

Draft 06/09/2021



**FAIR PARK FIRST
MINUTES OF MEETING OF
THE BOARD OF DIRECTORS**

Tuesday May 18, 2021

A meeting of the Board of Directors (the "Board") of Fair Park First, a Texas non-profit corporation (the "Corporation"), was held at the Briscoe Carpenter Livestock Center (located on the Fair Park Campus in Dallas, Texas) with some members attending remotely via electronic means and livestreamed to the public at *Facebook.com/Fairparkfirst* on May 18, 2021, at 6:05 p.m.

Directors Present: Darren L. James
 Jason Brown
 Veletta Forsythe Lill
 Kimberly Shaw
 Margo R. Keyes
 Ann Barbier Mueller
 Ovidia E. Amaya
 Donald Parish Sr.
 Emily Ledet
 Mercedes Fulbright
 Cris Zertuche Wong
 Robb P. Stewart, Ex Officio
 Daniel Wood, Ex Officio

Arriving after 6:08:
Sonya Woods Rose

Not Attending:
Christina B Lynch
Chris Bowers (voted in at this meeting)

Staff and Guests:
Brian Luallen, Executive Director of the Corporation
Peter Sullivan, Spectra Dee Ann Hirsch, Spectra Eric Klein, Spectra
Julian Bowman, Spectra
Alyssa Arnold, BRV
Ashley Langworthy, BRV
Peter Lynch, Rise360

Terry Kittleson, ITCFG

Legal Counsel: Robert McCormick, Shackleford

Mr. Darren L. James, President of the Corporation, served as the chair of the meeting.

1. Call to Order.

Mr. James officially called the meeting to order. 8 of the Board members were in attendance at the beginning of the meeting, and with a quorum present the meeting proceeded.

2. Nomination

The next order of business was to discuss the Nomination of a new Board Member, Chris Bowers, by the Board Development Chair Veletta Forsythe-Lill.

Discussions ensued among the Board Members. When there were no further discussions or questions, Mr. James entertained a motion to approve the nomination, a motion was made and duly seconded, and Mr. Bowers nomination was approved.

3. Approval of Minutes.

The second order of business before the meeting was the approval of the minutes from the meeting originally scheduled on April 20, 2021. There being no discussion or questions, a motion was made and duly seconded, and the minutes were approved as presented.

4. Development Report

As Mrs. Margo Keys was unable to attend, Mrs. Heather Stevens provided the Development and fundraising report. A summary of her report is attached hereto as Exhibit A.

5. Finance Report.

Mr. Jason Brown provided a written update on the finances of the Corporation. A summary of his report is attached hereto as Exhibit B.

6. Report from Executive Director.

Mr. Luallen, Executive Director of the Corporation, provided a general update on strategic initiatives. A summary of Mr. Luallen's report is attached hereto as Exhibit C.

7. Operational Update Report

Mr. Peter Sullivan provided a general update on past and future events at Fair Park, as well as the ongoing impacts of covid-19. A summary of Mr. Sullivan's report is attached hereto as Exhibit D.

8. Report from BRV.

Ms. Alyssa Arnold and Ms. Ashley Langworthy provided an update as to initial design process being led by Studio-MLA, as well as the run-of-show for a Community Engagement event scheduled at the

Fair Park Bandshell (later moved to the Coliseum) for June 1 2021.

9. Report from K Strategies

Mrs. Katrina Keyes provided an update as to the ongoing techniques employed for and results from Community Engagement efforts for the Community Park.

10. Presentation by LDWW

Mr. Ken Maxwell provided a presentation on proposed branding and PR initiatives for Fair Park.

11. Board Action: Branding and PR Recommendation

The next order of business was to discuss a staff recommendation to contract with LDWW for a Branding and PR refresh for Fair Park.

Discussions ensued among the Board Members. When there were no further discussions or questions, Mr. James entertained a motion to proceed to Contract, a motion was made and duly seconded, and the motion passed.

12. Board Action: Aquarium Agreement

The next order of business was to discuss proposed contract amendments to the Fair Park First Management Agreement, in order to facilitate a sub-agreement with the ZoOceanarium Group to operate the Children's Aquarium.

Discussions ensued among the Board Members. When there were no further discussions or questions, Mr. James entertained a motion to proceed to Contract with the ZoOceanarium Group (pending successful approval of such management agreement amendments by the City Council), a motion was made and duly seconded, and the motion passed.

13. Adjournment

There being no other business to consider, upon a motion duly made and seconded, the meeting was adjourned at 7:24 p.m.

Respectfully submitted,



By: _____

Darren L. James, President



AGENDA

REGULAR MEETING OF THE BOARD OF DIRECTORS

Tuesday May 18, 2021 (6:00 P.M.)

*The Heritage Hall of Honor
Briscoe Carpenter Livestock Center
Fair Park National Historic Landmark
1403 Washington St. Dallas, TX 75210*

Meeting to be live streamed, and available via the following weblink:

[Facebook.com/Fairparkfirst](https://www.facebook.com/Fairparkfirst)

(Please note, no account or password is required)

*Members of the public wishing to address the Fair Park First Board should sign up in advance,
By emailing info@fairparkfirst.org NO LATER than 12pm May 18, 2021 (Central)*

Pre-registered public speakers will be emailed a link and instructions for admittance.

1. Call to Order
2. Welcome and Introductions
3. Approval of the minutes from the Board meeting scheduled on April 20, 2021
4. Board Development
 - A. Nomination: Chris Bowers
 - B. **BOARD ACTION**
5. Fair Park First Officer and Executive Reports:
 - A. President
 - B. Executive Director

6. Committee Reports:
 - A. Finance
 - (i) March Finance Update – Jason Brown/Eric Clein
 - B. Development Update – Margo R. Keyes/Veletta Forsythe-Lill
7. Operational Update
 - A. Spectra - Peter Sullivan, General Manager
 - B. Capital Projects – Dee Ann Hirsch, AGM Operations
 - (i) Parking and Traffic Study RFQ Update
 - (ii) Parking Structure Design RFQ Update
 - (iii) Parking Structure CM Timeline
8. Partner Updates
 - (i) Community Park Update
 1. K Strategies – Katrina Keyes
 - (a) Community Engagement
 - (b) Social Pinpoint
 - (c) Dial-In Feedback
 2. BRV – Alyssa Arnold and Ashley Langworthy
 - (a) Community Park Update
9. Branding and PR Presentation – LDWW
10. **EXECUTIVE SESSION:**
 - A. FPYP Campaign Update
 - B. Aquarium Agreement
 - C. Legal Matters

11. Items for Action

- A. **BOARD ACTION: Branding and PR Recommendation**
- B. **BOARD ACTION: Aquarium Agreement**

12. Public Comments: Attendees are welcome to address the Board of Directors.
Speakers must sign in and will have 3 minutes each to speak.

- A. Presentation of Rules: Shackleford
- B. Speakers

13. Adjourn

Important Reminder

The June Fair Park First Board Meeting will be held at:

To Be Held Remotely, Via Electronic Means

***Meeting to be live streamed, and available via the following weblink: [Facebook.com/Fairparkfirst](https://www.facebook.com/Fairparkfirst)
(Please note, no account or password is required)***

June 15, 2021 at 6:00pm

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

Seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. flex. Govt. Code s551.0711

Deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. flex. Govt. Code 5551 .0721

Deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [ex. Govt. Code S551.073]

Deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [ex. Govt. Code s551.0741

Deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [ex. Govt. Code s551.0761

Discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [ex Govt. Code s551.0871

Deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex. Govt. Code 5551 .089]

Handgun Prohibition Notice for Meetings of Government Entities

"Pursuant to Section 3Q1QQ, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section @.9.2, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

EXHIBIT A

EXHIBIT B



FAIR PARK FIRST

CONSOLIDATED FINANCIAL STATEMENTS

	<u>March</u>	<u>Budget</u>	<u>Variance</u>	<u>YTD</u>	<u>Budget</u>	<u>Variance</u>
Number of Events	5	7	(2)	20	28	(8)
Number of Event Days	56	11	45	101	124	(23)
Attendance	23,469	49,900	(26,431)	41,942	150,400	(108,458)
<u>Operating Revenue</u>						
Special Events	0	0	0	775,000	775,000	0
Building Use Fee	103,310	62,060	41,250	214,824	284,180	(69,356)
Parking Commissions	26,114	53,350	(27,236)	26,114	94,750	(68,636)
State Fair Utility Reimbursement	0	0	0	0	0	0
Concessions	90,342	133,000	(42,658)	98,677	189,400	(90,723)
Corporate Sponsorships/Branding	14,250	60,000	(45,750)	14,250	360,000	(345,750)
Park Programming-Events	0	46,429	(46,429)	0	46,429	(46,429)
Park Programming-Sponsorships	0	0	0	0	0	0
<u>Sub-Total Operating Revenue</u>	234,016	354,839	(120,823)	1,128,865	1,749,759	(620,894)
<u>Non-Operating Revenue</u>						
Fundraising Income	228	250,000	(249,772)	41,447	1,500,000	(1,458,553)
Interest Income	96	857	(761)	617	857	(240)
State Fair Marketing Allowance	0	0	0	0	0	0
Transition Reserve-Funding From City	500,000	0	500,000	500,000	0	500,000
Allocated Appropriation from the City of Dallas	273,194	287,572	(14,378)	1,639,164	1,725,432	(86,268)
COVID Cares Dollars Received from the City	0	0	0	1,900,737	0	1,900,737
<u>Sub-Total Non-Operating Revenue</u>	773,518	538,429	235,089	4,081,965	3,226,289	855,676
Total Revenues	1,007,533	893,268	114,265	5,210,830	4,976,048	234,782
<u>Operating Expenses</u>						
Salaries, Taxes, Wages & Benefits	257,203	320,891	63,688	1,432,541	1,752,382	319,841
General & Administrative	1,627	4,545	2,918	4,779	27,252	22,473
Supplies & Materials	66,746	25,247	(41,499)	148,350	149,117	767
Sales & Marketing	1,688	2,300	612	6,413	13,800	7,387
Fees for Services	292,847	230,741	(62,106)	1,954,635	1,698,471	(256,164)
Utilities	62,544	139,600	77,056	602,404	837,600	235,196
Maintenance	111,547	93,728	(17,819)	190,551	344,093	153,541
Management Fee	70,833	70,833	(0)	455,000	425,000	(30,000)
Qualitative Incentive Fee	0	0	0	0	0	0
Insurance	18,899	20,680	1,781	117,170	124,080	6,910
<u>Sub-Total Operating Expenses</u>	883,934	908,565	24,631	4,911,845	5,371,795	459,950
<u>Net Operating Income/(Loss)</u>	123,600	(15,297)	138,897	298,986	(395,747)	694,732
Depreciation	(33,041)	(33,041)	0	(141,268)	(141,268)	0
<u>Net Operating Income/(Loss) after Depreciation</u>	90,558	(48,338)	138,897	157,718	(537,014)	694,732

Board Notes-March 2021

Operating Revenue

Month

- Operating revenue was down for the month compared to budget due the timing of budgeted corporate sponsorships/branding revenue.
- Park Programming was also budgeted for March with no realized revenue for the month.
- Building Use Fee revenue was down compared to budget due to budgeted events that did not occur due to the impact of COVID-19.
 - 2 events budgeted that did not occur that had an impact on budgeted revenue were Irish Fest, and Big Texas Beer Fest)
 - The Club America soccer game was able to offset some of this budgeted revenue

Year

- Operating revenue is down for the year compared to budget mainly due to the timing of budgeted corporate sponsorship/branding revenue.
- Building use fee revenue is also down compared to budget due to the impact of COVID-19 on budgeted events from November-March and also having the same impact on concessions and parking revenue.

Non-Operating Revenue

Month

- Non-operating revenue is better than budget due to the recognition of some of the transition reserve funding we received from the City of Dallas. This reserve account was established to help offset any deficits in fundraising for the first 3 fiscal years.
- Fundraising income was also down compared to budget for the period.
- The impact of COVID-19 also reduced our budgeted appropriation from the City of Dallas and our payment has been reduced by 5%.

Year

- Non-operating revenue is better than budget due to the COVID Cares Dollars received by the City of Dallas. These funds had to be spent by 12/30/2020. The funds were used to purchase various fixed assets through the park.
- Fundraising income is down compared to budget due to timing of budgeted dollars and actual received so far this year.

Operating Expenses

Month

- FPF was better compared to budget by \$24,631 for the month in operating expenses. This was due some savings realized in utility costs for the period.

Year

- FPF is better than budget by \$459,950 in operating expenses for the year. This is due to the savings in a couple of operational areas including utilities, supplies, and maintenance.

EXHIBIT C



EXECUTIVE DIRECTOR REPORT

**REGULAR MEETING OF
THE BOARD OF DIRECTORS OF**

FAIR PARK FIRST

Tuesday, May 18 2021 (6:00 P.M.)

Meeting Held Electronically

1. Strategic Focus

A. FPYP Campaign

- (i) Campaign Progress to Date
- (ii) Currently forecasting meeting budget for FY 2020-21

B. Donor Visualization Center

- (i) Designer Identified
- (ii) Developing budget and timeline
 - 1. Donor Funded
 - 2. In Kind Contributions and Services
 - 3. Target opening on or before July 4th
- (iii) Demo to start in the next two weeks

C. Texas Cultural District Designation

- (i) Application in Progress
- (ii) Short Film
 - 1. Content Implications

(iii) Marketing Plan

2. RFI For Unoccupied Buildings

A. Progress Update

(i) Friends of Fair Park

(ii) Spark

(iii) Aquarium

(iv) Best Texas/RRMF

(v) Women's Building

3. Opportunities

A. Additional Staffing Needs

(i) Construction and Facility Management

(ii) Strategic Initiatives

B. Resident Institutions

(i) Texas Discovery Gardens

1. Working with them to alleviate concerns with guest access, and to convey financial impacts to Park Dept/COD

EXHIBIT D.



OPERATIONAL REPORT

REGULAR MEETING OF THE BOARD OF DIRECTORS OF

FAIR PARK FIRST

Tuesday, May 15 2021 (6:00 P.M.)

Meeting Held Electronically

- **Events:**
 - Fair Park hosted a number of Resident Institution events, as well as a few commercial ones. Most of the RI's were receptions, and a Vietnam Veterans Day ceremony was held as well. On the commercial side we hosted a Film shoot, a Lexus car event, Dekafit, Oddities and Curiosities, an international soccer game, as well as continued our run with Athletes Unlimited with their Women's Pro Volleyball league.
- **Finance:**
 - Our application for PPP loan forgiveness has been reviewed and recommended for full forgiveness; have rec'd our first reimbursement from the county for our expenses associated with management of FP as a mega Vaxx site; and payments have been made to Prairie View and Grambling, to fulfill the City's financial obligation to them.
- **Operations:**
 - Discussed numerous operational matters including on going storm damage repairs, bond related project updates, state fair net revenue project updates, and CARES ACT funding update.
- **Sales:**
 - Discussed various sales initiatives including holds for future concerts for the coliseum and the stadium, NERF event to have a 2+ run in Centennial, the potential for 2 new soccer events in July for the Cotton Bowl, as well as the potential for a Golf event in the Cotton Bowl in May.
- **Marketing:**
 - Discussed various marketing issues/initiatives including; Dallas Morning News touring the campus and interviewing FPF's Executive Dir about the Master Plan and other changes coming to Fair Park; Community Park workshops; developing a video to be used for an application to become a Cultural District; our efforts in helping promoters market their upcoming events including Burlesque Festival, Dallas Pride, NERF Challenge, and the World Food Championships.

EXHIBIT E

CHRISTOPHER D. BOWERS

Miklos Cinclair, PLLC
1800 Valley View Lane, Suite 360
Farmers Branch, TX 75234
chris@m-clegal.com
(214) 202-9265

EXPERIENCE

Of Counsel, Miklos Cinclair, PLLC, 2017-

- Counsel and represent developers and other landowners in a broad range of complex litigation and administrative matters involving zoning, eminent domain, inverse condemnation, platting, permitting, land use, annexation, contracts, historic preservation, constitutional law, open meetings, and code violations
- Persuaded a Dallas suburb's officials to reverse a planning department's decision and allow a substance abuse treatment center
- Convinced the Dallas Board of Adjustment to reverse the building official's decision to revoke a building permit
- Filed two lawsuits challenging a Dallas suburb's parkland exaction ordinance as excessive and obtained a \$2,053,695 fee reduction in one case and a \$350,400 refund in the other

First Assistant City Attorney, Dallas City Attorney's Office, 2007-2017

- Assisted City Attorney in managing 95-attorney law office
- Achieved second lowest total litigation cost per resident of the 10 largest cities in the country during 2013-16
- Drafted major reforms to Dallas' code of ethics
- Led team that drafted Dallas' boarding home ordinance, which has served as a model for several Texas cities
- Led team that acquired 1,500 acres for Dallas' Trinity River Corridor Project, which was a finalist for one of the "Best Real Estate Deals of the Year" awards by the *Dallas Business Journal*
- Served as Dallas' representative on Super Bowl Legal Action Team
- Strategized and implemented ways to reduce or avoid liability when persons threatened litigation against Dallas
- Continued to perform all duties of chief of litigation

Interim City Attorney, Dallas City Attorney's Office, May-Sept. 2016

- Managed 95-attorney law office, including hiring and terminating employees as well as deciding when to retain outside counsel
- Provided verbal and written legal opinions to Councilmembers on ethics, open meetings, parliamentary procedure, and other matters
- Counseled the Mayor and City Council, City Manager, department directors, and other city staff on proposed courses of action

EXPERIENCE
(continued)

Chief, Litigation Division, Dallas City Attorney's Office, 2005-07

- Supervised 45 attorneys in division who handled Dallas' criminal prosecutions and civil litigation, including employment, personal injury, civil rights, code compliance, and other lawsuits
- Briefed City Council and City Manager on status of lawsuits
- Made recommendations on hiring, promoting, and firing lawyers
- Estimated Dallas' exposure in large lawsuits and recommended sum to set aside in Dallas' liability reserve fund

Chief, General Litigation Section, Dallas City Attorney's Office, 2004-05

- Supervised nine other attorneys in section
- Continued to perform all duties of litigator in section

General Litigation Section, Dallas City Attorney's Office, 1995-2004

- Litigated cases in state and federal courts in the areas of eminent domain, inverse condemnation, zoning, contracts, construction, annexation, title, fraud, property damage, fair housing, and towing
- Persuaded U.S. Supreme Court to grant petition for certiorari and vacate Fifth Circuit's adverse judgment in tow truck regulation case in *City of Dallas v. Cole*, 536 U.S. 936 (2002)
- Convinced Texas Supreme Court to reverse court of appeals and trial court and to uphold Dallas board of adjustment's denial of a variance in *City of Dallas v. Vanesko*, 189 S.W.3d 769 (Tex. 2006)
- Took over appeal and obtained reversal of \$6.4 million judgment against Dallas in regulatory takings case in *City of Dallas v. Currey*, No. 05-00-01436-CV, 2001 WL 1671160 (Tex. App.—Dallas Dec. 20, 2001, pet. denied) (not designated for publication), *cert. denied*, 537 U.S. 1030 (2002)
- Obtained many favorable condemnation awards for Dallas
- Collected money in three cases where Dallas was defendant

Zoning Section, Dallas City Attorney's Office, 1990-95

- Served as counsel for Landmark Commission, 1990-1993, 1995
- Served as counsel for City Plan Commission, 1993-94
- Advised City Council, Board of Adjustment, city departments, and litigators in City Attorney's Office on issues involving zoning, platting, historic preservation, permits, signs, conflicts of interests, open meetings, and parliamentary procedure
- Drafted ordinances and resolutions, including Oak Lawn Special Purpose District ordinance, first tree ordinance, and moratoriums

Criminal Law Section, Dallas City Attorney's Office, 1990

- Prosecuted Class C misdemeanors in municipal court

EDUCATION	<p><i>Cornell University</i>, J.D. with Concentration in Advocacy, 1989</p> <ul style="list-style-type: none"> • Member, <i>Cornell International Law Journal</i> • President, Cornell Law Student Association (student government) • <i>Who's Who Among American Law Students</i>, 1989 • Silver Key Award, A.B.A./Law Student Division <p><i>Texas A&M University</i>, B.S., Political Science, 1986</p> <ul style="list-style-type: none"> • McFadden and National Merit Scholar • Chair, Memorial Student Center Open House Committee
ADMITTED TO PRACTICE	<ul style="list-style-type: none"> • U.S. Supreme Court, 2002 • U.S. Court of Appeals, Fifth Circuit, 1998 • U.S. District Court, Northern District of Texas, 1992
AFFILIATIONS	<ul style="list-style-type: none"> • Barrister, Patrick E. Higginbotham American Inn of Court, 2001-04 • College of the State Bar of Texas, 2002 • Dallas Bar Association, 1998- • State Bar of Texas, 1989-
RECOGNITION	<ul style="list-style-type: none"> • Recognized as one of <i>Best Lawyers in Dallas</i> (land use/zoning), D Magazine, 2021 • Named to the <i>Texas Verdicts Hall of Fame</i> by Texas Lawyer, 2014 • Received statewide <i>Magna Stella</i> award for excellence in leadership and management for a non-profit or government agency, Texas General Counsel Forum, 2012 • Elected Chair of Government Law Section of Dallas Bar Association, 2010 • Received Presidential Citation, Dallas Bar Association, 2009 • Selected to <i>Texas Super Lawyers</i> list, Thomson Reuters, 2006-09 • Awarded AV Preeminent rating by Martindale Hubbell, 2003- • Selected for inclusion in <i>Who's Who in America</i>, 2002
COMMUNITY SERVICE	<ul style="list-style-type: none"> • Serve on Board of Directors, Gateway of Grace, 2018- • Served as Stewpot Coordinator for Dallas City Attorney's Office and Strategic Customer Services, 1999-2017 • Served on Former Student Advisory Board of Texas A&M Department of Political Science, 1998-
SELECTED PAPERS AND SPEECHES	<ul style="list-style-type: none"> • Speaker, "Post-Disaster Regulation," 22nd Annual Conference on Land Use Planning Law, University of Texas School of Law, Austin, TX, 2018 • Speaker, "Speak Softly and Carry a Big Stick: Tips for Getting Your Client's Project Through the Development Maze," Dallas Area Real Estate Lawyers Breakfast Discussion Group," Dallas, TX, 2018 • Co-speaker, "The Big E comes to Big D: The Legal Issues Raised by Efforts to Contain an Ebola Outbreak," Northeast Tarrant County

**SELECTED
PAPERS AND
SPEECHES
(continued)**

- Bar Association, Colleyville, TX, 2015
- Author & speaker, "Hot Topics in Land Use Law," 19th Annual Conference on Land Use Planning Law, University of Texas School of Law, Round Rock, TX, 2015
- Speaker, "Concrete Ways to Improve Your Legal Drafting," Texas City Attorney's Association Summer Conference, South Padre Island, TX, 2014
- Speaker, "Boarding Homes," 28th Annual Business & Education Conference, Code Enforcement Association of Texas, Austin, TX, 2013
- Speaker, "Concrete Ways to Improve Your Legal Drafting," Government Law Section, Dallas Bar Association, Dallas, TX, 2013
- Speaker, "Making Room for the Boarding Home," Summit for Texas Code Enforcement Attorneys, Irving, TX, 2013
- Moderator, "*Lex Occupare*: Constitutionally-Protected Expression and the Policing of Public Property in Dallas," Dallas Bar Association Government Law Section, Dallas, TX, 2012
- Speaker, "Mr. Mayor, Tear Down This Old House: Challenges to Demolishing Nuisance Structures," International Municipal Lawyers Association Top 50 Meeting, Dallas, TX, 2010
- Co-speaker, "Eminent Domain and Regulatory Takings," Annual Conference, Texas Chapter of American Planning Association, Addison, TX, 2007
- Author & speaker, "Bambi, Barking Dogs, and Yellow Brick Roads: Current Issues in Land Use," Challenges Facing Local Governments, Dallas Chapter of Federal Bar Association, Dallas, TX, 2004
- Author & speaker, "Deprivations of Street Access: They Aren't Just Your Teenager's Problem," Challenges Facing Local Governments, Dallas Chapter of Federal Bar Association, Dallas, TX, 2001
- Author & speaker, "How to Avoid Paying for What You Didn't Take: Defending Zoning Actions Against Inverse Condemnation Claims," Land Use Litigation Conference, Southwestern Legal Foundation, Dallas, TX, 2001
- Author & speaker, "The Moratorium: A Tougher Tool for Texas Cities?," 3rd Annual Conference on Land Use Planning Law, University of Texas School of Law, Austin, TX, 1999
- Speaker, "Signs and Billboards: First and Fifth Amendment Issues, Federal Trademark Law Preemption Problems, Amortization, Secondary Effects, Condemnation, Political Signs," Institute on Planning, Zoning and Eminent Domain, Southwestern Legal Foundation, Dallas, TX, 1998
- Speaker, "Sign Regulation and the First Amendment," Challenges Facing Local Governments, Dallas Chapter of Federal Bar Association, Dallas, TX, 1994
- Moderator, "Social Regulation Through Zoning," Annual Conference, Texas Chapter of A.P.A., Corpus Christi, TX, 1991

PRESERVATION WORK

Served on or with historic preservation organizations

- Board of Trustees, Preservation Dallas, 2019-
- Member, City of Plano Heritage Commission, 1999-2002
- Chair, National Alliance of Preservation Commissions (NAPC), 1999-2001
- Vice Chair, NAPC, 1997-99
- Chair, Legal Committee, NAPC, 1995-1998
- Board of Directors, NAPC, 1993-2001
- Counsel, Dallas Landmark Commission, 1990-1993, 1995

Litigated cases resulting in victories for historic preservation

- On team that obtained rulings that: (1) historic district ordinances took effect even though city staff failed to file them in the deed records as required by city code; (2) the trial court properly instructed the jury that the ordinances prohibited a person from demolishing a structure in the district without first obtaining landmark commission approval; (3) state law entitled cities to recover civil penalties for the defendant's violation; and (4) affirmed the trial court's award of \$750,000 in civil penalties in *TCI West End v. City of Dallas*, 486 S.W.3d 692 (Tex. App.—Dallas 2016, pet. denied)
- On team that obtained ruling that state law authorized municipalities to file lawsuits seeking civil penalties against a defendant for demolishing a historic building in violation of a city ordinance when the defendant failed to comply after receiving notice of the ordinance in *City of Dallas v. TCI West End, Inc.*, 463 S.W.3d 53 (Tex. 2015)
- Obtained judgment denying claim that historic designation of Old Dallas High School resulted in a \$15 million taking in *2218 Bryan Street, Ltd. v. City of Dallas*, No. DV-01-00292-L, *aff'd*, 175 S.W.3d 58 (Tex. App.—Dallas 2005, pet. denied)
- Obtained summary judgment against claims challenging the historic designation of the Luna Tortilla Factory in *Ramirez v. City of Dallas*, Civ. Action No. 3:00-CV-2481-D, 2002 WL 32508210 (N.D. Tex. Oct. 7, 2002)

Drafted ordinances, opinions, and real estate documents

- Twelve ordinances establishing historic districts for the City of Dallas, including designation of Freedman's Cemetery
- First ordinance prohibiting demolition in a Dallas historic district
- Ordinance amending the routine maintenance process
- Opinions concerning validity of proposed regulations and decisions
- Commitments to repay taxes not paid due to historic tax exemptions

**PRESERVA-
TION WORK
(continued)**

Worked on preservation plan

- Part of Looney Ricks Kiss team on Fort Worth Citywide Historic Preservation Plan, 2002-03

Provided preservation commission training and/or ordinance review

- San Antonio, TX, 2019
- Valley, AL, 2004
- Denison, TX, 2004
- Fort Worth, TX, 2004
- Georgetown, TX, 2001
- San Antonio, TX, 2001
- Waxahachie, TX, 2000
- Galveston, TX, 1999
- Grapevine, TX, 1998
- Bryan, TX, 1996

Provided legal counsel to historic preservation organization

- Historic Palestine, Inc., 2019

Published articles and/or spoke on preservation topics (selected)

- Author, "Laws Affecting the Restoration and Preservation of Historical Buildings," 15 *Construction Law Journal* 37 (Winter 2019)
- Author & speaker, "Obtaining Damages for an Illegal Demolition of a Landmark: a Dallas Case Study," National Preservation Law Conference, National Trust for Historic Preservation and Georgetown University Law Center, Washington, DC, 2017
- Speaker, "Preservation Issues in Dallas," PastForward Conference, National Trust for Historic Preservation, Houston, TX, 2016
- Speaker, "What's New with What's Old—Historic Preservation," Land Use Teleconference, International Municipal Lawyers Association, 2012
- Author & Speaker, "Historic Preservation Law," Best Practices for Public Sector Lawyers Seminar, Government Lawyers Section of the State Bar of Texas, Austin, TX, 2011
- Author & Speaker, "Razing Trouble with Historical Rubble: How Cities Can Use Litigation to Preserve Landmarks or Punish Those Who Demolish Them," Summit for Texas Code Enforcement Attorneys, Irving, TX 2011
- Author, "Asking for Trouble When Turning History into Rubble: How Dallas Razed Cain When a Landmark Was Illegally Demolished," *The Alliance Review* (March/April 2011)

**PRESERVA-
TION WORK**
(continued)

- Author & Speaker, "Major Issues in Historic Preservation Law," Planning, Zoning and Eminent Domain for Lawyers, Planners and Public Officials, Center for American and International Law, Plano, TX, 2010
- Speaker, "Soft Speak, Big Stick: Successful Strategies for Enforcing Preservation Ordinances," 2010 National Preservation Conference, National Trust for Historic Preservation, Austin, TX, 2010
- Speaker, "What Every Municipal Lawyer Needs to Know About Historic Preservation Law," International Municipal Lawyers Association Land Use Teleconference, 2010
- Speaker, "Common Preservation Ordinance Issues," VIP/CLG Preservation Symposium, Texas Historical Commission, Austin, TX, 2008
- Speaker, "Preservation Commission Short Course," NAPC and National Trust for Historic Preservation, Los Angeles, CA, 2000
- Speaker, "Takings and Due Process Challenges to Historic Preservation Ordinances," NAPC National Commission Forum, Pittsburgh, PA, 2000
- Speaker, "Legal Issues in Historic Preservation," Missouri Certified Local Government (CLG) Forum, Columbia, MO, 1999
- Speaker, "Workshop on Facade and Conservation Easements," Certified Local Government Conference & Training Workshop, Texas Historical Commission, Corpus Christi, TX, 1998
- Speaker, "Current Legal Issues in Economic Development and Preservation," Certified Local Government Conference & Training Workshop, Texas Historical Commission, Corpus Christi, TX, 1998
- Speaker, "Protecting the Resource," NAPC National Commission Forum, Denver, CO, 1998
- Speaker, "Property Rights Concerns and Legal Challenges," NAPC National Commission Forum, Denver, CO, 1998
- Author, "Historic Preservation Concerning Private Property," 30 *The Urban Lawyer* 405 (Spring 1998) and 1998 *Institute on Planning, Zoning & Eminent Domain*, Southwestern Legal Foundation, ch. 4 (cited as one of four best articles on historic preservation in 1998 by Stuart L. Deutsch & A. Dan Tarlock, "Annual Survey of Land Use Literature," 22 *Zoning & Planning Law Report* 56 (June 1999))
- Author, "Court Carves Up Surgeons," *The Alliance Review* (Dec. 1997)
- Author, "Supreme Court Declares RFRA Unconstitutional," *The Alliance Review* (July/Aug. 1997)
- Author, "Is Owner Consent Objectionable?," *The Alliance Review* (May/June 1997)
- Author, "Fighting the Religious Freedom Restoration Act," *The Alliance Review* (March/April 1997)
- Speaker, "Missouri Commissions Assistance Program," Regional Training & Assessment Conference, NAPC and Missouri Historic

PRESERVATION WORK
(continued)

- Preservation Program, Lee's Summit, MO, 1996
- Speaker, "Preservation and Planning Commissioner Short Course," NAPC, National Park Service, Illinois Historic Preservation Agency, and American Planning Association, Chicago, IL, 1996
- Speaker, "NAPC Mock Commission," 50th National Preservation Conference, National Trust for Historic Preservation, Chicago, IL, 1996
- Speaker, "Conflict Resolution in Historic Districts," 50th National Preservation Conference, National Trust for Historic Preservation, Chicago, IL, 1996
- Speaker & author, "Historic Preservation Law Concerning Private Property," Challenges Facing Local Governments, Dallas Chapter of Federal Bar Association, Dallas, TX, 1996
- Speaker, "Short Course for Historic Preservation Commissioners," NAPC, National Park Service, and Texas Chapter of American Planning Association, Fort Worth, TX, 1995
- Speaker, "Design Review: Balancing Public and Private Interests," 49th National Preservation Conference, National Trust for Historic Preservation, Fort Worth, TX, 1995
- Speaker, "Enforcement: Putting Teeth into Preservation Ordinances," 49th National Preservation Conference, National Trust for Historic Preservation, Fort Worth, TX, 1995
- Author, "Is Your Preservation Commission Procedurally Correct?," *The Alliance Review* (Summer 1995)
- Speaker, "Historic Preservation Law," Texas Historical Commission conference, Austin, TX, 1995
- Speaker, "Takings under the Federal and State Constitutions," Texas Historical Commission, Austin, TX, 1993
- Speaker, "Developing and Administering Ordinances," Texas Historical Commission, Austin, TX, 1993
- Speaker, "Current Municipal and Preservation Law Issues," Texas Urban Main Street Program, Texas Historical Commission, Austin, TX, 1993
- Speaker, "Legal Considerations in Local Preservation," Texas Historical Commission conference, Austin, TX, 1992

Received awards for preservation work

- "Heritage Award," Black Dallas Remembered, Inc., 1992
- "Certificate of Appreciation," Dallas Landmark Commission, 1991

LANGUAGES

- Can read, write, and speak rudimentary Spanish

PERSONAL

- Married to Veronica A. Cuadra, an administrative judge for the U.S. Equal Employment Opportunity Commission (EEOC)