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New Conference!

Regulatory Takings

Key Issues for Texas Communities and Property Owners

May 10-11, 2007 • Hyatt Regency • Austin

**\$100 Discount for
Government Employees!**

**Can Subdivision Exactions
Be a Taking?**

Stormwater Systems and Drainage

**Cutting Edge Regulations,
Policies and Development
in Texas Communities**

Wetlands and Regulatory Takings

**Regulation of Sexually-Oriented
Businesses**

**Valuations of Alternate
Economic Units**

... and more!

Dear Colleague:

As today's political focus turns to the role of governmental bodies in relation to property rights, development professionals in Texas must stay on top of the ever-changing policy implications of regulatory takings law.

From subdivision exactions and rough proportionality to stormwater drainage and the regulation of sexually-oriented businesses, the impact of regulatory takings in Texas continues to shape the future of our communities.

We are proud to have assembled this top-notch faculty of experts for CLE International's all new Regulatory Takings Conference. These leaders in the field will give you the insights and strategies you need to protect your interests and those of your clients.

Whether you are a private practitioner, government attorney, developer, planner, appraiser, environmental representative or real estate professional, this is one Conference you can't afford to miss!

We look forward to seeing you there.

Sincerely,



E. Allen Taylor, Jr., Esq.
Program Co-Chair



James M. Nias, Esq.
Program Co-Chair

E. Allen Taylor, Jr., Esq.
Program Co-Chair

Taylor Olson Adkins Sralla & Elam
Ft. Worth

James M. Nias, Esq.
Program Co-Chair

Jackson Walker
Austin



Visit our website at [cle.com](http://www.cle.com) for a complete listing of MCLE requirements in all states. You will also find a schedule of our upcoming conferences and a listing of available homestudy courses.

Register Online at www.cle.com or Call (800) 873-7130
Conference Schedule and Speaker Biographies Inside 

Thursday, May 10**Friday, May 11**

8:30 Registration and Continental Breakfast

9:00 Welcome and Introduction

Overview of Day One

E. Allen Taylor, Jr., Esq., Program Co-Chair*Taylor Olson Adkins Sralla & Elam, Ft. Worth***James M. Nias, Esq., Program Co-Chair***Jackson Walker, Austin***9:15 Theories of Constitutional Law**

Background and Overriding Principles; Substantive and Procedural Due Process; Equal Protection

Greg White, Esq.*Naman, Howell, Smith & Lee, Waco*

10:15 Morning Break

10:30 Can Subdivision Exactions Be a Taking?

Getting to the Key Issues

William S. Dahlstrom, Esq.*Jackson Walker, Dallas***11:00 Rough Proportionality***Flower Mound v. Stafford* and the Statutory Response**Bruce W. Bringardner, Esq.***Thompson Coe, Dallas*

12:00 Q&A Panel

Members of the Faculty

12:15 Lunch Break

1:30 The Role of Impact Fees

What Impact Fees Say About the Costs of Service; Costs of Replacing Infrastructure; Do Impact Fees Represent More Than Money?

Lewis F. McLain, Jr., President*CityBase.net, McKinney***2:15 Vested Rights Applications and Issues Under Texas Law**

Development Agreements; Zoning Classifications; Complete Applications; Expiration Dates; Use in Extraterritorial Jurisdiction

Terry D. Morgan, Esq.*Terry Morgan & Associates, Dallas*

3:00 Afternoon Break

3:15 Ripeness and Exhaustion of Remedies

What Does It Mean to Exhaust Remedies? A Sword and a Shield to Litigation

Pete G. Smith, Esq.*Nichols, Jackson, Dillard, Hager & Smith, Dallas***4:00 Zoning as a Regulatory Take***Sheffield v. Glen Heights*; Legislative Update on the Issues**Art Anderson, Esq.***Winstead Sechrest & Minick, Dallas*

4:45 Q&A Panel

Members of the Faculty

5:00 Adjourn

8:30 Continental Breakfast

9:00 Welcome Back

Overview of Day Two

E. Allen Taylor, Jr., Esq., Program Co-Chair**James M. Nias, Esq., Program Co-Chair****9:15 Stormwater Systems and Drainage**

Richland Chambers Reservoir; When Are Governmental Entities Responsible for Damages When Things Go Wrong?

Glenn Sodd, Esq.*Dawson & Sodd, Corsicana*

10:00 Morning Break

10:15 Cutting Edge Regulations, Policies and Developments in Texas Communities

A Panel Presentation

David R. Gattis, AICP, CFM, ICMA-CM**Assistant City Manager***Benbrook***Robert E. Hager, Esq., City Attorney***The Colony***Phyllis M. Jarrell, AICP, Director of Planning***Plano***Martha V. "Marty" Terry, Esq.****Division Chief, Construction, Land and Water Division***City of Austin Law Department*

12:00 Q&A Panel

Members of the Faculty

12:15 Lunch Break

1:30 Ethics

Considerations for Takings and Other Real Estate Matters

Thomas H. Watkins, Esq.*Brown McCarroll, Austin***2:30 Wetlands and Regulatory Takings**

Recognizing a Claim and Deciding How to Handle It

Sharon M. Mattox, Esq.*Vinson & Elkins, Houston*

3:15 Afternoon Break

3:30 Regulation of Sexually-Oriented Businesses

Considerations When Emotions Run High

Nikelle Susanne Meade, Esq.*Brown McCarroll, Austin***4:15 Valuations of Alternate Economic Units**

Definitions, When to Apply Them, Deciding What Units Are Applicable, Treatment of Remainder Property, Relevant Case Law

Misty Goodrich, MAI, President*Goodrich, Schechter & Associates, Ft. Worth*

5:00 Evaluations and Adjourn

instructors

Regulatory Takings

meet your

Program Co-Chairs

James M. Nias has extensive experience in land development, property rights, planning and zoning law. He is a former Assistant City Attorney for the City of Austin, Assistant City Attorney for the City of Amarillo, and Assistant County Attorney for Potter County.

E. Allen Taylor, Jr., focuses his practice on public, municipal and land use law. He holds a Masters Degree in Urban Planning and is the former Planning Director of the City of Edinburg, Director of Planning & Community Development for the City of Pharr, and Director of Planning & Community Development for the City of Killeen.

Art Anderson focuses on real estate, finance, zoning and land use law. He represents landowners and developers in platting and zoning issues, and he handles major land use litigation cases against municipalities and other governmental entities.

Bruce W. Bringardner has over 25 years' experience, with an emphasis on real estate, taxation, estate planning and employee benefits. He handles acquisitions and sales, land use and development, leasing and mortgage lending.

William S. Dahlstrom is a partner in the Business Transactions section of his firm. He focuses on all areas of land use, and was listed in *D Magazine* as one of the *Best Lawyers in Dallas* in 2001 and 2005. He is the co-author of *Texas Land Use Forms*.

David R. Gattis is responsible for planning, engineering, and assisting with economic development activities in his city. He authored the Benbrook Comprehensive Plan, which was recognized as the best Comprehensive Plan by the Texas Chapter of the American Planning Association in 1991.

Misty Goodrich specializes in appraisal and other analysis for the commercial real estate industry. Her company is known for its specialty work with airport properties, condemnation valuation and expert witness testimony. She is the Director of the Appraisal Institute's Central Texas Chapter.

Robert E. Hager has over 20 years of experience serving as a City Attorney. He currently serves as City Attorney for Rowlett, Coppell, Bartonville, Lancaster and The Colony. He also serves as the employment law expert for Nichols, Jackson, Dillard, Hager & Smith.

Phyllis M. Jarrell has been with her city for 22 years. She has devised zoning regulations, worked on public/private partnerships and coordinated neighborhood design review for Legacy Town Center and the Downtown Plano Transit Village.

Sharon M. Mattox has been extensively involved in environmental issues affecting land use, including wetlands, cultural resources, hazardous substances, endangered species and floodplains. She has chaired CLE International's Texas Wetlands Conference for 17 years.

Lewis F. McLain, Jr., serves as a consultant to municipalities on issues related to impact fees, stormwater drainage utility system formation, utility rates, fiscal impact studies and sanitation and solid waste. He was the Executive Director of the Government Finance Officers Association of Texas for five years.

Nikelle Susanne Meade represents clients in the acquisition and development of commercial and residential properties. She also represents developers in annexation, zoning, subdivision, site planning and vested rights matters.

Terry D. Morgan focuses on litigation defense and municipal land use law, and he represents cities and public entities throughout Texas and the Southwest. He previously served as the Assistant City Attorney for Austin in planning and zoning matters.

Pete G. Smith has expertise in economic development, *ad valorem* taxation, municipal law, administrative and zoning law. For over 22 years, he has represented cities and other political subdivisions in trial and appellate litigation.

Glenn Sodd focuses on eminent domain litigation throughout Texas and also handles complex oil and gas, farm and ranch, and business litigation. He was named one of the top three General Trial Lawyers in Texas by *Town & Country Magazine*.

Martha V. "Marty" Terry handles non-litigation matters involving the development of land, the provision of water and wastewater service, environmental law, construction and real estate. For 20 years, she focused on utility regulatory law.

Thomas H. Watkins has practiced litigation for over 38 years and is experienced in handling high-profile litigation. He is Board Certified in Civil Trial Law by the Texas Board of Legal Specialization. He has handled a number of oil and gas, legal malpractice and intellectual property cases.

Greg White has over 20 years of trial and appeals experience in Central Texas. He has been lead counsel in over 35 reported cases and has argued numerous cases before the Texas Supreme Court. He is a frequent speaker on civil rights and eminent domain.

CLE INTERNATIONAL Program Attorney:
Caroline R. Kert, caroline@cle.com.

information

conference

Continuing Education Credit

MCLE: This course has been approved by the Texas State Bar for 12 credit hours, including one hour of ethics.

Real Estate: This course meets the requirements for 12 hours Mandatory Continuing Education credit from the Texas Real Estate Commission.

Planner: This course qualifies for up to 12 hours of AICP/CPDP credit.

Please call **CLE INTERNATIONAL** for information regarding Texas Board of Legal Specialization certification. **CLE INTERNATIONAL** is an approved sponsor of the Texas State Bar, Sponsor No. 2645.

CLE INTERNATIONAL is an accredited provider in all jurisdictions with mandatory continuing legal education requirements. For accreditation in other jurisdictions or disciplines, contact **CLE INTERNATIONAL** at (800) 873-7130.

Sponsorship Information

Sponsorship and exhibition opportunities are still available. For more information, please contact Shauna Kraczek, at (800) 873-7130 or shauna@cle.com.

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Community World Travel
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Home Study Package

CLE INTERNATIONAL also offers a complete audio transcript of the Conference (including all course materials) for \$595 plus \$10 shipping and handling. This course qualifies for home study credit.

Cancellation

Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 p.m. MST on the Friday preceding the Conference. Substitutions may be made at any time.

Registration

Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or home study order to (800) 873-7130, fax the registration form to (303) 321-6320, email your registration to registrar@cle.com, or register online at www.cle.com. Full payment is due at time of registration. Walk-in registrations will be subject to space availability. Please call **CLE INTERNATIONAL** at (800) 873-7130 if you require any special accommodations.

Course Materials

Each registrant will receive a set of materials prepared by the speakers especially for this Conference, which will serve as a valuable future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.

Tuition: \$595

The tuition fee of \$595 per person (\$495 for government employees, 501(c)(3) organizations, full-time judges, law students and paralegals) includes attendance at all sessions, course materials, continental breakfasts, and coffee breaks.

Save When Two or More Register

Save \$200 or more with our multiple registrant discount! For two or more registering from the same firm, the tuition fee is only \$495 per person (\$395 for government employees, 501(c)(3) organizations, full-time judges, law students and paralegals).

About CLE International

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New Conference!

Regulatory Takings

Key Issues for Texas Communities and Property Owners

May 10-11, 2007 • Hyatt Regency • Austin

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New Conference!

Regulatory Takings

Conscientious Development Within the Fifth Amendment

May 10-11, 2007 • Hyatt Regency • Austin



All New Conference in the Newly Renovated Austin Hyatt

Hyatt Regency Austin recently completed a makeover of all its guest rooms. Each room has been updated with a sleek 32" flat panel TV, the luxurious Hyatt Grand Bed™, an oversized desk and wireless high-speed Internet access. Guests will also enjoy fully redesigned deluxe bathrooms and captivating views of the Texas capitol.

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