy of service exhibited by my mentors and prior board members.


Your consideration is appreciated!

## TCAA Board Application- Isaac Tawil

Austin Stevenson <astevenson@mcallen.net>

Tue 8/22/2023 8:44 AM

To:Evelyn Njuguna <evelyn@tml.org>

 3 attachments (705 KB)

TCAA Board Application- Isaac Tawil.pdf; TCAA BoD Statement- Isaac Tawil.pdf; CV w Municipal Experience- Isaac Tawil.pdf;

Good morning, Ms. Njuguna:

Please find attached Isaac Tawil's TCAA board application and supporting materials.

Respectfully,

Austin Stevenson  
Assistant City Attorney  
(956) 681-1090

***Disclaimer: If you are not the intended recipient or have received this e-mail in error, please notify me via return e-mail and telephone at 956-681-3111, and permanently delete and purge the original and any copy thereof. This e-mail, with attachments hereto, if any, is intended only for receipt and use by the addressee(s) named herein, and may contain legally privileged and/or confidential information. Regardless of address or routing, if you are not the intended recipient, then you are hereby notified that any use, copying, reproduction, dissemination, distribution, or transmission of this e-mail, and any attachments hereto, is strictly prohibited. Whereas all reasonable steps have been taken to ensure the accuracy and confidentiality of the information and data submitted herein, the City of McAllen and its employees are not liable if information or data is corrupted or does not reach its intended destination.***

**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

The TCAA Constitution provides that the President of the Association shall appoint a nominating committee of at least three persons, who, at the annual meeting of the Association (the fall meeting), shall submit nominees for Association officers. By custom, one Director position becomes available and is filled with a new nominee each year, while each current officer succeeds to the next highest office. The Director position is filled by a majority vote of the membership present and voting.

By completing and submitting this application, I hereby attest to the following:

- I am interested in serving on the TCAA Board of Directors (Board) and wish to be so considered.
- I am an “active member” (defined by the TCAA Constitution as “*any person duly licensed to practice law in this state who have been duly elected or appointed to the office of city attorney or assistant city attorney of a city, town, or village which is an active member of the Texas Municipal League*”) in good standing with TCAA.
- I understand that service on the Board requires that I attend several meetings during the course of a year, including:
  1. Winter Board meeting (January or February, typically in Austin or President’s home town)
  2. Summer Conference (June at different locations throughout the state)
  3. Fall Conference (fall at different locations throughout the state).
- I understand that Board service typically lasts for several years (typically 8-10 years) as current Board members are customarily re-nominated for service in successively higher positions that often culminate with service as President.
- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

Name: Isaac J. Tawil

Position: City Attorney

Address: 1300 Houston Ave., McAllen, TX 78501

Phone: 956-681-1090

Email: itawil@mcallen.net

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.



CITY ATTORNEY'S OFFICE

P.O. Box 220  
McAllen, Texas 78505-0220  
956-681-1090 Office  
956-681-1099 Fax  
[www.mcallen.net](http://www.mcallen.net)

August 21, 2023

Dear Honorable TCAA Board

With great pleasure and humility, I submit my application for nomination to the Texas City Attorneys' Association Board of Directors. As a lawyer practicing for over 20 years, I have proudly dedicated nearly half of that time to representing the City of McAllen. My diverse experience as a trial lawyer and certified mediator, and businessman, coupled with my long-time representation of the City of McAllen, gives me unique insight into the demanding duties each city attorney faces. I am excited to play a vital role in elevating the municipal law profession across the state.

Over the past 20 years, I have enjoyed assisting countless clients with a vast array of legal issues. Most recently, I have served as the City Attorney for McAllen, Texas. As City Attorney, I am the Chief Legal Officer for the City of McAllen, responsible for providing legal advice to the Mayor, City Commission, City Management, Police Department, Fire Department, Planning and Zoning Department, Building Inspections Department, the McAllen Public Utility and dozens of other city departments. I also supervise several lawyers, paralegals, in-house claims adjusters, and land acquisition personnel.

Prior to serving as the City Attorney, I was the Litigation Section Chief of the McAllen City Attorney's Office. In this capacity, I was the lawyer primarily responsible for representation of the City's interests in all matters of litigation, including without limitation, defense of claims against the City, condemnation, civil rights claims, civil service appeals, employment litigation, and voters' rights claims among many others. My career has allowed me to represent the McAllen Housing Authority, local and international elected officials, large and small corporations, and individuals with varying legal issues, including both prosecution and defense of criminal litigation, family law issues, personal injury litigation, employment litigation, contract litigation, construction defect litigation, complex transactional matters, and healthcare law.

I understand this is a highly coveted nomination and entails a significant time commitment. I am confident my experience and desire to serve coupled with my desire to further the practice of municipal law will allow me to make concrete contributions to TCAA's mission and goals. I look forward to discussing this opportunity with you further and remain ready and willing to serve TCAA.

Sincerely,

A handwritten signature in blue ink that reads "Isaac J. Tawil".

Isaac J. Tawil  
City Attorney  
McAllen, Texas

# Isaac J Tawil

Attorney | Mediator

1300 W. Houston Ave., McAllen, Texas 78501

ITawil@mcallen.net 956-457-6261

## Legal Experience

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### **City of McAllen**

City Attorney's Office 2021-Present

City Attorney

City Attorney's Office 2012-2021

Litigation Section Chief

1300 Houston Ave

McAllen, Texas 78501

My career with the City of McAllen began as a part-time prosecutor in the Municipal Court. Shortly thereafter, I was hired to work full time as a member of the in-house legal team assisting with various projects including legal issues related to the Performing Arts Center, various development agreements, the airport and as general counsel to the various departments of the City. When the City decided to self-insure, I was asked to take the lead in the development of a self-insurance and in-house defense and litigation department for the City Attorney's Office. Since the implementation of the City of McAllen Self-Insurance and Risk Management Claims Program in 2015, I have been the lawyer in charge of claims management, lead counsel on all litigation filed by or against the City of McAllen and was tasked with the general oversight of the program's employees and budget. During my tenure, I have successfully defended contested liability claims resulting in millions of dollars saved in insurance premiums and claims paid as compared to the City budget prior to the implementation of the program. Additionally, while working as the head litigator for the City, I continued to provide general counsel assistance to the various City departments.

### **Garcia Quintanilla & Palacios**

Attorney – August 2007- August 2012

5526 N. 10<sup>th</sup> Street

McAllen, Texas 78504

While working with Garcia Quintanilla & Palacios, the scope of my practice was expansive. In addition to handling complex commercial disputes in litigation, I also represented personal injury plaintiffs and defendants in various claims, litigated lender liability and complex commercial claims, handled hundreds of family law matters, and obtained my certification as both a general and family law specialized mediator.

During this time, I also successfully tried a complex personal injury case for a plaintiff whose child was killed after a charter bus broadsided their vehicle. With less than a day to prepare for trial, I successfully tried the case and obtained a jury verdict in excess of \$11,000,000 for the client.

While working with Garcia Quintanilla & Palacios, I was hired to assume the representation of Filipino Congressman and world-renowned boxer Emmanuel “Manny” Pacquiao in a breach of contract filed against the Congressman in Federal Court in McAllen. Upon assumption of the case, I was able to successfully identify fraudulent claims by plaintiffs and manipulation of evidence by the plaintiffs and through various forensic techniques successfully presented to the court a motion for dismissal of the action against my client. The dismissal withstood review on appeal to the 5<sup>th</sup> Circuit.

### **Law Office of Tom Wilkins**

Associate Attorney – August 1999- August 2007  
3900 N. 10<sup>th</sup> Street Suite 1010  
McAllen, Texas 78504

While working with the Law Office of Tom Wilkins, my legal work focused mainly in the areas of commercial litigation and complex business transactions. Within the first year after obtaining my law license, I assumed lead trial responsibility for a multi-party complex construction defect case. Representing a local developer, we sued over 20 defendants and settled with all defendants in less than one year. Additionally, I represented the developer of several low-income housing projects which the State Attorney General deemed an illegally developed colonia in violation of state law. In litigation which was brought against my client in the District Court for Travis County, I successfully resolved the litigation for my client with no additional cost nor construction obligations in the developments.

## **Business and Other Notable Experience**

### **Amara Hospice**

Founding and managing member of the largest hospice agency in Hidalgo County. Amara Hospice was the first hospice agency to offer all levels of hospice care (routine home care, respite care, general inpatient care, and continuous home care) in the Rio Grande Valley. Amara Hospice serves patients in a four-county area including Hidalgo, Starr, Cameron, and Willacy Counties. The agency currently employs nearly 50 health care employees including physicians, nurses, certified nurse assistance and office personnel. Amara Hospice operates from its 14,500 Joint Commission certified free-standing general inpatient hospice located in Edinburg, Texas.

As general counsel for the Hospice I drafted the company’s operating policies to be compliant with both local, state, and federal regulations as well as the Center’s for Medicare Services policies and State Medicaid requirements for participation. My duties also include employee oversight and organizational administration.

### **Southwest Research Institute**

As a legal intern during law school, I had the unique opportunity to work for Southwest Research Institute (SwRI), a nationwide independent, nonprofit, applied research and development organization. While working at SwRI I had the opportunity to assist in launching SwRI designed research satellites from foreign launch sites. I additionally provided research assistance in a product liability claim related to electronic relay switch failures in certain high-power antennae installed on the US Naval submarine fleet.

## Education

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**St. Mary's University**, School of Law  
1996-1999  
J.D.

**Legal Research Assistant** – Professor Aloysius A. Leopold  
Compiled nationwide comprehensive controlling decisions regarding community property and common law property decisions for the preparation of a major law review on issues relevant to marital dissolution decisions and the varied handling by jurisdiction.

**Teaching Assistant** -- Professor Lee Lytton, III  
Conducted weekly review of course work and study sessions related to property law for first year law students to assist in their preparation for exams and general understandings of major concepts as requested by Professor Lytton.

**University of Texas, Austin**  
1992-1996  
B.A., Psychology

## General In-House Counsel Expertise and Experience

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During my tenure as an Assistant City Attorney with the City of McAllen Legal Department, I have provided legal advice to City Management and the City Commission in a vast array of legal issues including:

1. Complex Real Estate Development
  - a. Provided advice related to the construction of the Performing Arts Center and was instrumental in drafting language to hold project architect accountable for budget overages. Additionally, have provided legal advice in the areas of parkland development in conjunction with the local school district and the conversion of parkland for general development purposes.
2. Development Agreements
  - a. Drafted and reviewed dozens of development agreements for the expansion of both retail and industry in the City of McAllen and certain projects in the surrounding area, including agreements with SpaceX and a local hospital system.

### 3. Planning and Zoning

- a. Provided general legal advice to development center staff on a variety of issues including the interpretation and implementation of City Ordinances related to development requirements

### 4. Airport Law

- a. Provided general legal advice to the current and previous directors of the McAllen Municipal Airport in revamping agreements with rental car companies, concessionaire contracts, mainline air service, airport revenue among, development of airport hanger lease policies and their implementation.

### 5. Civil Service Law

- a. Participated in several civil service disciplinary arbitrations and successfully defended both police and fire department disciplinary determinations; served as counsel in litigation related to promotional disputes raised in conjunction there with.

### 6. Healthcare Law

- a. Provided the benefits department advice in the negotiation of various agreements related to the administration of the health benefits available to City employees and served as a legal resource for compliance with key personnel training in areas of HIPAA implementation and compliance.

### 7. Workers' Compensation Law

- a. In addition to filing suits to protect and collect worker's compensation benefits liens, have also provided legal advice to Risk Management staff in the implementation of various policies for workplace safety, claims mitigation and resolution, and catastrophic loss management.

### 8. Emergency Management

- a. In the wake of various disasters, have prepared emergency declarations for the Mayor and City Management. Additionally, provided significant legal guidance for the creation and implementation of the COVID-19 task force protocols which successfully mitigated widespread infection among city employees. I continue to monitor CDC and other disease control sites for updated guidance in public health management of COVID-19 mitigation.

### 9. Condemnation and Eminent Domain

- a. Prosecuted several lawsuits for the acquisition of rights of way and other property for the development and furtherance of public need and projects.

### 10. Insurance Law



- a. Instrumental in the development of the City's Self-Insurance and Risk Management program which, in addition to claims-related litigation, includes general advice for the reduction of risk and protection of the program's budget.

11. Budget Management

- a. Primarily responsible for the management and administration of the City's Self-Insurance and Risk Management budget and oversight of the program's employees

12. Human Resources/ Employment Law

- a. In addition to defense of employment related litigation against the City, have provided general advice to the Human Resources director in the implementation of City Policies and Procedures and have represented City Management in human resources appeals proceedings

13. Depository Agreements

- a. In the wake of the City's primary local depository facing failure, strategically prepared and implemented agreements to secure the City's funds and see that all City assets were protected from the depository's failure

14. Municipal Procurement

- a. Provided legal advice and interpretation of contractual provisions related to City purchasing, contractor insurance and indemnity requirements and City compliance with procurement laws including among others Davis Bacon.

15. Open Government

- a. Reviewed notices of public meetings, provide advice on the implementation of changes in the law related to public engagement during open meetings and ensured compliance with the open meetings act

16. Public Information

- a. Provided City Management legal advice in its response to requests for public information and additionally requested numerous opinions regarding public information from the Attorney General.

17. Election Laws

- a. Provided City Management legal advice in the implementation of State election laws and addressed legal issues related to candidate qualification, resign-to-run, mail-in ballots and other issues related to the administration of City elections.

18. Nuisance Abatement

- a. Filed and successfully resolved several lawsuits to further Management's efforts to abate nuisances that posed serious threats to the health and safety of the local community

19. Civil Rights

- a. Successfully defended several claims of civil rights violations related to claims against both the McAllen Police Department and several individual officers.

20. Water Law

- a. Reviewed and prepared agreements related to the sale and purchase of water for the public utility and have additionally assisted in the City's dealings with several local Water Improvement and Irrigation Districts

21. Government Contracts

- a. Drafted and reviewed hundreds of contracts, interlocal agreements, memorandums of understanding and other legal instruments which are critical to various City functions and events.

22. Public Housing

- a. Advised the McAllen Housing Authority and successfully prosecuted a lawsuit for recoupment of MHA funds paid to a landlord which was found to have violated HUD rent policies.

23. Civil Litigation

- a. Serve as lead attorney on over 80 lawsuits filed by or against the City of McAllen in the areas of employment litigation, civil rights litigation, Tort Claims Act defense, condemnation, nuisance abatement, annexation, and municipal court prosecution. A description of notable litigation is included below.

24. CDBG

- a. Provide legal guidance to CDBG related to grant administration, HUD compliance, and community agency funding.

25. Police Department

- a. Provide legal advice to Police Chief and Captains in connection with legal elements of various crimes, ongoing training and compliance and assistance with interaction in various courts as needed.

26. Fire Department

- a. Provide legal advice to Fire Chief related to ambulance service to the City of McAllen and various compliance issues as needed.

27. City Board Representation

- a. Provide legal advice to City the McAllen City Commission, Public Utility Board, and additionally the Ambulance Evaluation Committee, Building Board of Adjustments & Appeals, the community Development Board, the McAllen Economic Development Council Board, the McAllen Housing Authority, the McAllen housing Finance Corporation, the Airport Advisory Board, the Property & Casualty Claims Board, among others.

## Notable Litigation

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1. ***CTC Distributing Ltd v. Descon Construction, et al.***, in the 92<sup>nd</sup> Judicial District Court, Hidalgo County, Texas

This was a construction defect case on which I was lead counsel for Plaintiff. The suit involved 21 individual defendants. This was the first lawsuit I handled as lead counsel. I worked the case from the ground up, which included formulating the case strategy, managing expert witnesses, conducting depositions and discovery and all other facets of the case, up to and including preparation for trial. The case resulted in a multi-million-dollar settlement for Plaintiff.

Case was filed on 12/06/2002 and was assigned to the 92<sup>nd</sup> judicial district court of Hidalgo County, Texas.

2. ***Imperial Ed Promotions, LLC v. Emmanuel Pacquiao***, in the United states District Court for the Southern District of Texas, McAllen Division.

***Edumndo H. Lozano Individually and d/b/a Imperial Ed Promotions v. Emmanuel Pacquiao, et al.***, in the 93<sup>rd</sup> Judicial District Court, Hidalgo County, Texas

I was initially approached to substitute as local counsel for Emmanuel Pacquiao in the federal action as Mr. Pacquiao was not satisfied with his local representation. The matter arose as a breach of contract case in which Plaintiff alleged that Mr. Pacquiao had committed an anticipatory breach of contract and ultimately failed to make an appearance in Hidalgo County, Texas. During my representation, I was able to determine that Plaintiff failed to adhere to required protocols and lacked standing to bring its suit. Additionally, after engaging in limited discovery, I was able to develop the theory that Plaintiff had fabricated documents and evidence ultimately resulting in the dismissal of the case. The dismissal was upheld on appeal to the 5<sup>th</sup> Circuit.

Subsequent to having the Federal matter dismissed, Plaintiff refiled his lawsuit in State court alleging that his/its lawyer engaged in professional malpractice and additionally sought to re-litigate his claims against Mr. Pacquiao. Ultimately, Plaintiff settled his claims with his lawyers and all claims against Mr. Pacquiao were dismissed.

3. ***In the Estate of Adelio Falcon Lopez, Deceased***, in the Probate Court of Hidalgo County, Texas.

After the death of Mr. Lopez, three of his daughters were the beneficiaries of a life insurance policy. They used the proceeds of that policy to purchase an apartment complex. Subsequently, there became a need to probate his estate. Unrelated to the life insurance, during the pendency of the administration of the estate, an after-born child made an unlawful claim for an interest in the life insurance proceeds which caused a delay in the sale of certain assets of the estate. Real estate counsel for the estate was not familiar with the procedure to have the notice of lis pendens removed. I was able to demonstrate the absolute jurisdiction of the probate court over the real estate matter, successfully remove the lis pendens, and completed the complex real estate transaction which resulted in the tax-free transfer of a multi-million-dollar complex.

4. *Lidia Salinas, et al v. Manrique Salinas Autobuses Del Noreste, S.A. de C.V.*; in the United States District Court, Southern District of Texas

This case arose from a commercial car accident. My client in this matter, Manrique Salinas, was traveling on a winding road near Reynosa, Mexico, when suddenly a commercial bus disregarded a stop sign crashing into my client's automobile, killing his wife and one of his children. Suit was filed in state district Court in Hidalgo County, Texas. Defendants unsuccessfully attempted to remove venue to Harris County. I was retained on the second day of trial to try the case for Mr. Salinas. Counsel for Plaintiff, on the Monday evening prior to trial, contacted me and requested that I appear for him in the morning to urge a continuance of the matter as plaintiff's counsel's father had suffered a heart attack during jury selection. The judge refused the continuance, and I was authorized to try the case on behalf of plaintiff, having less than an evening to prepare. I tried the case to the jury, which ultimately awarded Mr. Salinas a multi-million-dollar judgment against the Defendant. After the jury verdict, and prior to entry of the judgment, Defendant for the first time attempted to remove the case to Federal District Court, McAllen Division. Prior to remand or entry of the judgment, a confidential settlement was reached.

This case was originally filed in the as cause number C-2951-07-C; 139<sup>th</sup> District Court of Hidalgo County, Texas on

5. *CSQ Texas Co Et Al v. Moon G. Kim, et al*; in the 370<sup>th</sup> Judicial District Court, Hidalgo County Texas

This case involved a Deceptive Trade Practices Act claim against a predatory tow truck company in which Plaintiff alleged that the entity had engaged in unlawful activity under the Texas State Towing Statute. On behalf of my client, the tow company, I filed a motion to dismiss for lack of jurisdiction of the State District Court. At the time of the suit, the state statute regulating tow truck companies was clearly preempted by the Federal Reauthorization Act. Ultimately, the judge of the 370<sup>th</sup> District Court agreed, and dismissed all causes of action against my client. This case marked an important recognition of the ability of the federal government to preempt state regulation of business

6. *Garcia v. City of McAllen, Texas*, In the United States District Court, Southern District of Texas

Plaintiff filed a complaint alleging excessive force claims against the City of McAllen police department after his daughters were brutally murdered by their stepfather. Plaintiff claimed that in responding to a domestic violence call, McAllen police officers discharged their weapons shooting and killing his children. Additionally, Plaintiff claimed that the police department lacked sufficient training and fostered and condoned the excessive use of force. In addition to the alleged civil rights violations, Plaintiffs' claimed that the City violated the Texas Public Information Act. I successfully represented the City of McAllen in having all the civil rights claims dismissed before having to answer the suit, and the alleged violations of the Public Information Act claims dismissed on summary judgment without trial.

7. *Cavazos v. City of McAllen*, in the 430<sup>th</sup> Judicial District Court of Hidalgo County, Texas

This case involved a side swipe car accident between a City of McAllen refuse vehicle and a pickup truck. Liability was contested, and Plaintiff was represented by exceptional, widely-respected trial counsel. Plaintiff refused reasonable offers to settle this case, and the case was tried to a jury. After trial, the jury found that 95% of the liability for the accident lied with Plaintiff and he was awarded no damages. This case was important because it was the first major accident case that the City of McAllen tried after implementing a self-insurance program. As the lead litigation attorney and attorney responsible for implementation of the program, this case was critical in establishing our ability to defend our client and to justify our client's ability to assess liability fairly.

This case was originally filed on February 7, 2018 as Cause number C-0488-18-J and tried to a jury on October 21, 2019.

8. ***Araujo v. City of McAllen*** in the 430<sup>th</sup> Judicial District Court, Hidalgo County, Texas

This case involved a slip and fall at the McAllen Central Bus Terminal. Plaintiff tripped and fell while walking to board a bus for a trip to Mexico. Plaintiff in this case was represented by competent counsel with significant experience suing and defending governmental entities. Despite significant efforts to create issues of fact regarding the level of knowledge Defendant City of McAllen had with respect to damage and defects in the sidewalk where the accident allegedly occurred, Plaintiff's claims were defeated on a plea to the jurisdiction. In addition to the importance of the result in this matter to my client, this case was critical in limiting an unjustified expansion or relaxing of the notice requirements which can lead to a waiver of liability under the Texas Tort Claims Act.

This case was originally filed as Cause number C-0979-17-J and the Defendant, City of McAllen Plea to the Jurisdiction was granted on February 4, 2019.

9. ***McAllen Housing Authority v. Diamond*** in the 430<sup>th</sup> Judicial District Court, Hidalgo County, Texas

In this case I represented the McAllen Housing Authority in bringing claims against the operator of several low-income housing projects operating under the Housing Authority's low-income housing program. This claim was unique in that it involved prosecuting claims against a landlord for mischarging tenants under a HUD-sponsored program. Under the specific program at issue a landlord can be liable to the Housing Authority for all rents collected when a landlord mischarges a tenant under the program. This is one of only a handful of similar cases that have been tried nationwide and was a critical deterrent to the unscrupulous practices of local low-income landlords. I successfully collected significant funds for the Housing Authority and corrected many bad practices among low-income landlords as a result of the litigation.

This case was originally filed by the McAllen Housing Authority on October 31, 2018 and resolved by settlement agreement on July 31, 2019.

10. ***Lopez v. City of McAllen***, in the United States District Court, Southern District of Texas

This was an employment discrimination case brought against my client, the City of McAllen. Plaintiff claimed that he suffered age and race discrimination and was wrongfully terminated as a result thereof. This case involved significant and thorough discovery and was ultimately dismissed on summary judgment. At the summary judgment hearing, Plaintiff admitted that he had no evidence to rebut the defenses I developed for the City and ultimately

acquiesced to the dismissal of the case as a result. This case was significant because it was the first employment related claim brought against my client under its new self-insurance program and verified that its adjustment of claims against the City of McAllen for discriminatory employment practices are fair.

This case was originally filed on January 20, 2017 as Cause number M-17-025 and final summary judgment in favor of the City of McAllen was granted on June 18, 2018

11. *Ford Motor Company v. Garcia*, 363 SW3d 573, Texas 2012

In this case, my client, Mr. Garcia, was appointed Guardian ad litem and Attorney ad litem to represent the interests of minor plaintiff who was injured in an automobile accident. The dispute at issue involved the award of fees for the guardian and/or attorney ad litem and the distinctions of each under Texas law. In this case I represented my client and his interest through litigation and appeal to the Texas Supreme Court which ultimately clarified the differences in attorneys and guardians ad litem under Texas law and solidified how each is to be compensated for their services.

## Licenses and Associations

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State Bar of Texas

United State District Court, Southern District of Texas

United State Court of Appels, Fifth Circuit

State Bar of Texas Government Law Section

State Bar of Texas Health Law Section

State Bar of Texas Alternative Dispute Resolution Section

State Bar of Texas Litigation Section

College of the State Bar of Texas

## TCAA Board Application

Will Trevino <Will.Trevino@brownsvilletx.gov>

Wed 7/26/2023 1:01 PM

To: Evelyn Njuguna <evelyn@tml.org>

📎 3 attachments (2 MB)

Guillermo S. Trevino Resume v3.pdf; Will's TCAA-Board-Application.pdf; TCAA Board Application Letter.pdf;

Hello Evelyn,

Please find attached my board application and additional enclosures for consideration. Thanks!

**Thanks,**

**Guillermo (Will) S. Trevino**

City Attorney

City of Brownsville | Office of the City Attorney

1001 East Elizabeth Street | Brownsville, Texas 78520

Tel: (956) 548-6070 Cell: (956) 556-5520

*For more information about the City Attorney's Office click [HERE](#)*

*To schedule a meeting, click [HERE](#)*



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**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

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By completing and submitting this application, I hereby attest to the following:

- I am interested in serving on the TCAA Board of Directors (Board) and wish to be so considered.
- I am an “active member” (defined by the TCAA Constitution as “*any person duly licensed to practice law in this state who have been duly elected or appointed to the office of city attorney or assistant city attorney of a city, town, or village which is an active member of the Texas Municipal League*”) in good standing with TCAA.
- I understand that service on the Board requires that I attend several meetings during the course of a year, including:
  1. Winter Board meeting (January or February, typically in Austin or President’s home town)
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- I understand that Board service typically lasts for several years (typically 8-10 years) as current Board members are customarily re-nominated for service in successively higher positions that often culminate with service as President.
- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

Name: Guillermo (Will) Samuel Trevino

Position: City Attorney - City of Brownsville, Texas

Address: 1001 E. Elizabeth Street, Brownsville, Texas 78520

Phone: 214-909-1199

Email: will.trevino@brownsvilletx.gov

- Please attach a brief description of your municipal law experience. Please see enclosed resume and below.
- Please attach a brief description of your reasons for wishing to serve on the Board. Please see enclosed

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.



Will graduated from Texas A&M in 2004 with a degree in Psychology. In 2007, he received his law degree from Texas Southern University Thurgood Marshall School of Law and his masters in law from Western New England School of Law in 2011. In December 2021, Will received his MBA from Baylor University, with a concentration in cyber security. He is currently enrolled in Baylor University's doctoral program in Learning and Organizational Change.

Will is the 2018 recipient of the Rising Advocate in Government Law presented by the State Bar of Texas Government Law Section to recognize an outstanding government lawyer who has provided exemplary service to the profession and the public. He has worked with cities for more than twelve years. He provided legal services to cities in both his private practice work and as an in-house attorney for the City of Fort Worth. Will previously worked for Texas Municipal League as a legal counsel and is currently the City Attorney for the City of Brownsville. He is also a council member of the State Bar of Texas Computer Law & Technology Council and contributed to the 2021 9th Edition of the National League of Cities Model Charter manual.

# **Guillermo (Will) Samuel Trevino, J.D., LL.M., MBA**

1751 Westminster Rd. • Brownsville, Texas 78521

Cell: (214) 909-1199 • Email: [willtrevino@gmail.com](mailto:willtrevino@gmail.com)

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## **BAR MEMBERSHIP**

Admitted to the State Bar of Texas, November 2008

## **WORK EXPERIENCE**

**City of Brownsville**, Brownsville, TX, February 2022 – Present

**City Attorney** (Previously First Assistant City Attorney)

- Responsible for providing quality legal services to assigned departments, boards, committees, and commissions
- Responsible for overseeing the Office of the City Attorney and its four assistant attorneys and five personnel members
- Provides legal advice and services to the City, Mayor and Board of Commissioners, City Manager, and Staff
- Reviews documents and provides legal opinions and advice
- Prepares, reviews, tracks, and analyzes contracts, agreements, policies, and other legal documents
- Represents the City in negotiating legal issues; assures that legal issues are resolved within City policy guidelines and applicable law; assures effective communication of issues with City principals
- Recommend changes in policies and procedures in order to meet legal requirements
- Provides final decision-making on legal matters affecting policy with possible significant cost implications
- Makes professional presentations before boards, commissions, and the Board of Commissioners
- Prepares legal instruments for boards and commissions, City Manager, and Board of Commissioners
- Supports the relationship between the City of Brownsville and the general public by demonstrating courteous and cooperative behavior when interacting with citizens, visitors, and City Staff

**Town of Indian Lake**, Indian Lake, TX, October 2022 – Present

**Presiding Judge**

- Preside over Municipal Court for all class C Misdemeanors, Town matters, criminal jury and non-jury trials, pre-trial conferences, juvenile warnings, and other cases appropriately tried in Municipal Court
- Review, approve, and/or deny motions filed before the court
- Determine innocence or culpability in bench trials and levy fines as appropriate
- Supervise the administration of juror notification and direct jurors in trial cases on their role in the interpretation and application of the law
- Review and/or sign complaints, summons, subpoenas, affidavits for search and arrest warrants, appeal bonds, and affidavits
- Support court activities with Municipal Court Clerk, Town Attorney and/or Town Prosecutor, and other Town departments

- Conduct hearings (including property, emergency protective order, and dangerous structures)
- Issue warrants (including search, arrest, and blood warrants), summons, magistrate warnings, set bonds, etc.
- Review legislation and current case law affecting offenses and the criminal justice system and implemented procedures to ensure compliance
- Perform legal research as needed and determine fine amounts
- Collaborate with the Town Council and applicable Town department(s) to ensure policies and orders are within the parameters of state law but also consistent with the values of the communities and needs of other departments
- Collaborate with the Town Council to establish judge-specific performance benchmarks regarding the effectiveness and productivity of the court

**Texas Municipal League, Austin, TX, January 2021 – February 2022**

**Legal Counsel**

- Provided legal advice to member cities, including their city attorneys, other city officials, and other interested parties
- Drafted papers and participated in educational seminars and presentations on matters affecting cities
- Assisted the Executive Directors, General Counsel, Director of Legal Services, and the Director of Legislative Services in various projects and responsibilities
- Analyzed and prepared legal memoranda and amicus briefs for filing in appellate cases that are significant to Texas cities
- Wrote articles for TML publications, including legal Q & A columns
- Assisted the Director of Legal Services with projects and responsibilities of the Legal Department
- Assisted with League's legislative program, including analyzing and drafting of legislation, and testifying before legislative groups
- Spoke at TML regional meetings and TML educational programs

**City of Manor, Manor, TX, January 2020 – June 2020**

**Presiding Judge**

- Presided over Municipal Court for all class C Misdemeanors, City matters, criminal jury and non-jury trials, pre-trial conferences, juvenile warnings, and other cases appropriately tried in Municipal Court
- Reviewed and/or denied motions filed before the court
- Determined innocence or culpability in bench trials and levied fines
- Supervised the administration of juror notification and directed jurors in trial cases on their role in the interpretation and application of the law
- Reviewed and/or signed complaints, summons, subpoenas, affidavits for search and arrest warrants, appeal bonds, and affidavits
- Supported court activities with Municipal Court Administrator, City Attorney and/or City Prosecutor, and other city departments
- Conducted hearings (including property, emergency protective order, and dangerous structures)
- Issued warrants (including search, arrest, and blood warrants), summons, magistrate warnings, set bonds, etc.
- Reviewed legislation and current case law affecting offenses and the criminal justice system and implemented procedures to ensure compliance

- Performed legal research as needed and determined fine amounts
- Collaborated with the City Council and applicable city department(s) to ensure policies and orders are within the parameters of state law but also consistent with the values of the communities and needs of other departments
- Collaborated with the City Council to establish judge-specific performance benchmarks regarding the effectiveness and productivity of the court

**Messer, Rockefeller, & Fort, PLLC, Austin, TX, November 2016 – December 2020**

Associate Attorney – Served as city attorney for several cities

- Past City Attorney for the Cities of Clarksville, Whitney, and Bartlett, Texas
- Past assistant EDC Counsel for Van Alstyne Type A and B corporations, Bartlett Type B corporation and Municipal Development District, Schulenburg Type B corporation, Newark Type B corporation and Municipal Development District, and Pflugerville Type B corporation
- Counseled home rule and general law cities in elections, land use, economic development, and on compliance with the Public Information and Open Meetings Acts
- Negotiated, drafted, reviewed, and approved various contracts, including construction, employment, and complex economic development agreements
- Drafted and reviewed city ordinances and resolutions
- Drafted and submitted legal briefs to the Texas Attorney General's Office
- Reviewed subpoenas and associated records; drafted and filed motions; and attended hearings
- Prosecuted Class C Misdemeanors and violations of various city codes; drafted trial briefs, pre-trial motions and responses; and negotiated settlements of municipal court cases with attorney representatives and unrepresented defendants

**City of Fort Worth, City Attorney's Office, Fort Worth, TX, March 2012 – November 2016**

Assistant City Attorney II

- Negotiated and drafted complex contracts for the Purchasing Division and Human Resources Department, such as TPAs, BAAs, and NDAs
- Legal Advisor for the Minority and Women's Business Enterprise Advisory Committee
- Advised City Departments on matters ranging from municipal procurement, elections, M/WBE to HIPAA compliance
- Advised City officials and departments on Public Information and Open Meetings Acts
- Drafted and submitted legal briefs to the Texas Attorney General's Office
- Conducted training sessions for City Staff on the Public Information and Open Meetings Acts
- Reviewed legislation that impacted the City, worked with City's lobbyist as necessary, and implemented changes for approved legislation
- Reviewed subpoenas and associated records; drafted and filed motions; and appeared on behalf of the City in Criminal and Family Courts
- Drafted City ordinances, Administrative Regulations, Mayor and Council Communications, and policies to comply with changes in the law or management direction
- Past responsibilities included: Prosecuted State and local criminal offenses in the City's municipal courts; Conducted case screening and evaluation, case preparation, pre-trial hearings, case-in-chief presentations, and bench and jury trials; Negotiated appropriate settlements of municipal court cases with attorney representatives and unrepresented defendants; Prepared legal opinions on Class C misdemeanor prosecution matters; Prepared/reviewed Code ordinances carrying Class C misdemeanor prosecution consequences; Prepared responses to appeals, trial briefs, discovery requests and motions to suppress

**The Trevino Law Office, Lewisville, TX, January 2010 – March 2012**

**Solo Practitioner**

- Represented clients on various estate planning matters
- Performed legal research on a variety of legal issues, including tax, real estate, and estate planning
- Conducted client intake interviews
- Prepared various estate planning documents, including Wills, Trusts, Directives to Physicians, HIPPA Releases, Power of Attorneys, Medical Power of Attorneys, and Declaration of Guardianships

**PROFESSIONAL EXPERIENCE**

**City of Fort Worth, Council Member Kathleen Hicks, District 8, Fort Worth, TX District Administrator, October 2008 – March 2012**

- Oversaw the operating budget for the office, staffed committee meetings, and assisted with constituent services and community outreach
- Managed public policy initiatives
- Worked with the Council Member on the analysis of the City's budget
- Represented the Council Member in meetings with corporate and public officials, and constituents
- Drafted Council statements and speeches
- Briefed the Council Member on issues before Council

**City of Houston, Council Member Jolanda “Jo” Jones, At-Large Position 5, Houston, TX Deputy Chief of Staff, January 2008 – October 2008**

- Managed public policy initiatives and oversaw community outreach
- Researched laws, bills, and other reference materials to fulfill requests for information by the City Council Member and constituents
- Assisted with policy issues at the local, state, and federal level
- Assisted the Chief of Staff in managing the office

**City of Houston, Council Member Addie Wiseman, District E, Houston, TX Chief of Staff, October 2007 – December 31, 2007**

**Council Aide, July 2006 – October 2006, July 2007 – October 2007**

- Directed the public policy of the Council Office
- Oversaw Council staff, Council Agenda, committees, office operating budget, media and public relations, and constituent services and community outreach
- Served as record retention officer for the office ensuring compliance with Public Information Act
- Mediated between Mayor’s office and City Council member’s office

**EDUCATION**

**Baylor University - Waco, TX**

Candidate for Doctor of Education (EdD) in Learning and Organizational Change, May 2025

**Baylor University - Waco, TX**

Master of Business Administration (MBA), December 2021

- Concentration in Cyber Security

**Western New England University School of Law - Springfield, MA**

Master of Laws (LL.M.) in Estate Planning and Elder Law, May 2011

- GPA: 92.7 out of 100

**Texas Southern University Thurgood Marshall School of Law** - Houston, TX

Juris Doctor, May 2007

- Top 45% of Class; Class Rank: 87/210
- Dean's List: Summer 2006, Spring 2007
- CALI Excellence for the Future Award in Business Planning
- CALI Excellence for the Future Award in Family-Based Immigration
- Phi Alpha Delta Law Fraternity International Member
- Hispanic Law Student Association Member
- Texas Bar Student Association Member

**Texas A&M University** - College Station, TX

Bachelor of Science in Psychology, May 2004

## **PROFESSIONAL ASSOCIATIONS AND TRAINING**

- State Bar Computer and Technology Section Council Member, 2020 - 2023
- State Bar Government Law Section Member, 2016 - 2022
- CompTIA Security+ (in progress) – Anticipated completion December 2025
- Member of the State Bar of College
- Texas District and County Attorney Association's Prosecutor Trial Skills Course, 2014
- Obtained Attorney General certificates in all open government trainings

## **SPEAKING, WRITING & SELECTED ACCOMPLISHMENTS**

- 34<sup>th</sup> Annual Advanced Government Law Conference, *Economic Development: A Case study of Brownsville, Texas* – San Antonio, July 2022
- 2022 TML Summer Annual Conference, *Meta-what Now? Navigating Your City Through the Next Evolution of Social Connection*, – Galveston, June
- Region 12 Meeting, *Cybersecurity*, – South Padre Island, May 2022
- Dallas City Attorney's Office Training, *First Amendment Issues* – Dallas, February 2022
- TML Newly Elected City Officials' Workshop, *Open Government Training* – San Antonio, February 2022
- 2022 TCMA William "King" Cole Training Series – Austin, January
  - *Open Government*
  - *Procurement Under ARPA*
- 2022 TML Newly Elected Officials' Conference, *Public Information and Texas Open Meeting Acts Training* – San Antonio, January
- 2021 TML Annual Conference, Houston, October
  - *How Small Cities Are Using Coronavirus Local Fiscal Recovery Funds*
  - *Cybersecurity is a Risky Business*
  - *TML Q&A Session*
- 2021 PRIMA Regional Risk Management Conference, *Cybersecurity* – Hurst, September
- 2021 TCAA Summer Conference, *Cybersecurity is a Risky Business* – Austin, August
- 33<sup>rd</sup> Annual Advanced Government Law Conference, *Cybersecurity is a Risky Business* – Austin, August 2021

- 2021 TML-TAMCC Elected Officials' Conference, *Cybersecurity is a Risky Business* – Austin, March
- 2019 TPCA Employment Law, Civil Service & Public Information Act (PIA)/Open Records Seminar, *The Public Information Act for Law Enforcement – What you need to know* – Austin, November
- Recipient of the 2018 – 2019 “Rising Advocate in Government Law” – State Bar of Texas, Government Law Section
- Local Government 101 Conference, The Cutting-Edge Issues, *Open Meetings* – Ennis County, May 2019
- Local Government 101 Conference, The Cutting-Edge Issues, *Open Records* – Grayson County, July 2018
- Open Government & Enforcement Conference, *Open Government Training* – Montague County, December 2017
- Fort Worth City Attorney's Office In-House CLE Training, *Municipal Election Law* – Fort Worth, November 2016

### **COMMUNITY ACTIVITIES**

- Boy Scouts of America, Pack 160, Lions Den Parent 2021 - 2022
- Tarrant County Bar Association Elder Law Committee, Chair-Elect 2015-2016, Chair 2016-2017
- Tarrant County Bar Association Diversity Committee, Chair 2013 – 2014
- Cameron County Bar Association member 2022 - Present



## Office of the City Attorney

July 26, 2023

**Via Email**

Texas City Attorneys Association  
Board of Directors  
c/o Evelyn Njuguna  
evelyn@tml.org

**RE: Service on Texas City Attorneys Association (TCAA) Board of Directors**

To Whom It May Concern:

I am writing to express my sincere interest in serving on the Board of Directors (the “Board”) for the Texas City Attorneys Association (“TCAA”). Having dedicated over 12 years of my professional career to the field of municipal law, I am keen to contribute my expertise and commitment to the advancement of TCAA's mission and objectives.

Throughout my career, I have had the privilege of representing various municipalities, gaining valuable experience in handling a wide array of legal matters related to local governments. I have been actively involved in drafting and reviewing city ordinances, negotiating contracts, and providing legal guidance on zoning and land use issues. My passion for government practice has fueled my determination to ensure that municipalities uphold the highest standards of legal compliance while effectively serving their communities.

As an attorney deeply committed to promoting excellence in municipal law, I have actively engaged in continuing legal education, workshops, and seminars relevant to the dynamic challenges faced by local governments. I have also continued my education by earning my master's in business administration with an emphasis in cyber security from Baylor University and am currently working on my dissertation, which focuses on cyber security breaches in local governments. This continuous pursuit of knowledge allows me to stay up-to-date with the latest developments in municipal law and equips me to make informed decisions for the benefit of my clients.

If granted the opportunity to serve on the Board of Directors, I would bring unwavering



dedication, a collaborative spirit, and a strategic vision to the table. I strongly believe that my experience and insights can help steer TCAA toward further growth, professional development, and advocacy for the interests of municipal law practitioners.

I am particularly enthusiastic about the prospect of working with other esteemed professionals who share the same passion for municipal law. I firmly believe that my skills in leadership, communication, and teamwork will contribute positively to the Board's efforts in advancing the goals of TCAA.

Thank you for considering my application to serve on the Board of Directors. I am confident that my years of experience in municipal law and my unyielding commitment to the field would make me an asset to TCAA and its members.

Please find my resume and board application enclosed for your reference. I look forward to the opportunity to discuss my candidacy further and how I can contribute to the success of the Texas City Attorneys Association.

Sincerely,

A handwritten signature in blue ink, reading "Guillermo S. Trevino". The signature is fluid and cursive, with a long horizontal stroke at the end.


Guillermo (Will) Trevino  
City Attorney

## Application and Statement

Martie Vela <martie.garcia@gmail.com>

Fri 8/25/2023 12:45 PM

To:Evelyn Njuguna <evelyn@tml.org>

 2 attachments (620 KB)

TCAA Application Statement.pdf; TCAA Board Application.pdf;

Hi,

Please find the attached application and statement.

Thanks,

Martie

**Texas City Attorneys Association (TCAA)**  
**Board of Directors**  
**- Application Form -**

The TCAA Constitution provides that the President of the Association shall appoint a nominating committee of at least three persons, who, at the annual meeting of the Association (the fall meeting), shall submit nominees for Association officers. By custom, one Director position becomes available and is filled with a new nominee each year, while each current officer succeeds to the next highest office. The Director position is filled by a majority vote of the membership present and voting.

By completing and submitting this application, I hereby attest to the following:

- I am interested in serving on the TCAA Board of Directors (Board) and wish to be so considered.
- I am an “active member” (defined by the TCAA Constitution as “*any person duly licensed to practice law in this state who have been duly elected or appointed to the office of city attorney or assistant city attorney of a city, town, or village which is an active member of the Texas Municipal League*”) in good standing with TCAA.
- I understand that service on the Board requires that I attend several meetings during the course of a year, including:
  1. Winter Board meeting (January or February, typically in Austin or President’s home town)
  2. Summer Conference (June at different locations throughout the state)
  3. Fall Conference (fall at different locations throughout the state).
- I understand that Board service typically lasts for several years (typically 8-10 years) as current Board members are customarily re-nominated for service in successively higher positions that often culminate with service as President.
- I understand that service on the Board is voluntary, and that I am responsible for my own expenses.

Name: Martie Garcia Vela

Position: City Attorney (Mercedes, La Grulla, Escobares)

Address: 4101 Washinton Avenue Houston, Texas 77007

Phone: 713-927-4433

Email: martie.garcia@gmail.com

- Please attach a brief description of your municipal law experience.
- Please attach a brief description of your reasons for wishing to serve on the Board.

Please email this form and attachments to Evelyn Njuguna at [evelyn@tml.org](mailto:evelyn@tml.org).

**Note:** the TCAA Constitution also provides that additional nominations may be made from the floor.



**MGV**  
martie garcia-vela  
attorney at law, p.c.

**Hon. Evelyn W. Njuguna**  
Director of Legal Services  
Texas Municipal League  
[evelyn@tml.org](mailto:evelyn@tml.org)

I started my career in municipal law when I was an assistant district attorney in Starr County, Texas; a county that is home to several small cities. As a prosecutor I assisted local municipalities with court procedures, legal review of documents, ordinances, and election laws. Around 2018, I was selected as city attorney for Roma. I enjoyed my work that included reviewing and compliance with grants including USDA, CDBG, and other initiatives. In addition to that work, I assisted the city police department with code of criminal procedure issues, warrants, and report writing. I also managed claims in litigation on behalf of the city and worked closely with TML adjusters in mediations and settlement of claims. I provided input on budgetary (legal) concerns and worked closely with the city secretary in the administration of elections. I oversaw legal requirements for resolutions and ordinances. My experience included preparation of memorandums of law on complex legal questions, negotiating contracts, and counseling the entity on public information act requests. I attended continuing legal education courses focused on municipal law and self-studied the Texas Government Code

On or around 2021-2022, I became city attorney for Mercedes, La Grulla, and Escobares. I currently represent these three cities in South, Texas. The Rio Grande Valley encompasses a region of small to medium sized cities. It is a growing metropolis that has international law implications. My experience working for these fine cities has included recruitment of major retail and food service companies to closing of lengthy contracts. My experience has expanded to legal guidance of commissions, economic development corporations, and partnerships. I have reviewed thousands of proposed agreements, mou's, and development agreements. My work has expanded to working with our national and local legislators, county leaders, and other political counterparts. I consider myself an ambassador for our area focused on infrastructure, growth, and education. I enjoy my work in municipal law and have been an active member of TCAA.

I would like to serve on the board so that I may bring back ideas and opportunities to the municipalities in the Rio Grande Valley. I have experience teaching CLE's and have been in

community service positions with the Texas Bar and with TDCAA I was a member of the State Bar of Texas Leadership! And I have attended Train the Trainor programs. I would like to offer a diverse figure on the TCAA board that brings a small-medium cities exposure and presence to the board. I would like to also contribute by volunteering to present at CLE's for TCAA and other community service-based opportunities. I will advocate for the profession in talking to law students about municipal work and bring awareness to issues that affect municipalities and local government.

Sincerely,  
Martie Garcia Vela  
4101 Washington Avenue  
Houston, Texas 77007  
713-927-4433  
[martie.garcia@gmail.com](mailto:martie.garcia@gmail.com)

TAB

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TAB

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