

# 2021 Bernard O. Dow Leasing Institute

## November 12, 2021 • Live Webcast

**Friday Morning, Nov. 12, 2021**

**Presiding Officer:**

**Frank Z. Ruttenberg**, Haynes and Boone, LLP - San Antonio, TX

|                     |   |
|---------------------|---|
| 8:20 am             | <b>Welcoming Remarks</b>  |
| 8:30 am<br>1.00 hr  | <b>The Retailization of Healthcare</b><br><br>Changes in the healthcare industry have dramatically altered the delivery of healthcare services and the real estate in which those services are provided. This session will examine the effects of the “retailization” of healthcare (or “medtail” as it is becoming known) on leases, as more medical uses continue their migration to more traditional retail settings.<br><br>T. Andrew Dow, Winstead PC - Dallas, TX   |
| 9:30 am             | <b>5-Minute Break</b>   |
| 9:35 am<br>0.75 hr  | <b>Office Sector and COVID’s Impact: New Normal or Just New?</b><br><br>Explore new insights for workplace space planning, re-entry, hybrid and remote work, as well as the latest design resilience strategies to create healthy, sustainable and energy-efficient buildings.<br><br>Nena Martin, Gensler - Austin, TX<br>Rives Taylor, Gensler - Houston, TX<br>Ed Walts, The University of Texas System - Austin, TX   |
| 10:20 am            | <b>5-Minute Break</b>   |
| 10:25 am<br>0.75 hr | <b>Industrial Sector - Impact of Commerce and the Distribution Chain</b><br><br>Hear the latest on Covid-19’s impact on the supply chain and industrial sector. What has changed in development and regulation, and what are the impacts on e-Commerce.<br><br>Anna Lee Alford, Haynes and Boone, LLP - Dallas, TX<br>Kevin Cosgrove, Stream Realty Partners, LP - San Antonio, TX  |
| 11:10 am            | <b>5-Minute</b>   |
| 11:15 am<br>0.50 hr | <b>Data Centers - Key Lease Considerations and Provisions from the Landlord and Tenant Perspective</b><br><br>A discussion on the unique provisions that differentiate data center leases & MSAs from traditional commercial real estate. The presentation will cover special considerations required by these facilities, including rent structures, sale provisions, expansion and reduction of space/power, security, access, regulatory provisions and service level agreements.<br><br>Haynes Strader, Skybox DataCenters - Dallas, TX |
| 11:45 am            | <b>Break for Lunch - Presentation resumes at 12:05 p.m.</b>   |

## Friday Afternoon, Nov. 12, 2021

### Presiding Officer:

**Ed Walts**, The University of Texas System - Austin, TX

### LUNCHEON PRESENTATION

|                     |  |
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| 12:05 pm<br>0.50 hr | <b>Office Building Occupancies, Operating Expenses &amp; Escalations: Impact of COVID</b><br><br>COVID's dramatic impact on office building occupancies around the U.S. is well known. But how has COVID impacted operating expenses and each tenant's share (aka 'escalation invoices')? The answers may surprise you.<br><br>William H. Brownfield, CRE, CCIM, Brownfield & Mayerhofer, Inc. - Houston, TX   |
| 12:35 pm            | <b>5-Minute Break</b>  |
| 12:40 pm<br>0.50 hr | <b>Sustainable Water Management in Austin - Onsite Water Reuse in Commercial Development</b><br><br>Hear an overview of Austin's long term water planning to sustain anticipated growth, and additional detail on the newly developed Onsite Water Reuse Program, one of Austin's sustainable water management strategies. The presentation will highlight ways in which this new program could potentially impact commercial leases.<br><br>Rebecca Batchelder, PE, City of Austin, Onsite Water Reuse Program - Austin, TX |
| 1:10 pm             | <b>5-Minute Break</b>  |
| 1:15 pm<br>0.50 hr  | <b>Small Lease Riders and Other Practical Tools for Small Tenant Leases</b><br><br>A discussion of practical solutions for addressing key issues faced by small tenants in office and retail leases.<br><br>Yigal Saghian, Winstead PC - Houston, TX   |
| 1:45 pm             | <b>5-Minute Break</b>  |
| 1:50 pm<br>0.50 hr  | <b>Gun Rights: An Overview of the Rights of Landlords and Tenants</b><br><br>Sean P. Healy, Healy Law Offices, P.C. - Tyler, TX  |
| 2:20 pm             | <b>5-Minute Break</b>  |
| 2:25 pm<br>0.50 hr  | <b>Alcohol Permitting and the Impacts on Leasing</b><br><br>Review considerations for landlords and tenants in connection with the issuance of TABC permits, the landlord's role in the application process, tenant transition matters, and Alcoholic Beverage Code compliance, and the impacts on the property for non-compliance.<br><br>Matthew Charles Martin, Addison Law Firm - Dallas, TX   |
| 2:55 pm             | <b>5-Minute Break</b>  |

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| 3:00 pm<br>0.75 hr        | <p><b>Big Issues in Leasing - A Review of Issues in Leases That are the “Must Review” Provisions from the Tenant’s Perspective</b></p> <p>Kent Newsome, Greenberg Traurig, LLP - Houston, TX<br/>Frank Z. Ruttenberg, Haynes and Boone, LLP - San Antonio, TX</p>   |
| 3:45 pm                   | <b>5- Minute Break</b>  |
| 3:50 pm<br>0.50 hr        | <p><b>SCOTUS Shuts Down the CDC Eviction Moratorium...So What is Next and How do Practitioners Navigate Evictions?</b></p> <p>In the wake of the recent SCOTUS decision to invalidate the CDC moratorium on residential non-payment of rent evictions, hear what rules and emergency orders remain in place regarding evictions that practitioners and property managers should be aware of before approaching a non-payment of rent eviction suit in Texas.</p> <p>Kristopher L. Bowen Jr., The Bowen Partners, Attorneys at Law - San Antonio, TX</p>   |
| 4:20 pm                   | <b>5-Minute Break</b>   |
| 4:25 pm<br>0.75 hr ethics | <p><b>Balancing Your Technology Use and Your Ethical Obligations</b></p> <p>A recent amendment to the Texas Disciplinary Rules of Professional Conduct notes that our duty to maintain our legal competency includes understanding the risks and benefits associated with the use of technology in our practice. This session will address some basic technological issues that apply to safekeeping the electronically-stored confidential information in your possession so that you are better equipped to balance the risks and benefits of technology.</p> <p>Bill Cramer, Clark Hill - Dallas, TX</p> |
| 5:10 pm                   | <b>Adjourn</b>  |