

**Texas City Attorneys Association**

**Board of Directors Meeting**

Waco, Texas  
February 21, 2025

## **Agenda**

TCAA Board of Directors Meeting  
Waco, Texas  
Friday, February 21, 2025  
3:00 p.m.

1. Consider and approve minutes of the October 9, 2024 TCAA Board Meeting.
2. Staff report on the survey results of the 2024 TCAA Fall Conference.
3. Discuss and consider creating a conference planning committee.
4. Consider and approve the 2025 Summer Conference program.
5. Staff report on the TCAA budget.
6. Discuss transition of services provided to TCAA by the TML Legal Services Department to the TML Affiliate Services Department.
7. Discuss 2025 Legislative Session.
8. Discuss TCAA regional groups.
9. Committee Reports:
  - a. Summer Conference Welcoming Committee (Jennifer Richie and Mike Hayes)
  - b. Sponsorship Program Committee (Julie Fort, Frank Garza, Brandon Davis, and Slater Elza)
  - c. Privacy Policy Committee (Julie Fort, Brandon Davis, and Slater Elza)
  - d. Constitutional Review Committee (Victor Flores, Laura Mueller, Will Trevino, and Maleshia McGinnis)
  - e. Municipal Certification Program (Slater Elza and Brandon Davis)
  - f. Paralegal Programming (Sharae Reed)
10. Report from the TCAA representative to the TML Board (Kathy Davis)
11. Next board meeting.
12. Other business
13. Adjourn

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## Minutes

TCAA Board of Directors Meeting  
Houston, Texas  
Conference Room 332C  
Wednesday, October 9, 2024  
4:00 p.m.

Board President Slater Elza called the meeting to order at approximately 4:06 p.m.

**Board members present:**

Slater Elza  
Jennifer Richie  
Julie Fort (via videoconference)  
Sharae Reed  
Maleshia B. McGinnis (via videoconference)  
Victor Flores  
Mike Hayes  
Brandon Davis  
Kuruvilla Oommen (K.O)  
Frank Garza

**Board members absent:**

Laura Mueller

**TML staff present:**

Evelyn Njuguna  
Miguel Martinez

1. Consider and approve minutes of the June 12, 2024 TCAA Board Meeting.

A motion to approve the June 14, 2023 board meeting minutes made by K.O was seconded by Brandon Davis. Unanimously approved.

2. Consider and approve minutes of the July 12, 2024 TCAA Board Meeting.

A motion to approve the July 12, 2024 board meeting minutes made by K.O was seconded by Brandon Davis. Unanimously approved.

3. Staff report on the survey results of the 2024 Summer Conference.

No action.

4. Staff report on the 2024 TCAA Fall Conference.

No action.

5. Report on the 2024-2025 TCAA Board of Directors applications.

No action.

6. Discuss and consider updates to the TCAA sponsorship program.

The board created and appointed Julie Fort, Brandon Davis, Slater Elza, and Frank Garza to serve on the TCAA sponsorship committee.

7. Discuss and consider norms for posting on the TCAA listserv.

A motion to approve the norms for posting on the TCAA listserv made by Sharae Reed was seconded by Victor Flores. Unanimously approved.

8. Discuss and consider creating a scholarship in honor of Art Pertile.

A motion to create the Art L. Pertile, III Scholarship made by Brandon Davis was seconded by Victor Flores. Unanimously approved. The scholarship will fund one TCAA active member to attend an IMLA Annual Conference. The scholarship recipient will receive a reimbursement of up to \$2,500 for expenses that the recipient's city or law firm would have otherwise provided for attendance at the conference, including registration, travel, meals, and lodging at the conference hotel. Winners, including recipients of the Susan C. Rocha Memorial Scholarship, from previous years are not eligible.

9. Discuss and consider creating and appointing members to serve on the following subcommittees:

a. Paralegal Programming

Sharae Reed was nominated to chair this committee.

b. Constitutional amendments to provide for voting of board members at the semi-annual summer conference ([Art. IV, Section 3 and Art. V, Section 1 of the TCAA Constitution](#))

Maleisha McGinnis, Victor Flores, Will Trevino, and Laura Mueller were nominated to serve on this committee.

c. TCAA Municipal Certification Program

Slater Elza and Brandon Davis were nominated to serve on this committee.

d. Privacy Policy

Members of the TCAA Sponsorship Committee (Julie Fort, Brandon Davis, Slater Elza, and Frank Garza) were nominated to serve on this committee.

10. Staff report on the TCAA budget.

No action.

11. Report from TCAA Board representative on the TML Board.

No action.

12. Next board meeting (February 7 or February 21).

The next board meeting will be held on February 21 in Waco, Texas

13. Other business.

14. Adjourn.

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## Q1 - Please provide your name.

Please provide your name.

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Joyce Garcia

Debra Mergel

Jeff Lewis

Aimee Alcorn-Reed

Danielle Folsom

Kuruvilla Oommen

Olivia Elliott

Karla Saenz

Thomas Leeper

Jerry Baker

Courtney White

William Tatsch

Scott LEvine

Alan Bojorquez

Slater Elza

Darrell J Guthrie

Trisha Dang

Melody T Carrier

Gary Smith

Sherri Russell

Joshua Gutierrez

Kristi Skillern

Meredith Riede

Bryan Guymon

Chuck Hester

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

Please provide your city or firm if applicable.

City of El Paso

Randle Law Office

TEXARKANA

Kyle

City of Houston

City of Irving

City of Cactus

City of El Paso

City of Bryan

Nacogdoches

Underwood Law Firm, P.C.

Kerrville

City of Garland

Austin

Underwood Law Firm

Law Office of Darrell J. Guthrie, PLLC

City of Sugar Land

Beaumont

Richmond

City of Lake Jackson

City of League City

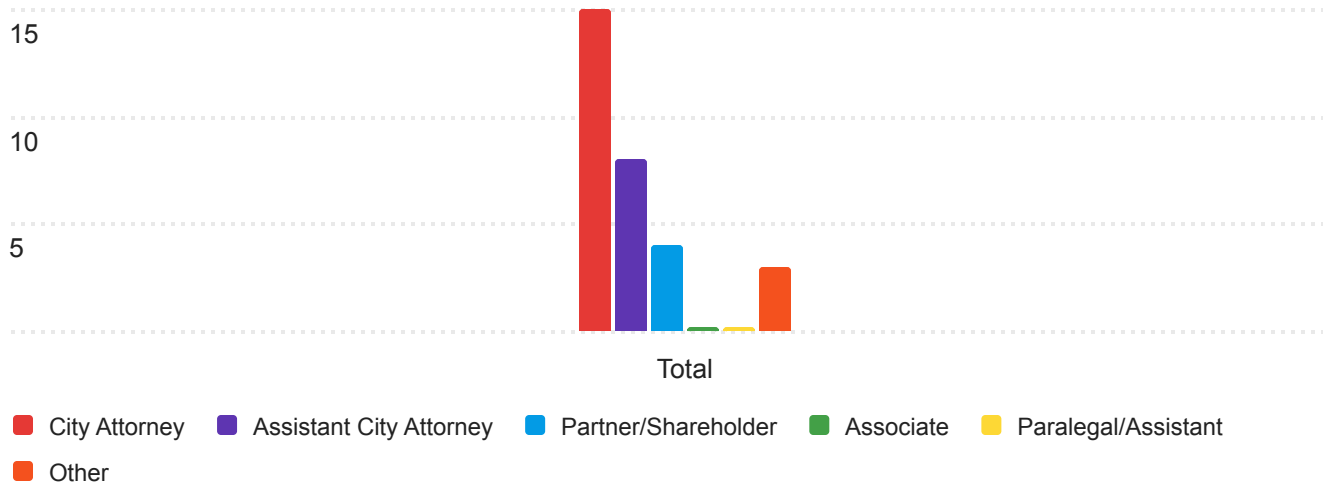
Lufkin

City of Sugar Land

Underwood Law Firm, PC

Canyon

### Q6 - Please provide your job title.



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

If "Other", what is your title?

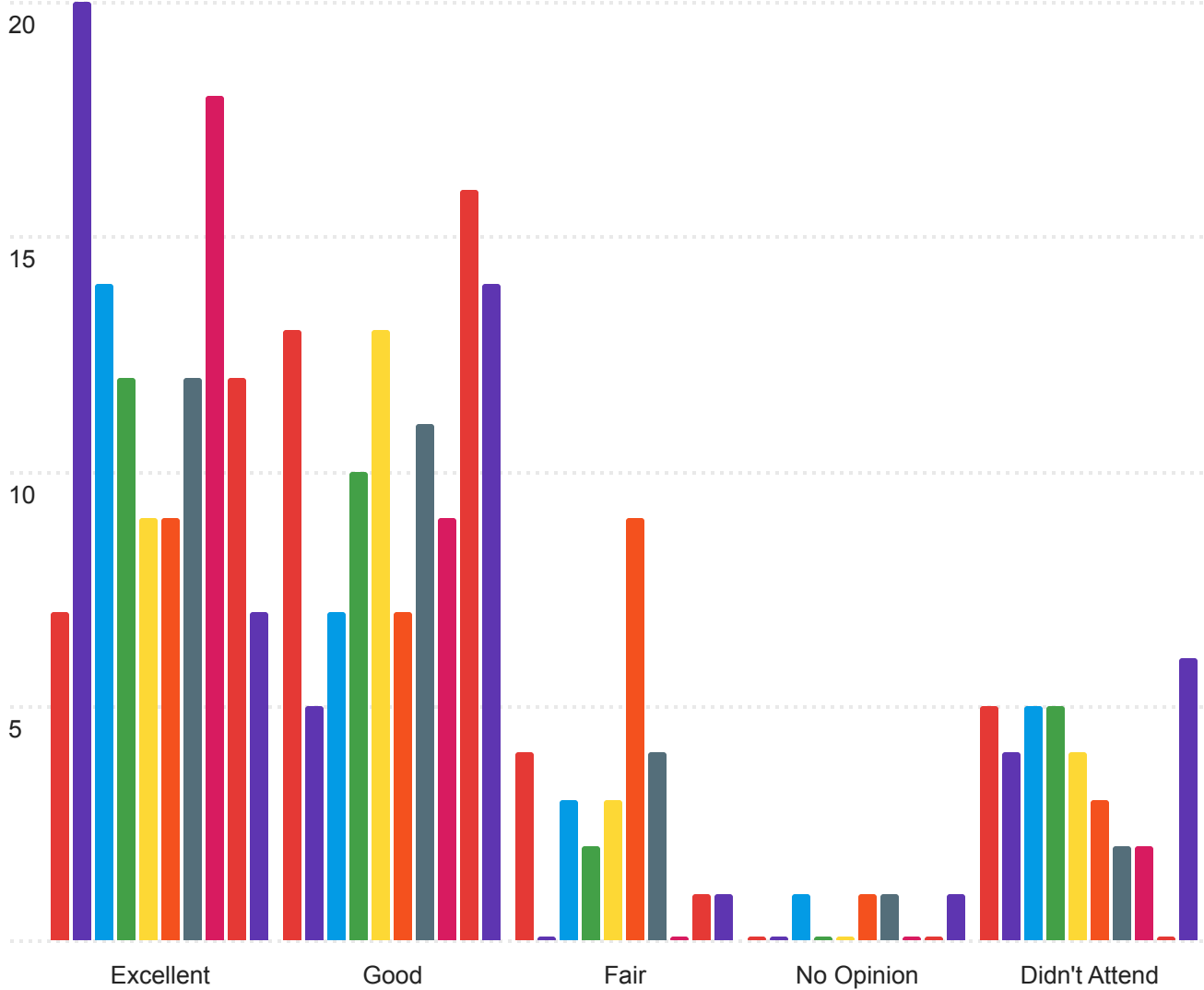
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Outside Litigation Attorney

JD 3L Student @ South Texas College of Law

### Q4 - Please rank the following sessions.

30 Responses



- Regulating the Unhoused (Nastasha Anderson)
- Executive Misconduct: Investigating Allegations at the Highest Level (Thomas Gw...)
- Hot Topics in Land Use Law (Terry Welch)
- Compassionate Use Act and Public Safety Employees (Clarissa M. Rodriguez & Rebe...)
- Water, Wind & Fire: Disaster Preparedness (not a band name) (Gabrielle Smith & ...)
- A Canadian Lawyer Walks Into the Texas Bar: Reflections on Lone Star Law from a...
- Quick and Dirty Guide to the Top 10 First Amendment Sources of Litigation for C...
- Recent Federal Cases of Interest to Cities (Randy Montgomery)
- Employment Law Update (Vanessa A. Gonzalez)    ■ Construction Manager-at-Risk (Jennifer W. DeCurtis)

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

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

hands-on use of AI tools (less talk, more demonstration); surprised there was no Texas v Houston topic on local skirmishes with the Death Star bill while the Third Court has been sitting on the appeal since March

I always like first amendment issues, maybe religion this year

emergency mgmt, contracts, property intererests/easements/ROW, regulating utilities in ROW

Abatement

More HR/Employment related topics

n/a

Open Meetings Act and Public Comment

Employment topics.

Municipal Law 101 Everyday things you should be familiar with .

What to do with bankruptcy filings for businesses in town who owe utilities

Eminent domain update

open meetings act

As a law student, I really enjoyed the sessions that had case law examples and discussions and their explanations of them.

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

### Relevancy of Session Topics

Field	True	Total
Excellent	23	23
Good	6	6
Fair	1	1
No Opinion	0	0

### Reasonableness of Seminar Pricing

Field	Total
Excellent	16
Good	10
Fair	0
No Opinion	3
Total	29

### Publicity

Field	Total
Excellent	12
Good	10
Fair	3

No Opinion	5
Total	30

### Location of Seminar

Select a Metric

### Meeting Facility

Select a Metric

### On-Site Staff

Field	Total
Excellent	5
Good	7
Fair	2
No Opinion	15
Total	29

### Overall Opinion of the Seminar

Select a Metric

False

No data found - your filters may be too exclusive!

True

Field	Min	Max	Mean	Standard Deviation	Variance	Responses
Relevancy of Session Topics	1.00	3.00	1.27	0.51	0.26	30
Reasonableness of Seminar Pricing	1.00	4.00	1.66	0.92	0.85	29
Publicity	1.00	4.00	2.03	1.08	1.17	30
Quality of Broadcast	1.00	4.00	2.93	1.20	1.44	29

### Q3 - Please provide any additional comments about the seminar.

Please provide any additional comments about the seminar.

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there is a need to direct both speakers and attendees --- go outside the room for confabs while session is in progress

Need better wifi.

Mr. Risley did a poor job of presenting - as he just read from the slides. Also, I wish we could get another speaker to talk about Land Use Issues, as the presentation and speaker was primarily a repeat of what we've heard before.

NA

n/a

Very solid lineup and topics. Canadian topic a bad miss.

I was sitting towards the back of the room. It was difficult for me to see the bottom of the slides due to the height of the screen and the people in front of me. Also, at points I was unable to hear the speaker.

Thank you!

As a scholarship recipient it was such an awesome experience

Q9 - If you would like to enter your city/firm into the drawing for a free 2023 TCAA Summer Conference registration (to be held at the Westin Riverwalk San Antonio June 14-16), please provide your email address.

If you would like to enter your city/firm into the drawing for a free 2025 TCAA Summer Conference registration (to be held at Horseshoe Bay on June 18-20), please provide your email address.

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[benmtruong720@gmail.com](mailto:benmtruong720@gmail.com)

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## **SPEAKER AGENDA**

***Texas City Attorneys Association  
Summer Conference  
June 18-20, 2025  
13 hours (including .75 hours ethics)***

### **Wednesday, June 18 (3 hours)**

- 12:30 – 4:00 p.m. Registration and Refreshments
- 1:00 – 1:45 p.m. **Hot Topics in Risk Management**, Scott Houston, TML Intergovernmental Risk Pool (.75 hour)
- 1:45 – 2:30 p.m. **What am I doing up here? A Look Inside the Mind and Preparation of a City Attorney During Council Meetings**, Thomas Gwosdz, The Gwosdz Law Firm, PLLC (.75 hour ethics)
- 2:30 – 2:45 p.m. **Break**
- 2:45 – 3:15 p.m. **Getting Personal with the PIA: Request for Personnel Records**, Lori Robinson, Bickerstaff, Health, Delgado, Acosta LLP (.5 hour)
- 3:15 – 4:15 p.m. **Legislative Update**, TML Staff (1 hour)
- 4:15 – 5:30 p.m. **TCAA Board of Directors Meeting**
- 5:30 p.m. Welcome Reception

### **Thursday, June 18 (6.25 hours)**

- 7:00 – 8:00 a.m. Breakfast
- 8:00 – 8:30 a.m. **Opening Remarks**, Jennifer Richie, TCAA President  
**Welcome Remarks**, Dottie Palumbo, City Attorney for Horseshoe Bay  
**Awards Ceremony**
- 8:30 – 9:00 a.m. **Developing Enforceable Social Media Policies that Don't Violate the First Amendment**, Nicole Corr, Wyatt Hamilton Findlay, PLLC (.5 hour)
- 9:00 – 9:30 a.m. **Cell Tower Zoning Cases and the Federal Telecommunications Act**, Matthew Boyle, Boyle & Lowry, LLP (.5 hour)
- 9:30 – 10:00 a.m. **Fourth Amendment Use of Force Update or Police Action and the Takings Clause**, Joshua Skinner, City of Arlington (.5 hour)
- 10:00 – 10:15 a.m. Break

- 10:15 – 11:00 a.m.     **Protecting the City from Developer Default: Performance Bonds, Fiscal Security, and Surety Obligations**, Jeff Chapman, The Chapman Firm, PLLC (.75 hour)
- 11:00 – 11:45 a.m.     **Eight Liners**, Chris Mosley and Jerris Mapes, City of Ft. Worth (.75 hour)
- 11:45 a.m. – 1:15 p.m.   Lunch on Your Own
- 1:15 – 2:15 p.m.       **Robert Moses and the Taking of New York City**, Robert Debelak, McDowell Hetherington, LLP (1 hour)
- 2:15 – 3:00 p.m.       **Employment Law in 2025: "Hold my Beer"**, Roberta Cross, Messer Fort, PLLC (.75 hour)
- 3:00 – 3:15 p.m.       Break
- 3:15 – 4:00 p.m.       **Water Rates & Tax Exempt Entities**, Gabrielle Smith, Lloyd Gosselink Rochelle & Townsend, P.C. (.75 hour)
- 4:00 – 4:45 p.m.       **Milwhite Unearthed: A Case Study on a Ch. 54 Code Enforcement Case**, Criselda/Lena Rincon-Flores/Chaisson Munoz, City of Brownsville (.75 hour)
- 5:30 p.m.               Reception

**Friday, June 20 (3.75 hours)**

- 7:00 – 8:00 a.m.       Breakfast
- 8:00 – 8:45 a.m.       **Mom & Dad are Fighting: Practical Tips for Intergovernmental Spats**, Sandy Gomez and Kate David, Husch Blackwell, LLP (.75 hour)
- 8:45 – 9:15 a.m.       **State Cases of Interest**, Laura Mueller, City of Dripping Springs (.5 hour)
- 9:15 – 9:45 a.m.       **Before, During, and After: Election Issues for City Attorneys**, Jason Rammel, Law Offices of Ryan Henry, PLLC (.5 hour)
- 9:45 – 10:00 a.m.      Break
- 10:00 – 10:30 a.m.     **Beyond Thunderdome – Regulating Gated Master Planned Communities**. Brandon Morris, Randle Law Office (.5 hour)
- 10:30 – 11:00 a.m.     \_\_\_\_\_ (.5 hour)
- 11:00 – 11:30 p.m.     \_\_\_\_\_ (.5 hour)
- 11:30 – 12:00 p.m.     \_\_\_\_\_ (.5 hour)
- 12:00 p.m.             **Adjourn**

Speaker	Email Address(es)	Previous Speaker?	Topic
Scott Houston TML Risk Pool	<a href="mailto:scott.houston@tmlirp.org">scott.houston@tmlirp.org</a>	Yes	<b>Hot Topics in Risk Management.</b> In this session, Scott will provide a legal update on hot topics in risk management. Topics include: the anatomy of an auto liability claim; the ever-increasing costs of property coverage, coverage for claims, and others that may arise in the interim.  30-45 minutes.
<i>No Speaker Proposed</i>			<b>Mediating Turf Wars Between City Departments.</b> I could see this being an ethics presentation, or not, but I would love some pointers on dealing with departments that just can't seem to get along with one another, for whatever reason.
Chris Mosley and Jerris Mapes City of Ft. Worth	<a href="mailto:Jerris.Mapes@fortworthtx.as.gov">Jerris.Mapes@fortworthtx.as.gov</a> <a href="mailto:Christopher.Mosley@fortworthtexas.gov">Christopher.Mosley@fortworthtexas.gov</a>	No	<b>Eight Liners.</b> The Second Court of Appeals declared eight liners unconstitutional. We would cover the historical ins and outs of the case, the Court's conclusion and how law enforcement will proceed with applying this new interpretation of the law. In addition, we would discuss how this impacts current game-room ordinances throughout the state.  45-60 minutes.
Jonathan Koury City of Bryan	<a href="mailto:jkoury@bryantx.gov">jkoury@bryantx.gov</a>	Yes	<b>First Amendment Auditors: Not Just for Police Anymore.</b> First Amendment Auditors have been around for more than a decade and while, for the most part they, focus on harassing law enforcement, they are increasingly targeting other governmental operations, including libraries, public works, utilities, and city offices. While engaging with law enforcement is their bread and butter, instigating any reaction or alleged government overreach is the primary objective. While police have largely been trained on this issue, other government employees are increasingly under scrutiny.  This presentation will outline best practices and success stories in dealing with auditors, as well as highlighting the costs to our clients for ignoring this particular menace. With 30 minutes I can cover the topic, but with 45 minutes, I can bring some juicy video.  30-45 minutes.
Danielle Folsom City of Houston	<a href="mailto:danielle.folsom@houstontx.gov">danielle.folsom@houstontx.gov</a>	Yes	<b>Ask and Ye Shall Receive: A Council-Initiated Agenda Process and its Impact on a Strong-Mayor City.</b> In 2023, Houston voters amended the City charter via petition to

			<p>authorize three or more members of City Council to submit lawful items that must be placed on the City Council agenda. This session would look at the impact of those changes in the first year, and the various processes and issues that have arisen in conjunction with the process, such as Open Meetings Act considerations, establishing a review process for proposals, statutory interpretation of citizen-initiated charter language, and assessing the impact of the charter amendment on other provisions of the Charter relating to legislative and executive authority. To the extent that similar petitions gain traction in other home-rule cities, discussion of Houston's experience may be useful. Further, the process raises many important topics for discussion, such as walking quorums, limitations on the strong-mayor form of government, and statutory interpretation.</p> <p>45-60 minutes.</p>
<p><i>Jeffrey Reed</i> Lloyd Gosselink</p>	<p><a href="mailto:jreed@lglawfirm.com">jreed@lglawfirm.com</a></p>	No	<p><b>The TCEQ's Audit Privilege Act Program - Taking a Hard Look at Your Environmental Compliance.</b> The TCEQ's Audit Privilege Act Program offers the entities they regulate - including cities - an opportunity to take a hard look at their environmental compliance with little risk and potentially significant rewards in the form of immunity from fines and penalties. Jeff will discuss the pros, cons, risks, and rewards of the program, as well as the "how-tos" of making the program work for your city.</p> <p>45-60 minutes.</p>
<p><i>Jeff Chapman</i> The Chapman Firm PLLC</p>	<p><a href="mailto:jeff@chapmanfirmtx.com">jeff@chapmanfirmtx.com</a></p>	Yes	<p><b>Feeling Challenged by Growth and Development? How to Protect the City from Developer Default: Performance Bonds, Fiscal Security, and Surety Obligations.</b> A recent trend in municipal construction law has been the growth in challenges presented by developers as they construct and turn over infrastructure improvements to the city that service new developments. Development agreements frequently identify developer obligations without detailing specific regulations, obligations or design and construction standards that the developer must meet. Sometimes, development agreements do not exist.</p> <p>Developers do not always deliver on their promises. Projects may not adhere to schedules and payments owed are not always paid or paid timely which typically creates negative repercussions for projects. When a City is in line to accept privately performed improvements that may be incomplete or contain deficiencies, some of the developer's problems can become the city's problems.</p>

			<p>How can a city protect against this risk?</p> <p>Surety bonds and other fiscal security is often the answer. But dealing with sureties has its own inherent risks. In this presentation, I will address common questions that I am asked about development bonds and claims on those bonds. The topic will focus briefly on relevant Texas surety law. I will address construction and design standards and the structure and language of bonds to provide actionable protection in the event of a claim. The presentation will close with discussion about surety claims and practice tips for securing performance short of litigation.</p> <p>30-45 minutes.</p>
<p><i>Matthew Boyle</i> Boyle &amp; Lowry, LLP</p>	<p><a href="mailto:mboyyle@boyle-lowry.com">mboyyle@boyle-lowry.com</a></p>	Yes	<p><b>Cell Tower Zoning Cases and the Federal Telecommunications Act.</b> From effective prohibition to the substantial evidence rule, cell tower zoning cases are not the typical zoning case. Given the possible preemptive effect of the FTCA we have to get the process and record right in order to protect the City Council's zoning prerogative.</p> <p>30-45 minutes.</p>
<p><i>Robert Debelak,</i> McDowell Hetherington LLP</p>	<p><a href="mailto:bobby.debelak@gmail.com">bobby.debelak@gmail.com</a></p>	No	<p><b>Robert Moses and the Taking of New York City.</b> This presentation discusses how one man used his post in local governmental 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.</p> <p>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.</p> <p>His illustrious and infamous career provides a fascinating story of money, power, politics, and the role of government takings in a democracy. It is ultimately a cautionary tale for those who work in government about the pitfalls of unchecked local power, and provides a one-man case study into all of the good and bad of major public works projects.</p> <p>Bobby has given this presentation seven or eight times and always received high praise.</p>

			<p>Many of the invitations to speak came from individuals who had seen the presentation before and suggested it to another organization. There is no dry powerpoint--the presentation includes lots of pictures, and audio and video clips about to tell the story about the uses of governmental power.</p> <p>60-90 minutes.</p>
<p><i>Thomas Gwosdz,</i> The Gwosdz Law Firm, PLLC</p>	<p><a href="mailto:Thomas@GwosdzLaw.com">Thomas@GwosdzLaw.com</a></p>	Yes	<p><b>What Am I Doing Up Here? A look inside the mind and preparation of a City Attorney during council meetings.</b> This practical session discusses how a city attorney prepares for a city council meeting, and the things he or she pays attention to during the meeting. The session will be a practical guide for new attorneys preparing to staff their first meeting and for experienced attorneys preparing to staff new clients, including strategies for handling the agenda-planning meeting, for reviewing the agenda packet, for meeting procedure, and for handling unusual occurrences.</p> <p>45-60 minutes.</p>
<p><i>Lori Robinson,</i> Bickerstaff, Heath, Delgado, Acosta LLP</p>	<p><a href="mailto:lrobinson@bickerstaff.com">lrobinson@bickerstaff.com</a></p>	No	<p><b>Getting Personal with the PIA-Requests for Personnel Records.</b> An overview of the common exceptions to disclosure when a city receives a request for personnel files, discipline or evaluation records, grievance records, or correspondence about employment matters. This will include some information about requesting peace officer records as related to civil service laws and the Texas Occupations Code but will mainly focus on confidentiality of certain information contained in personnel files, FMLA/ADA documents that are kept in a separate file, and any records related to discipline or employee evaluations.</p> <p>30-45 minutes.</p>
<p><i>Nicole Corr,</i> Wyatt Hamilton Findlay PLLC</p>	<p><a href="mailto:nicole@whflegal.com">nicole@whflegal.com</a></p>	No	<p><b>Drafting Council Rules of Procedure that Don't Violate the First Amendment.</b> Many Texas cities have adopted formal rules of procedure to govern the orderly conduct of council meetings. This presentation will cover the updated interactions between the Texas Open Meetings Act and state and federal case law related to the First Amendment, including (a) whether city council meetings are a public or limited public forum; (b) disruptive behavior as identified by the Texas Penal Code; and (c) to what extent may these rules be applied to the general public, city staff and/or city council.</p> <p>30-45 minutes.</p>

<p><i>Nicole Corr,</i> Wyatt Hamilton Findlay PLLC</p>	<p><a href="mailto:nicole@whflegal.com">nicole@whflegal.com</a></p>	<p>No</p>	<p><b>Developing Enforceable Social Media Policies that Don't Violate the First Amendment.</b> Understanding how to maximize the benefits of social media without running afoul of the First Amendment is a common issue for most Texas cities. This presentation will cover how to memorialize those policies while navigating some of those First Amendment challenges, including (a) application of social media policies to city staff and/or city elected officials and (b) engagement or removal of public speech on city-initiated social media platforms.</p> <p>30-45 minutes.</p>
<p><i>Sarah Walsh,</i> Wyatt Hamilton Findlay PLLC</p>	<p><a href="mailto:sarahwalsh@whflegal.com">sarahwalsh@whflegal.com</a></p>	<p>No</p>	<p><b>State v. Heath and Other Municipal Prosecution Pitfalls.</b> In June 2024, the Texas Court of Criminal Appeals issued a significant opinion that held the duty of prosecutors to disclose evidence also entails reasonable diligence to uncover evidence they might not be aware of. This presentation will cover the Court's analysis and decision in Heath along with other municipal prosecution pitfalls including what information, if any, in a prosecutor's file can be protected as confidential, ex-parte communications, a review in providing recommendations to pro bono defendants, and others.</p> <p>30-45 minutes.</p>
<p><i>Gregory Miller,</i> Bickerstaff Heath Delgado Acosta LLP</p>	<p><a href="mailto:gmliller@bickerstaff.com">gmliller@bickerstaff.com</a></p>	<p>Yes</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>30-45 minutes.</p>
<p><i>Kevin Pagan,</i> Bickerstaff Heath Delgado Acosta LLP</p>	<p><a href="mailto:kpagan@bickerstaff.com">kpagan@bickerstaff.com</a></p>	<p>Yes</p>	<p><b>Does your city owe Taylor Swift \$156.32? - Municipalities and Music Licensing - the least you should know.</b> Although the music business has seen tremendous change in the last 20 years (particularly since the advent of streaming), one truth remains eternal: "When the music plays, somebody gets paid." If your city is using music (live or recorded) at its events, facilities, and otherwise, you should not assume that the person providing that music has the appropriate permissions (or licenses) to provide that music. The music publishing companies, record labels, and streaming services will (and have) come after cities to collect "unpaid royalties" for their music. In this presentation, you will learn how to take steps to ensure your city complies with current requirements for music licensing so you can know</p>

			<p>that Taylor (and everyone else!) is getting what they are legally entitled to - and avoid being on the front page (in a bad way) of the Wall Street Journal!</p> <p>30-45 minutes.</p>
<p><i>Vanessa Gonzalez,</i> Bickerstaff Heath Delgado Acosta LLP</p>	<p><a href="mailto:vgonzalez@bickerstaff.com">vgonzalez@bickerstaff.com</a></p>	Yes	<p><b>Employment Law Updates 6 Months into New Federal Administration.</b> This presentation will cover employment law hot topics that have arisen in the first half of 2025. Already, there is a Trump executive order potentially dismantling affirmative action for federal contractors and encouraging the dismantling of DEI programs in the private sector. This presentation will review how this may or may not affect local governments. There is a reverse discrimination case pending before the U.S. Supreme Court, <i>Ames v. Ohio Department of Youth Services</i>. Oral arguments are set for February 26, 2025. We may have a decision on the case in the summer of 2025 that can be discussed. Will DOL revert back to the 2021 Rule for Independent Contractors after the March 2024 new rule? If so, FLSA updates will be included. Further, if the Texas Legislature makes any changes in the current legislative session resulting from the new federal administration directives, those legal updates will also be reviewed.</p> <p>30-45 minutes.</p>
<p><i>Joshua Katz,</i> Bickerstaff Heath Delgado Acosta LLP</p>	<p><a href="mailto:jkatz@bickerstaff.com">jkatz@bickerstaff.com</a></p>	Yes	<p><b>Diamonds and PFAS are forever: Are these chemicals in your public water system, and if so... now what?</b> PFAS are a category of synthetic chemicals found in many everyday products; now, they are also found in water systems. How do you know if they're in yours? What can you do about it, and at what price? What is the status of the class action litigation against PFAS manufacturers?</p> <p>30-45 minutes.</p>
<p><i>Eric Flores,</i> O'Hanlon, Demerath &amp; Castillo., PC</p>	<p><a href="mailto:eflores@808west.com">eflores@808west.com</a></p>	No	<p><b>Game Over: Municipal Strategies to Shut Down 8-Liners in Texas.</b> In this session, a former Federal Prosecutor—now advising on municipal matters—delivers a clear legal and practical roadmap for handling 8-liner machines within Texas cities. Drawing on real-world enforcement experience, attendees will explore the interplay between state law and local authority, uncover potential pitfalls, and gain actionable strategies for regulating these controversial devices. The presentation offers both a high-level legal analysis and on-the-ground insights aimed at safeguarding municipalities while upholding the law.</p>

			45-60 minutes.
<p><i>Jose de la Fuente,</i> Lloyd Gosselink Rochelle &amp; Townsend, P.C.</p>	<p><a href="mailto:jdelafuente@lglawfirm.com">jdelafuente@lglawfirm.com</a></p>	Yes	<p><b>Chapter 1205: File a Bond-Validation Case &amp; All of Your Wildest Dreams Will Come True.</b> Chapter 1205 bond validation cases provide for the accelerated litigation of numerous issues related to public securities . . . including issues you might not realize are related to public securities. From the issues of taxes and pledges of tax revenues to the legality of the expenditure and the underlying subject matter to be funded by the public securities (does my client actually have the authority to build these roads?), to the contracts underlying the project, all those issues and more can be litigated in a case that can go to trial as few as 20 days after filing . These in rem proceedings offer a valuable tool — and sometimes a daunting challenge — for governmental entities seeking to fully and finally resolve complex and high-stakes disputed issues. It's important to know when and how to file a Chapter 1205 action, as well as how to appear in and challenge the relief requested by such action should you oppose it. This presentation will give you the information and tools you'll need to make the right decisions.</p> <p>30-45 minutes.</p>
<p><i>Jamie Mauldin,</i> Lloyd Gosselink Rochelle &amp; Townsend, P.C.</p>	<p><a href="mailto:jmauldin@lglawfirm.com">jmauldin@lglawfirm.com</a></p>	Yes	<p><b>Keeping the Lights On: How Texas Agencies are Approaching Utility Resiliency in Unprecedented Times.</b> An overview of how the Public Utility Commission of Texas, ERCOT, and the Railroad Commission of Texas have responded to utility challenges in the face of severe and recurring natural disasters. We will discuss utility response, associated filings, and the steep price tag for all Texans.</p> <p>45-60 minutes.</p>
<p><i>Gabrielle Smith,</i> Lloyd Gosselink Rochelle &amp; Townsend, P.C.</p> <p>(An alternative presenter for this topic is James Parker at Lloyd Gosselink, who has</p>	<p><a href="mailto:gsmith@lglawfirm.com">gsmith@lglawfirm.com</a></p>	Yes	<p><b>Water Rates &amp; Tax-Exempt Entities: When can a city charge tax-exempt ratepayers higher utility rates?</b> This presentation will cover trends, updates, and best practices for water ratemaking in Texas. We'll walk through legal arguments made before the courts and in the regulatory space, and what providers around Texas are doing. Specifically, there will be discussion of the increasing number of tax exempt entities that exist/have been created through mechanisms like Municipal Management Districts and other avenues, and how to recover costs related to maintenance, operation, and improvement of the system to account for these tax-exempt users. The goal of this presentation is to provide guidance to build a defensible rate schedule that reflects the realities of your customer base.</p>

not presented to TCAA in recent years.)			30-45 minutes.
<i>Brent Rubin,</i> Carrington Coleman Sloman & Blumenthal LLP	<a href="mailto:brubin@ccsb.com">brubin@ccsb.com</a>	No	<b>Did the Legislature Pull Cities Out of their “Comfort Zone”?</b> In 2024, Comptroller Glenn Hegar issued a report on Texas’s housing shortage, claiming that part of the solution could be relaxing zoning regulations. The 2023 legislative session saw several unsuccessful efforts to curtail cities’ land use and zoning authority in the name of housing affordability, and housing advocates are preparing a strong push again in 2025. This presentation will cover changes that the 2025 Legislature makes to cities’ land use and zoning power and other tools used to regulate development.  “Other” length of session.
<i>Criselda/Lena Rincon-Flores/Chaisson Munoz,</i> City of Brownsville	<a href="mailto:Criselda.Flores@brownsvillctx.gov">Criselda.Flores@brownsvillctx.gov</a>	No.	<b>Milwhite Unearthed: A case study on a Ch. 54 code enforcement case.</b> In February 2024, the City of Brownsville filed a Chapter 54 lawsuit against Milwhite Inc. after residents on Rey Jaime Street complained that the plant's dust was covering the neighborhood and making them sick. Shortly afterwards, the Texas Commission on Environmental Quality also filed suit against the company for violations of the Texas Clean Air Act. The court ruled against the City, and the City appealed the decision. In a settlement mediation, as part of a resolution between the city of Brownsville and the specialty minerals-making company, Milwhite Inc. agreed to cease operations at their Brownsville location effective Wednesday, Nov. 27, 2024. The company had been at the center of several lawsuits, including one filed by the City in February 2024, over zoning, building code, and pollution concerns that the city said were negatively impacting nearby residents.  30-45 minutes.
<i>Brandon Morris,</i> Randle Law Office	<a href="mailto:brandon@jgradyrandlepc.com">brandon@jgradyrandlepc.com</a>	Yes	<b>Beyond Thunderdome – Regulating Gated Master Planned Communities.</b> The Texas Transportation Code allows owners of private roads to regulate or prohibit use of the private property by the public for vehicular travel and to establish their own conditions separate or in addition to those specified by the Code.  Additionally, the Texas Property Code allows property owners’ association to establish and enforce restrictive covenants governing the use of homeowners’ property within gated communities. Although there are defined limitations, generally, such covenants are to be

liberally construed to give effect to their purposes and intents.

But how much autonomy does the law actually provide to private, gated master planned communities?

This presentation will explore the limitations, work arounds, and vexations concerning the regulatory powers municipalities maintain over such communities. Specifically, we will cover topics such as:

1. Applicability of state and municipal traffic laws in private gated communities.
  - a. Property owners' associations may establish their own conditions separate from the Transportation Code, but does this empower them to establish 50 mph speed limits on their private roads?
  - b. If a property owners' association fails to establish any traffic conditions or regulations, what laws (if any) apply?
2. Applicability of state licensing and insurance requirements for operating vehicles within the private communities.
  - a. Is it lawful for unsupervised minors to drive a golf cart, moped, or go-cart within a private gated subdivision?
  - b. Is it lawful for an unlicensed minor to operate an automobile within the confines of the community?
3. Effects restrictive covenants may have on first and fourth amendment rights.
4. Effects restrictive covenants may have on State and Federal property rights.
5. Scenarios when private roads within gated communities may be considered public under the law.
6. Scenarios when private parks and facilities within gated communities may be considered public under the law.
7. Powers and limitations given to municipal peace officers to enter private gated communities and enforce federal, state, and municipal laws.
8. Powers and limitations given to private police officers to enforce certain laws and regulations.
9. Potential liability of municipalities, police departments, fire departments, property owners' associations, and individual property owners for acts or omissions occurring within private gated communities.

30-45 minutes.

<i>Laura Mueller,</i> City of Dripping Springs	<a href="mailto:lmueller@cityofdrippingsprings.com">lmueller@cityofdrippingsprings.com</a>	Yes	<b>Recent State Cases of Interest to Texas Cities.</b> A review of court cases in from State appellate courts and the Supreme Court of Texas that impact Texas Cities. The presentation will cover a representative sample of the cases and the paper will include summaries of all relevant cases as drafted by the TML Legal Department and myself.  30-45 minutes.
<i>Jason Rammel,</i> Law Offices of Ryan Henry PLLC	<a href="mailto:jason.rammel@rshlawfirm.com">jason.rammel@rshlawfirm.com</a>	Yes	<b>Before, During, and After - Election Issues for City Attorneys.</b> The session will discuss issues re: elections that end up on the City Attorney's desk before during and after elections:  1. Before - Petitions, Ordinances, and Candidate Qualifications 2. During - Electioneering 3. After - Recounts  These will be focused subjects based on issues that the speaker has addressed in 2024 elections.  45-60 minutes.
<i>Roberta Cross,</i> Messer, Fort PLLC	<a href="mailto:robin@txmunicipallaw.com">robin@txmunicipallaw.com</a>	Yes	<b>Employment Law in 2025: "Hold my Beer".</b> New employment law trends and hot topics in the new presidential term, cabinet and federal agencies (including the EEOC) and some practical applications of recent legislative, regulatory and caselaw changes.  45-60 minutes.
<i>Sandy Gomez and Kate David,</i> Husch Blackwell, LLP	<a href="mailto:kate.david@huschblackwell.com">kate.david@huschblackwell.com</a>	Yes	<b>Mom and Dad are Fighting: Practical tips for intergovernmental spats.</b> Discussion of disputes between governments -- boundaries, property, drainage, permitting. Examples of disputes between governments and practical tips for how to come to mutually beneficial solutions or, failing that, how to accomplish your goals.  30-45 minutes.
<i>Jason Rammel,</i> Law Offices of Ryan Henry PLLC	<a href="mailto:jason.rammel@rshlawfirm.com">jason.rammel@rshlawfirm.com</a>	Yes	<b>Sovereign Citizens: Taxonomy, Habitat, and Anthrozoology. Taxonomy - Discussion of the various "flavors" of folks that I categorize as sovereign citizens</b> - Republic of Texas, Baby Sovereigns, True Believers, etc. - anyone who thinks the rules don't apply to them

			<p>because they've figured out something that nobody else has.</p> <p>Habitat - Where you encounter them - municipal court, city hall, etc.</p> <p>Anthrozoology - the interaction between city attorneys and sovereign citizens - how to deal with these folks and helpful caselaw.</p> <p>Alternate title - Why I Hate the Internet.</p> <p>45-60 minutes.</p>
<p><i>Joshua Skinner,</i> City of Arlington City Attorney's Office</p>	<p><a href="mailto:joshua.skinner@arlingtontx.gov">joshua.skinner@arlingtontx.gov</a></p>	Yes	<p><b>Fourth Amendment Use of Force Update or Police Action and the Takings Clause.</b></p> <p>Option 1: Fourth Amendment Use of Force Update The session would discuss the current state of the law regarding permissible use of force under the Fourth Amendment, as well as current trends and challenges facing contemporary police departments.</p> <p>Option 2: Police Action and the Takings Clause The session would discuss recent efforts to hold law enforcement agencies liable under federal and state takings clauses for damage to third-party property caused by police actions during, for example, a shootout.</p> <p>30-45 minutes.</p>
<p><i>Pamela Liston,</i> City of Decatur</p>	<p><a href="mailto:pliston@decaturtx.org">pliston@decaturtx.org</a></p>	No	<p><b>The Importance and Challenges of an Independent Judiciary in Municipal Government.</b> Overview of court structure. Knowledge that municipal judges are part of the state judiciary. Overview of Commission on Judicial Conduct processes and functions. Education regarding prohibited interference with cases from the executive or legislative functions of municipal government. Pillars of Judicial Fairness. Education regarding administrative judicial regions. Equipping participants with statutory references, relevant judicial canons, and other sources of court governance such as city charters. With video references and direct facilitator teaching, help participants understand the role of the municipal court in municipal government.</p> <p>45-60 minutes.</p>

<p><i>Sarah Glaser,</i> Lloyd Gosselink Rochelle &amp; Townsend, P.C.</p>	<p><a href="mailto:sglaser@lglawfirm.com">sglaser@lglawfirm.com</a></p>	<p>Yes</p>	<p><b>Employment Law Gets Religion: An update on Title VII Reasonable Accommodation Post-Groff.</b> <i>Groff v. DeJoy</i> (2023) held an employer that denies a religious accommodation must show that the burden of granting the accommodation would result in substantial increased costs in relation to the conduct of its particular business. This presentation reviews religious accommodation cases post-<i>Groff</i>, analyzes the ways in which courts are evaluating the new standard, and includes practical take aways for documenting accommodation decisions.</p> <p>Length: 30-60 minutes, as desired.</p>
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**Texas City Attorneys Association**  
Profit and Loss Statement  
For the Six Months Ending December 31, 2024

	October	November	December	YTD	Budget	Favorable (Unfavorable) Variance
Membership Dues	\$9,089.85	\$2,661.73	\$444.11	\$41,189.37	\$43,550.00	(\$2,360.63)
Investment Income	545.28	617.38	612.07	3,438.04	2,000.00	1,438.04
Semi-Annual Meeting (Summer)	40.00			771.32	99,800.00	(99,028.68)
Sponsor Revenue			1,929.71	(70.29)	70,000.00	(70,070.29)
CML Revenue		96.02	238.80	478.10	200.00	278.10
Webinar Revenue					500.00	(500.00)
Art Pertile Scholarship	1,001.13	1,284.26	96.62	3,382.01		3,382.01
<b>Total Revenue</b>	<b>10,676.26</b>	<b>4,659.39</b>	<b>3,321.31</b>	<b>49,188.55</b>	<b>216,050.00</b>	<b>(166,861.45)</b>
Professional Fees			850.00	850.00	1,100.00	250.00
Postage	10.45	61.41		331.44	450.00	118.56
Boards and Committees	840.39	147.00	147.00	1,575.39	4,564.00	2,988.61
Semi-Annual Meeting (TML)	5,812.19	1,216.73	1,461.17	15,415.93	20,188.00	4,772.07
Semi-Annual Meeting (Summer)	641.08	641.08	809.87	12,015.27	182,843.00	170,827.73
Public Relations					300.00	300.00
IMLA Scholarships					8,000.00	8,000.00
IMLA Small Cities Membership Contributions					3,000.00	3,000.00
TCAA Municipal Law Conference Schol	12.25	12.25	12.25	73.50	147.00	73.50
TCAA Sponsorship Coordination	40.83	40.83	40.83	244.98	490.00	245.02
Printing and Reproduction			214.00	214.04	350.00	135.96
Newsletter	1,666.00	1,666.00	1,666.00	9,996.00	19,992.00	9,996.00
Awards & Recognition				162.27	1,000.00	837.73
Office Supplies	11.25			11.25	100.00	88.75
LisTCAA Listserve	65.33	65.33	65.33	1,729.33	3,584.00	1,854.67
Web Site Expenses	98.00	98.00	711.99	1,201.99	9,176.00	7,974.01
Miscellaneous				852.16	3,000.00	2,147.84
TCAA Affiliate Groups	8.17	8.17	8.17	49.02	98.00	48.98
Other Association Sponsorships				500.00	1,000.00	500.00
Administrative Services	2,484.84	2,992.84	393.84	14,193.04	18,482.00	4,288.96
<b>Total Expenses</b>	<b>11,690.78</b>	<b>6,949.64</b>	<b>6,380.45</b>	<b>59,415.61</b>	<b>277,864.00</b>	<b>218,448.39</b>
<b>Net Income (Loss)</b>	<b>(1,014.52)</b>	<b>(2,290.25)</b>	<b>(3,059.14)</b>	<b>(10,227.06)</b>	<b>(61,814.00)</b>	<b>51,586.94</b>
Beginning Net Assets				279,374.30		
Ending Net Assets				269,147.24		

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## **Local Club or Society Affiliation Policy**

Article VIII-A, Section 2 of the [TCAA Constitution](#) provides, in part, as follows:

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

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

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

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

- (1) Post contact information for the local club or society on the TCAA website;
- (2) Provide notice to the club or society of any new TCAA members in the geographical area served by the club or society;
- (3) Provide existing and/or new TCAA members in the geographical area served by the club or society information about the local club or society;
- (4) Provide assistance in advertising meetings of the club's or society's membership; and
- (5) To the extent allowed by the MCLE Rules, MCLE Regulations, and Accreditation Standards for CLE Activities, sponsor continuing legal education (CLE) organized by the club or society for up to two (2) hours of CLE per calendar year, provided that no local club or society shall charge a fee for CLE, in any manner, to any TCAA member who attends a CLE activity that is sponsored by TCAA.

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

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

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

TAB

9a

TAB

9b

## Benefits of being a sponsor:

	Complimentary registrations for the summer conference	Early access to room reservations for the summer conference	Publicity for all three (3) TCAA conferences*	Year-long placement of your firm's name on the TCAA website	Firm's name alongside TCAA's on the summer conference attendee gift	Signage recognizing your sponsorship and top billing on the summer conference website
<b>\$2,000 Standard Sponsorship</b>	<b>√</b> (two)	<b>√</b>	<b>√</b>	<b>√</b>		
<b>\$3,000 Gift Sponsorship* (one available)</b>	<b>√</b> (two)	<b>√</b>	<b>√</b>	<b>√</b>	<b>√</b>	<b>√</b>
<b>\$5,000 Breakfast Sponsorship* (two available)</b>	<b>√</b> (two)	<b>√</b>	<b>√</b>	<b>√</b>		<b>√</b>
<b>\$7,500 Reception Sponsorship* (two available)</b>	<b>√</b> (three)	<b>√</b>	<b>√</b>	<b>√</b>		<b>√</b>

\*The TCAA conferences include the annual summer conference, and the fall conference in conjunction with the Texas Municipal League annual conference.

\*Current sponsors hold a right of first refusal should another firm express interest in these sponsorship levels.

Affiliate	No. of Members (8/19/24)	No. of Attendees (in-person conferences 2024)	Type of Sponsorship (Conference or Annual)	Total No. of Sponsors 2024
AHMO	143	82 (Spring Conference)	Spring Conference and TML Conference	9 (Spring Conference)
BOAT	209	214	Conference	38
GFOAT	1,259	525 (Spring)	Annual	61
TABCCM	145	N/A	Golf Tournament for Student Sponsorships	11 so far
TAMIO	601	423	Conference	27
TCAA	688	271	Annual	33
TCMA	1,128	720	Conference	77
TMHRA	647	246	Annual	38

TMLDA	139	N/A	N/A	
TMUA	103	80	Conference	11

Total Revenue Sponsors 2024	Sponsor Levels 2024
\$9,000 (Spring Conference)	Friends of AHMO - \$1,000 (Spring Conference)
\$55,000	\$5,000-Conference; \$2,000-Platinum; \$1,500-Gold; \$1,000-Silver
\$248,750	\$10,000- Diamond; \$5,500- Platinum \$3,000- Gold, \$1,500- Silver
\$38,000 so far	\$15,000 Title; \$10,000 Presenting Sponsor; \$3,500 Golf Shirt; \$3,000 Awards Banquet; \$2,500 Golf Shoes; \$2,500 Golf Glove; \$2,500 Golf Ball \$2,500 Golf Hat; \$2,500 Towel; \$2,500 Golf Cart; \$2,000 Lunch; \$1,500 Corporate; \$500 Hole
\$56,200	\$4,000-mobile app; \$5,500-TAMI Awards; \$3,000 TAMI Banquet; \$2,500-Platinum; \$1,500-Gold
\$76,500	\$2000 standard; \$3,000 gift sponsorship (1); \$5,00 breakfast sponsors (2); \$7,500 welcome reception (1)
\$211,750 (plus \$23,575 for private organization attendees who weren't sponsors)	\$15,000-diamond; \$10,000 platinum; \$5,000-gold; \$2,500-silver; \$1,500-bronze; \$750-friends
\$114,500	\$4,000- platinum; \$2,500- diamond; \$2,000-ruby; \$1,500- sapphire

\$18,000	\$3,000 Conference; \$2,000 Platinum; \$1,500 Gold

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# PRIVACY POLICY

## INTRODUCTION

The Texas Municipal League (TML) respects the privacy of our members. Contact information is gathered by TML in order to provide the best service possible to our members.

## HOW WE PROTECT DATA

TML has reasonable administrative, technical, and physical safeguards in place to help prevent unauthorized access, maintain data security, and correctly use the information TML collects from and about our members. However, no system is completely secure and TML cannot guarantee that member data will be immune from malicious attack, compromise, or unauthorized disclosures.

Website users are encouraged to download the latest version of their preferred browser, including all patches, to ensure that it has the latest security features.

Although TML takes reasonable measures to safeguard against unauthorized disclosures of information, TML cannot assure that your personal data or other information will never be disclosed in a manner that is inconsistent with this policy.

This privacy policy does not apply to third party companies, individuals, affiliations, or organizations (each a “third party” and collectively “third parties”), which may have their own privacy policies or notices that you should review to understand how they may use or disclose your data. TML is not responsible for the content or privacy practices of any third party that we do not control.

## MEMBERSHIP DATA WE COLLECT

TML collects membership data that can include any information related to helping identify a member city or individual. This includes:

### **Cities:**

- City name
- Region
- County

- Population
- Government type
- Civil service status
- Year incorporated
- Fiscal year start
- Council meeting date
- Address
- Phone
- Website
- Government officials

**Individuals:**

- Name
- Title/Position
- Phone
- Address
- Email address
- Gender
- Race/Ethnicity

## HOW WE COLLECT DATA

TML can collect membership data through multiple methods, including:

- Membership application
- Membership surveys
- Phone or email
- Event registrations
- Membership renewal
- Continuing education credit application

## HOW WE USE THE DATA WE COLLECT

Select membership data for member cities and individuals is used in a variety of ways by TML to provide services and communications to our members, including but not limited to:

- TML Texas City Officials Directory
- TML Exchange
- TML Connect News
- *Texas Town & City* magazine
- Surveys

- Legal and legislative updates
- Events and trainings
- Membership renewal

## HOW/WHEN DATA IS SHARED WITH THIRD PARTIES

On occasion, and only when appropriate, TML, in its sole discretion, will share select member data with third parties and partners, including:

- Texas Intergovernmental Risk Pool
- Texas Municipal League Health Pool
- TML member city officials
- National League of Cities
- Federal and state government officials and agencies
- Member city youth advisory commissions
- TML affiliate organizations
- TML event speakers

On a limited basis, select member information may be shared with the private sector when the communication is deemed relevant by TML to a specific membership segment or need. Private sector communications through TML are closely reviewed and take place only under [strict usage guidelines and policies](#) for preventing spam and misuse.

Members should contact TML if they have any concerns about data-abuse by a third party.

TML members can opt-out of data sharing with all third parties by contacting TML at [database@tml.org](mailto:database@tml.org).

## HOW TO MANAGE AND EDIT YOUR DATA

TML members can review, update, and remove their information through their online TML account, or by contacting us using the contact information below. TML may decide to delete your data if we determine that it is incorrect, incomplete, or if its storage is no longer necessary.

If you have questions or concerns, or if you would like to edit your data, please contact TML at:

Texas Municipal League  
1821 Rutherford Lane, Suite 400  
Austin, TX 78723  
Phone: (512) 231-7400  
Email: [database@tml.org](mailto:database@tml.org)

## LINKS TO OTHER WEBSITES

The TML website contains many links to other websites. TML is not responsible for the privacy practices or the content of such websites. Links found on the TML website are for informational purposes only and are not considered to be endorsements or advertisements.

## **WEBSITE USAGE TRACKING**

The TML website uses a third party to collect data from users who are browsing the tml.org website. The third party collects IP addresses and uses them to track pages visited, duration of visit, location (city/state/country), device, operating system, browser, and browser language. The data is valuable to TML for various internal purposes, including troubleshooting and improvements to the tml.org website.

The third party does not track individual user identities or any browsing activity outside of the tml.org website.

## **OPTING OUT OF TML COMMUNICATIONS**

Members have a number of choices for opting out of TML communications:

- TML membership communications emails will include an opt out link. If a member recipient chooses to opt out via this link, they will be removed from ALL TML communications.
- A recipient may instead choose to reply to the specific email asking to opt out and be removed from communications about a particular topic/service.
- For additional options, or to opt back into communications, recipients can contact [database@tml.org](mailto:database@tml.org).

## **MODIFICATIONS OR CHANGES TO THIS POLICY**

Please note that this policy may change from time to time. In the event of a material change to this privacy policy, a notice will be posted on the TML homepage, as well as this page. Each new version of this policy will be identified by its effective date.

This updated Privacy Policy is effective as of October 5, 2021.

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# 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, first assistant city attorney, deputy city attorney, or an attorney who has been appointed to the legal department of a municipality which is an active member of the Texas Municipal League (collectively, "municipal attorney") 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 thirty (30) days 24 hours before the semi-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).

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~~At the annual meeting of the association, T~~he 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 in this election. ~~When determined necessary by the executive committee, m~~Members will be presented with the nominees and may vote by means of any remote communication that sufficiently identifies the member as designated by the executive committee and coordinated with Texas Municipal League staff on a schedule set by the executive committee. Members shall have at least seven (7) days to vote. ~~In the event of an election by remote communication, a~~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~~For electronic voting, 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~~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~~ municipal 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 of 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 [the](#) 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.

([The](#) 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 [Executive Board of the](#) Texas Municipal League.)

TAB

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## **STANDARDS FOR CERTIFICATION IN MUNICIPAL LAW**

Pursuant to the authority vested in the Texas City Attorneys Association Board of Directors ("Board"), the Board prescribes the following standards and requirements for Merit certification in Municipal law. The Board hereby reserves the right to be the final arbiter with regard to the interpretation and/or application of any of the standards and requirements adopted. The Board also reserves the right to add, delete and/or modify any of the requirements at any time. If you have any questions, please feel free to contact [Scott HoustonAmber](mailto:Scott.HoustonAmber@tml.org) [McKeon-Mueller](mailto:McKeon-Mueller@tml.org) at (512) 231-7400 or [shoustonamber@tml.org](mailto:shoustonamber@tml.org).

### **I. GENERAL REQUIREMENTS AND DEFINITIONS**

A. No standard shall in any way limit the right of an attorney who has obtained merit certification in municipal law to practice in all fields of law. Any lawyer, alone or in association with any other lawyer, shall have the right to practice in all fields of law even though recognized in municipal law.

B. No lawyer shall be required to obtain a merit certification in municipal law before practicing in the field of municipal law. Any lawyer, alone or in association with any other lawyer, shall have the right to practice in the field of municipal law, even though not having merit certification in municipal law.

C. All applicants for certification or recertification in municipal law shall be active members in good standing of the State Bar of Texas, the Texas City Attorneys Association, and shall meet the requirements for certification or recertification prescribed by the Board.

D. Forms involved in the certification process, as well as fees required of an application for certification or recertification in municipal law shall be as approved by the Board.

E. Certification shall be valid for a period of five (5) years, at the end of which time recertification shall be permitted upon the terms and conditions established by this policy.

### **II. MINIMUM STANDARDS FOR INDIVIDUAL INITIAL CERTIFICATION**

#### **A. REQUIRED PERIOD OF LAW PRACTICE**

1. Applicant must show that during each of the two (2) years immediately preceding application they have been employed on a full-time basis by a municipality engaged in the practice of Municipal Law. Practice of Municipal law is defined as:

- a. Service as a city Attorney
  - b. Service as a full-time assistant city attorney; or
  - c. Service as a full-time municipal court prosecutor
2. In order to apply for certification, the following sponsorship must be made:
- a. A City Attorney must be sponsored by another Texas city attorney who is a current TCAA member. [Sponsorship is demonstrated by a letter of recommendation.](#)
  - b. The assistant city attorney and municipal court prosecutor must be sponsored by their city attorney. -The city attorney must be a current member of TCAA. [Sponsorship is demonstrated by a letter of recommendation.](#)

**B. TYPES OF CERTIFICATION**

1. Applicants shall be eligible to apply for certification in one or more of the following areas:
- a. Municipal Court Prosecutor Certification
  - b. Municipal Law Civil Certification

**C. PROOF OF SUBSTANTIAL INVOLVEMENT**

Applicants must show substantial involvement in municipal law by providing such information as may be required by the Board. This may include writing samples, evidence of work and/or representation by a supervisor of the work accomplished.

In addition to any Board requirements, the following minimum requirements must be met for each certification designation:

- a. For municipal court prosecutor certification, applicant must have tried a minimum of eighty (80) bench trials and twenty (20) jury trials as lead counsel in the preceding two years;
- b. For municipal civil law certification, one or more of the following must have been met in the preceding two years:
  - (1) Served a minimum of one (1) year as a legal advisor to a final decision making board, i.e. Board of Adjustment, Building Standards Commission, etc.
  - (2) Represented the city in an administrative hearing before an independent agency or arbitrator.
  - (3) Civil trial experience with actual case assignment as first chair.
  - (4) Regulatory ordinance drafting.
  - (5) Significant research on issues of municipal concern.

**D. EDUCATIONAL EXPERIENCE**

Applicants must demonstrate participation in a minimum of ten (10) hours of continuing legal education in Municipal law within the two (2) years immediately preceding application ~~or by December 31<sup>st</sup> of the year in which application is made~~ by either:

1. Attendance at and completion of programs of study in municipal law. Examples include attendance at TCAA meetings, Riley Fletcher Municipal Nuts and Bolts seminar, condemnation and land use law, personnel, federal and/or state litigation practice seminars, environmental law, etc.; or,
2. Such other educational experience as the Board shall approve.

**E. PAYMENT OF FEES**

No certification or recertification shall be issued until the applicant has paid the fees as established by the Board, including but not limited to the filing fee and certification fees.

**F. FAILURE TO FURNISH INFORMATION: MISREPRESENTATION**

Certification or recertification may be denied because of an applicant's failure to furnish the required information or misrepresentation of any material fact requested by the Board; failure to pay fees as required.

**III. RECERTIFICATION**

**A. FILING FOR RECERTIFICATION**

Application for recertification must be made by the filing deadline established by the Board. Certification expires on December 31<sup>st</sup> of the fifth year the certification was issued.

**B. STANDARDS FOR RECERTIFICATION**

1. Applicants shall be in good standing with the State Bar of Texas.
2. Applicants must demonstrate their continuing substantial involvement and special competence in the practice of municipal law within the preceding five (5) year period of certification, as follows:
  - a. Applicants must show that during each of the five (5) year periods, they have been employed on a full-time basis by a municipality in one of the following capacities – Assistant City Attorney or Municipal Court Prosecutor – and the city attorney must recommend their recertification. For city attorneys, recertification must be recommended by another city attorney who is a member of the Texas City Attorneys Association.

- b. Applicants must provide such information as may be required by the Board to demonstrate their Municipal law experience.
- c. Applicants must demonstrate participation in a minimum of ten (10) hours of continuing legal education in Municipal law subjects sponsored by the Board as described in D (above) in the two (2) years immediately preceding the application for recertification.

**IV. CERTIFICATION OF LEGAL OFFICE**

Pursuant to the authority vested in the Texas City Attorneys Association Board of Directors (“Board”), the Board prescribes the following standards and requirements for Board certification of a city attorney’s office in municipal law.

**A. GENERAL REQUIREMENTS**

- 1. Required Period of Law Practice

One of the following must be met for a legal office to apply for certification:

All attorneys in the office must have been engaged in the practice of municipal law for at least an average of two (2) years; or,

At least seventy-five percent of the attorneys in the office are eligible for individual municipal certification as demonstrated by a statement of the city attorney.

**B. TEXAS CITY ATTORNEYS ASSOCIATION MEMBERSHIP**

All attorneys employed on a full-time basis by the office must be members of the Texas City Attorneys Association.

**C. EDUCATIONAL REQUIREMENTS**

- 1. Each attorney employed on a full-time basis by the office shall have participated in a minimum of ten (10) hours of continuing legal education in municipal law within the three (3) years immediately preceding application ~~or by December 31<sup>st</sup> of the year in which application is made.~~
- 2. The requirements for municipal law education may be satisfied by:
  - a. Attendance at and completion of programs of study in Municipal law, sponsored by the Board; and/or
  - b. Such other educational experience as the Board shall approve.
  - c. Examples of Municipal law education are the same as Article II, D (above).
- 3. Office Certification is valid for a period of five (5) years.

## **V. NO EVIDENCE OF LEGAL SPECIALIZATION**

Certification of an individual or legal office is recognition by the Board of substantial involvement in the practice of municipal law. Certification of an individual or legal office shall not be construed nor represented to be TCAA Board recognition of special competence to practice Municipal law or the certification of an individual by the TCAA Board is not to be construed as a representation by the TCAA Board that the individual has any special training or expertise in the field of municipal law or any other field of law, nor shall the person or office holding a certificate represent that they are “board certified” as that term is used by the Texas Board of Legal Specialization.

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**TAB**

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