



2017 ANNUAL CONFERENCE

Niagara Falls, Ontario, Canada

Tentative Schedule and Descriptions

Saturday, October 14, 2017

Start Time	End time	Topic	Description	Speaker(s)
7:00AM	5:00PM	Registration		
8:00AM	12:00PM	BOD Breakfast/ BOD Meeting		
8:00AM	5:00PM	Code Enforcement Program	See below for Code Schedule. *Separate registration is required	
7:00AM	7:45AM	ILGL Faculty Breakfast		
8:00AM	4:00PM	ILGL Program	See below for ILGL Schedule. * Separate registration is required	
2:00PM	3:00PM	Large Populations		Foster Mills
3:15PM	4:45PM	State League Meeting		Chair: Jodie Woods Speakers: Larry Baer & Mark Hayes
5:00PM	6:00PM	State League Reception		

Sunday, October 15, 2017

Start Time	End time	Topic	Description	Speaker(s)
7:00AM	6:00PM	Registration		
7:30AM	8:30AM	Past Presidents Breakfast		
8:00AM	12:00PM	Code Enforcement Program	See below for Code Schedule. *Separate registration is required	
9:00AM	10:30AM	WS1- Employment Law: Accommodation Issues Both North & South of the Border	Selective amnesia and fatigue are common conditions for an HR person or legal advisor who has to deal with the complicated rules and regulations of the Family and Medical Leave Act, the Americans with Disabilities Act and Canadian Human Rights Codes. This session will help you combat both by refreshing your basic knowledge of eligibility and entitlement to leaves under these legislative regimes, and arming you with the evaluative tools you'll need to deal with your employees' leave requests through discussion of unusual leave requests that led to litigation. The session will also equip you to effectively navigate employment decisions in light of ADA/Human Rights requirements and unravel the quagmire of handling reasonable accommodation requests.	Brian Wasyliw, Crystal Clark & Jeannine Williams Moderator: Robin Cross

9:00AM	10:30AM	WS2: Land Use- Planning & Zoning for a Resilient Future	How can communities repair and maintain aging infrastructure in ways that prevent or minimize damage due to changing patterns in urbanization or natural disasters? When it comes to rebuilding, cities are now taking a more holistic approach and emphasizing resiliency. To address some of these challenges, the City of Hartford, Connecticut Planning & Zoning Commission recently replaced its outdated regulations with a sustainability-focused form-based code that aims to catalyze economic development while promoting social equity. Our first speaker, who is the Chair of the Commission will explain Hartford's award-winning zoning code, which has innovative sustainability-focused provisions. As this trend accelerates, resilience funding is becoming available around the globe through private foundations as well as federal and international grants. However, these types of funds are heavily regulated and compliance with these regulations is fundamental to the success of resiliency programming. Our remaining speakers will focus on the planning and implementation of comprehensive resilient strategy, including monitoring, technical, procurement and implementation compliance.	Sara Bronin, Catherine Ures & Mary Beth Coburn Moderator: Tim Hollister
10:30AM	10:45AM	Coffee Break		
10:45AM	12:15PM	WS3- The Battle of Construction Contracts- Team U.S.A. v. Team Canada	This Session will be a battle of legal experts from the U.S. and Canada on the value for money approach to the different construction contract delivery models and the different risk allocation associated with each. The speakers will focus on their practical experiences with each model and duke it out over the extent to which there is a preferred model highlighting the similarities and differences between U.S. and Canada approaches to contracts. This Session will also focus on disputes arising under the different models and how disputes are managed. The speakers expect the session will denigrate into a "no-holds-barred" melee of international proportions. Session Content will include: 1. Tools of the Trade (Stipulated Price, Cost Plus, Construction Management, Design-Bid-Build, Design-Built, P3, IPD, Competitive Dialogue, etc.); 2. Risk Allocation (Pros and Cons); 3. Practical Experiences; and 4. Disputes.	John Markovs & Richard Shaban Moderator: Ralph Hildebrand
10:45AM	12:15PM	WS4- Regulating a Felony: What to Expect When Legalized Marijuana Comes to Town	While many states have legalized marijuana over the past 10 years, the United States federal government has yet to enact legislation or move to enforce existing laws (though that may change under the current administration). In contrast, the Canadian federal government plans to legalize marijuana, and provinces and municipalities will be forced to deal with the impacts within their areas of jurisdiction. Despite these differences in approach at the federal level, municipalities are faced with many challenges arising from legalization of marijuana made by other levels of government. A panel of municipal lawyers will explore lessons learned from the experience in the US and challenges that lay ahead for jurisdictions on both sides of the border as they deal with legalization, focusing on issues that the practitioner may want to consider when drafting regulations including zoning, dispersion, security, odor and advertising. There also will be consideration of regulating public use, use by minors and enforcement of licensing regimes.	Joy Hulton, Marley Bordovsky, Thomas Carr Moderator: Nancy Thompson
2:00PM	6:00PM	Land Use Mobile Workshop	* Registration is required**	
2:00PM	6:00PM	Code Enforcement Mobile Workshop	* Registration is required-- FREE for Code Registrants	
7:00PM	10:00PM	Welcome Reception	Badge required for entry. ** Busses will begin at 6:30!	

Monday, October 16, 2017

Start Time	End time	Topic	Description	Speaker(s)
7:00AM	5:00PM	Registration		
7:00AM	8:00AM	State/Province Breakfast	*Separate registration is required	
8:30AM	4:55PM	Loopstra Nixon LLP Canada Day Program	See below for schedule	
8:00AM	8:45AM	Opening Ceremonies		
8:45AM	10:15AM	WS1: Telecommunications: Controlling Your City's Cable TV, Wireless and Broadband Destiny... And Other Telecom Updates	<p>This panel will discuss:</p> <ul style="list-style-type: none"> • cable franchising updates • small cell/wireless policy developments – FCC, state legislature, Congress • other telecom hot issues 	<p>Joseph Van Eaton, Gail Karish & Gerard Lavery Lederer</p> <p>Moderator: Andrew Whalen</p>
8:45AM	10:15AM	WS2- Recent Trends with the First Amendment from Signs to Panhandling	<p>The first part of this presentation will focus on panhandling post-Reed: Begging in public has had a long and storied history. Remember “Brother Can You Spare a Dime”? How are municipalities and the courts regulating panhandling and solicitation in the aftermath of the U.S. Supreme Court’s changing First Amendment jurisprudence? What are the current best practices for drafting related ordinances? Join us to find out. The second presenter will discuss her experience with litigating a sign code post-Reed and the city’s experience in developing a new content-neutral sign code.</p>	<p>Judith Wegner & Rose-Marie Horvath</p> <p>Moderator: Robert Fugate</p>
10:15AM	10:30AM	BREAK		
10:20AM	11:20AM	Nominating Committee Meeting		
10:30AM	12:00PM	WS3-Trumping Home Rule and Sanctuary Jurisdictions	<p>The issue of sanctuary jurisdictions is an important and timely topic. Both the federal government and many states have made this issue a priority and are pressuring local governments to change any so-called sanctuary policies. The first presenter will provide an overview of the legal landscape when it comes to federal inducements and pressures on states and local governments, including a discussion on the Spending Power, Commandeering and the Tenth Amendment. The second presenter will provide an in-depth analysis of the issue of ICE Detainer compliance. The third presenter will discuss the status of the federal litigation in City & County of San Francisco v. Trump and also provide an update on any pending federal legislation relevant to the topic, including the potential effect of H.R. 3003.</p>	<p>Hugh Spitzer, Tara Steeley & Brian Burgess</p> <p>Moderator: Karen Kennard</p>
10:30AM	12:00PM	WS4- Municipal Finance: Issuing and Collecting Debt	<p>This panel presentation will go over some basic municipal finance topics you need to know in representing your local government. The first presentation will discuss simple ways to recover municipal judgments which are not costly or time consuming. Dusting off old judgments previously deemed “uncollectible” and engaging in some basic investigation can produce found money. Attorneys who administer judgments held by taxing and regulatory authorities can use combinations of these municipal roles to leverage recoveries and other beneficial outcomes. The second presentation will be an introduction to the basic elements of how a municipal bond transaction works: who is involved, what are the steps, and what are the structures used? Part of the focus will be: which parties are on the side of the municipality, what are the common risks involved in bond issues, and how should the municipality protect itself from these risks? The third presentation will provide an overview and update regarding SEC enforcement.</p>	<p>Kenneth Butensky, Robert Doty & David Unkovic</p> <p>Moderator: Iris Jones</p>

12:00PM	1:30PM	Luncheon		
1:35PM	2:35PM	WS5- Special Issues for Public Entities in Appellate Practice	This presentation will address the unique status of public entities in presenting cases on appeal, including public policy issues, the heightened need for uniformity in the law to allow responsible fiscal planning, and the special role of public entities in representing the public's interests.	Timothy Coates Moderator: Lisa Soronen
1:35PM	2:35PM	WS6- When Disaster Strikes	In May 2016, Wood Buffalo in Alberta was forced to evacuate its 80,000 residents after a wildfire swept through the surrounding area and the inferno reached the community. And in 2011, the city of Joplin experienced a catastrophic EF5 tornado that killed over 150 people and caused damage to approximately 75% of the city. The two attorneys who experienced these disasters will provide their lessons learned and discuss pitfalls associated with responding to a disaster. Do you have your disaster response plan ready? What help does the federal government provide in these situations? The presenters will answer these questions and provide other practical tips for responding to a disaster.	Brian Head & Arlan Delisle Moderator: Brad Cunningham
1:35PM	2:35PM	WS7: Public Private Partnerships: The Answer to the U.S. Infrastructure Problem?	A discussion of the benefits and limitations of public private partnerships (P3s) as a method for local governments to develop infrastructure. The talk will also cover the potential impact of the Trump Administration's infrastructure plan on P3s, including the projects that may be developed and the financing sources that may be used.	Erlyne Nazaire Moderator: Barbara Adams
2:40PM	3:40PM	CC1- International Committee Meeting	The meeting will include a presentation on Cybersecurity Best Practices for Local Government. The agenda will also include reports on the committee's activities, including co-sponsorship with the ABA State & Local Government Section's International Committee of the September 28, 2017 webinar on the new Cambodia Environmental Code, which highlights the many environmental and natural resource protections with the support of the Cambodian Ministry support.	Chair: Benjamin Griffith Speakers: Sven Kohlmaier & Benjamin Griffith
2:40PM	3:40PM	CC2- Strategies and Technology for Succession Planning	This session will be a focused discussion around the retirement trends government agencies are facing and the associated challenges. Loss of institutional knowledge and seasoned leadership will have a big impact on government agencies. The panel will discuss strategies and technology that can help shore up institutional knowledge and prevent the erosion of service to communities you serve.	Patrick Baker, Taggart Hutchinson, Thomas Carr & Eric Shytle Moderator: Zach Ratzman
2:40PM	3:40PM	CC3- The Future of Legal Administrative Professionals in a Municipal Law Office	The purpose of this session is to introduce the Legal Administrative Professionals Section to the IMLA membership. Chris Daly will speak to the important roles played by the legal administrative staff in his Arvada Office. Chris will give examples of how Legal Administrative Professionals can be utilized not only to assist with processing legal work, but in acting as leaders within the office and within the City organization. Chris will describe how Sherie Farstveet serves as a member of the Management Team for the City Attorney's Office. Chris will also discuss how Sherie as well as the other Legal Administrative Professionals within the Arvada City Attorney's Office assist in the Organizational Development Program, the Performance Metrics Program and in leading the office. Sherie Farstveet will speak from her perspective about how she plays a number of different roles in the office and in the organization. Sherie will discuss how she sees the future of Legal Administrative Professionals in the operations of a municipal law office.	Chris Daly & Sherie Farstveet Moderator: Laurie Cohen

2:40PM	3:40PM	CC4- Municipal Lawyers and Academic Engagement: Teaching State and Local Government Law to Today's Law Student	This panel discussion will explore teaching strategies, emerging scholarship, and opportunities to focus and engage law students in myriad aspects of state and local government law. The panelists will give examples of how they have done so in their doctrinal teaching, experiential learning in the classroom, and externships. Those participating in this session will also be invited to explore their views on whether and how IMLA should develop a more sustainable partnership with academics and their students interested in municipal law, for example by (a) providing practitioners teaching in the field with more information on teaching strategies and emerging scholarship; (b) incorporating more participation by academics in IMLA conferences and webinars; (c) creating forms of recognition for excellent student work in municipal law as a means of strengthening the pipeline of those seeking to take on municipal work in the future.	Cynthia Baker, Craig Leen & Judith Wegner
2:40PM	3:40PM	CC5- Land Use Section Meeting: Comprehensive Plans	Zoning must, under most statutes, be accomplished "in accordance with a comprehensive plan," so municipal attorneys are most familiar with them in this context. Comprehensive plans are often much broader and can provide a legal basis for other municipal goals. This session will review comprehensive plans, the standards for ordinances that implement those plans, and why city attorneys should pay more attention to this important document. The session will include a comparison with the Ontario, Canada context with respect to the use of Official Plans and Secondary Plans.	Section Chairs: Susan Trevarthen & Julian Grant Speakers: Mark Joblin & Kimberly Mickelson
2:40PM	3:40PM	CC6- Litigation Section Meeting: Body Cameras		Section Chair: Moses Johnson Speakers: Jack Ryan, Isaiah Fields Moderator: Shauna Billingsley
2:40PM	3:40PM	CC7- The Smart City Movement	Trash cans that know when they are full, parking spaces that know when they are empty, streetlights that know when to turn off and on, and even better mousetraps. The Internet of Things makes these smart solutions possible. This panel will discuss the Smart City movement and how it can help improve the lives of residents and the efficiency of local governments. Panelists will also discuss the questions attorneys should ask when presented with Smart City opportunities.	Michael Ruger, Stephen Louis & Jessica Phillips Moderator: Akilah Mance
2:40PM	3:40PM	CC8: Technology Section Meeting: A Practical Approach to Managing Public Records Request	A statutory requirement that a city must make a "prompt" response to all public records requests can impose significant administrative burdens. The first presentation will describe the system one city has in place for managing PRRs, including the technology it relies heavily upon in making it work. The second presentation will switch gears and discuss proportionality in ediscovery (and discovery in general). Included will be how to resolve the tension between the duty to preserve client confidentiality and duty to comply with pretrial discovery conferences, proportionality considerations scattered through the rules under other names, evolving competence obligations, and how to apply the revised proportionality rules. The presentation will also discuss ABA model ethics rules 1.1 (Competence) & 1.6 (confidentiality).	Chair: Peter Haskel Speakers: Bruce Washburn & Peter Haskel
3:40PM	3:55PM	Coffee Break		
3:55PM	4:55PM	CC9- Strategies and Technology for Succession Planning	REPEAT	Patrick Baker, Thomas Carr, Eric Shytle & Taggart Hutchinson Moderator: Zach Ratzman
3:55PM	4:55PM	CC10- The Future of Legal Administrative Professionals in a Municipal Law Office	REPEAT	Chris Daly & Sherie Farstveit

3:55PM	4:55PM	CC11: County Department Meeting: Impact of the New ICE Detainer Form on Jails	Effective March 2017, ICE has begun using a new immigration detainer form—DHS Form I-247A. The new form is different from its predecessors in two ways: the new form will be accompanied by a warrant for arrest or a warrant for removal; and the new form removes a long list of check-boxes and replaces them just four check-boxes. Form I-247A will be reviewed through the lenses of the 4th and 10th Amendments, and the legal options available to County jails that receive the new immigration detainer form explored.	Chair: Mark Hansen
3:55PM	4:55PM	CC12- Personnel Section Meeting- Employment Law Update	This presentation will provide update and discussion of employment case law. This would include all types of discrimination cases, First Amendment rights of public employees as well as sexual harassment. Cases from the U.S. Supreme Court, the various circuits and district courts would be covered. The section meeting will also include the annual LAME awards.	Chair: Robin Cross Speaker: Bill Mann
3:55PM	4:55PM	CC13- Finance & Economic Development Section Meeting		Chairs: Robert Doty & Julian Grant Speaker: Mary Ellen Bench & Thatcher Kezer
3:55PM	4:55PM	CC14: Local Government Law Professors Meeting	PART II The meeting will include a presentation addressing constitutional strategies for addressing preemption. The second half of the meeting will provide the opportunity for a round table discussion of teaching methods and concepts as well as sharing syllabi.	Craig Leen
3:55PM	4:55PM	CC15:Telecommunications Section Meeting: First Net and an Open Forum on Topics of Current Interest with the Experts	The sections meeting will commence with an update on FirstNet from Gerry Lederer and then address any current hot topics of the day, followed by an opportunity for members to ask any and all questions of interest from the panel	Chair: Mike Watzka Speakers: Gerard Lavery Lederer, Michael Watzka, Joseph Van Eaton & Gail Karish
3:55PM	4:55PM	CC16- The Smart City Movement	REPEAT	Michael Ruger, Stephen Louis & Jessica Phillips Moderator: Akilah Mance
5:00PM	5:45PM	Municode Meeting		Lawton Langford

Tuesday, October 17, 2017

Start Time	End time	Topic	Description	Speaker(s)
7:00AM	5:00PM	Registration		
7:00AM	12:00PM	MLDAO	Separate registration is required	
8:00AM	9:00AM	WONK Breakfast	* Separate registration is required	
9:00AM	10:30AM	WS1- Public Sector Use of Drones: Focus on Construction & Code Enforcement	This presentation will explore issues facing municipalities arising from use and regulation of drones, with a specific focus of municipal use of drones in code enforcement, firefighting, and construction. The presenters will provide practical tips and takeaways and will also discuss privacy and liability concerns.	Derke Price, Elizabeth Wharton & David Boghosian Moderator: Erich Eiselt
9:00AM	10:30AM	WS2: Tinkering is Not Enough: Why, Where and How to Innovate in Law Department Management	General Counsel must lead the way for their legal teams and for their clients. The panel will discuss the following: Business plans for the law department; Managing work intake and allocation to inside and external counsel; The organization and alignment of legal teams with clients and projects; Managing the use of external counsel for results, efficiency and costs; Metrics to focus behaviors and resources; The role of the GC in innovation. The presentation will provide the perspectives of both large and small local governments	Richard Stock, Foster Mills & Mujeeb Shahkhan Moderator: Deidra Penny

10:30AM	10:45AM	Coffee Break		
10:45AM	12:15PM	WS3- The Challenges of Trying a Police Case in 2017.	This presentation will address the challenges facing municipal attorneys trying police cases in the current environment; discuss how taking cases to trial can serve as a tool to reduce filings; strategies for openings and summations; jury instructions and verdict sheets. The presenters will also discuss coming up with a theory of your case and how to utilize "bad evidence," including video evidence.	Patricia Miller & Tamara Baines Moderator: Deidra Sullivan
10:45AM	12:15PM	WS4- Public Private Partnerships in Canada and the United States: A Comparative Review of Project Development Methods	Canada and the United States are both world leaders in Public Private Partnerships (P3s). While there are common elements of P3s in both countries, unique methods have developed in each country for selecting projects for P3s, procuring private partners, and developing the P3 agreements. This panel will discuss common elements and differences between P3s in Canada and the United States through case studies of P3s in both counties.	Chip Fletcher, Steven Torres & Claudia Pooli Moderator: Donna Fairweather
12:30PM	2:00PM	Luncheon		
2:40PM	3:40PM	CC1- What Should Municipalities Do to Defend Roadway Design Cases?	This presentation will focus on methods and strategies municipalities and their attorneys can use from the planning stage to litigation to defend roadway design cases. The presenters will also briefly touch on the nature of roadway design cases (the difference of roadway design claims from roadway maintenance claims, typical types of roadway design claims, applicable law).	Andrew Orenstein & Bradley Wanner Moderator: Leah Hayes
2:40PM	3:40PM	CC2- Demystifying the Transgender Laws: How to Prevent the Bathroom Battles from Becoming an Issue in your Municipality	The rights of transgendered individuals and other municipal patrons is a rapidly developing area of the law. This session will explain the law related to transgender issues and help you navigate their implications on public facilities, locker rooms, employees and municipal patrons.	Keri-Lyn Krafthefer Moderator: Patricia Beety
2:40PM	3:40PM	CC3- "Duty to Consult" - A First Nation Community Perspective	In this session, we will review the cooperative consultation that occurred between the Aamjiwnaang First Nation community; an industrial neighbor; Ontario, Ministry of Environment and Climate Change (MOECC); and the city of Sarnia regarding the environmental investigation and remediation of a historical benzene release that affected traditional lands in the Sarnia Ontario area. Presenters will touch on legal aspects, specific environmental issues addressed, community input and education, and outcomes. The engagement and consultation with the Aamjiwnaang community on this project is an example of how industry can and should work closely, openly, and cooperatively with First Nation communities.	Cliff Lawton, Shari-lynn Johnson & Mary Ellen Bench Moderator: Abigail Elias
2:40PM	3:40PM	CC4- Rural Communities/ Small Cities Presentation: Economic Development Strategies & Managing Outside Counsel	In the first presentation, the speaker will discuss best practices for local governments to consider while processing economic development applications to ensure good stewardship of public funds and proper management of various types of risk involved with incentive applications and their implementation. The second presentation will focus on strategies for managing outside counsel. When the City Attorney's Office is just you, or you and one other person, managing outside counsel is a key component of what you do. Whether the topic is something you do not know well, or something you do not know at all, your choice of counsel remains a reflection on your professionalism. That's true even if you do not get to select the outside lawyer yourself (what do you mean the City Manager hired outside counsel without checking with me?). This presentation will focus on what to look for in selecting counsel, how to set expectations for those lawyers you contract with, and what to do when things go horribly wrong.	Christopher Balch & Joe Lauber Moderator: Doug Haney

2:40PM	3:40PM	CC5- Hotels in the neighborhood: How Municipalities are Addressing AirBnB Vacation Rentals, Group Homes, and Other Transitory-Lodging Uses into Residential Districts	With the rise of online vacation-rental-booking sites such as AirBnB and VRBO, pop-up lodging uses are proliferating in many municipalities. At the same time, residential care facilities for recovering addicts and other disabled populations are proliferating in residential neighborhoods. How are municipalities handling these uses, and what constitutional and statutory constraints do municipalities face in regulating them?	Mal Richardson & Todd Leishman Moderator: Julianne Pastula
2:40PM	3:40PM	CC6- Health and Environment Section Meeting: Federal Environmental Law Update	Federal laws regulating air, water and land affect local government in many ways. The federal environmental law update will review the most recent developments in environmental laws, regulations, and cases and discuss their impact on local municipal functions.	Chair: Gene Tanaka Speakers: Rebecca Andrews & Gene Tanaka
2:40PM	3:40PM	CC7- University Cities Section Meeting: Issues in University Cities in Canada with Cross-Border Relevance	This presentation will cover the following topics: 1. Partnership opportunities with universities, including one city's solution of a city-university swimming pool 2. Special Student Housing Problems and Solutions in Oshawa. 3. Methods of regulating use of properties, including zoning limited floor area ratios, front and back yard parking, number of bedrooms, etc. 4. London's Town and Gown Committee	Chair: Michael May Speakers: Jennifer Smout, David Potts & Wendy Walberg
2:40PM	3:40PM	CC8: Cyberattack Simulation	This interactive workshop envisions the day your municipality learns that its computer system has been hacked and that the personal information of employees and residents has been stolen. This case study will illustrate the types of cyber risks that municipalities face, how to manage a data breach, and proactive safeguards that can limit liability resulting from data breaches.	Devin Chwastyk Moderator: Alison Earles
3:40PM	3:55PM	Coffee Break		
3:55PM	4:55PM	CC9- What Should Municipalities Do to Defend Roadway Design Cases?	REPEAT	Andrew Orenstein & Bradley Wanner
3:55PM	4:55PM	CC10- Demystifying the Transgender Laws: How to Prevent the Bathroom Battles from Becoming an Issue in your Municipality	REPEAT	Keri-Lyn Krafthefer Moderator: Patricia Beety
3:55PM	4:55PM	CC11- Hotels in the neighborhood: How Municipalities are Addressing AirBnB Vacation Rentals, Group Homes, and Other Transitory-Lodging Uses into Residential Districts	REPEAT	Mal Richardson & Todd Leishman Moderator: Julianne Pastula
3:55PM	4:55PM	CC12- Rural Communities/ Small Cities Presentation: Economic Development Strategies & Managing Outside Counsel	REPEAT	Speakers: Christopher Balch & Joe Lauber Moderator: Doug Haney
3:55PM	4:55PM	CC13- General Government Section Meeting: Challenges to State Legislation as unconstitutionally infringing on the right of local governance	This presentation will discuss approaches to using a Home Rule argument to challenge state laws seeking to preempt local authority. Ohio and Arizona present interesting examples of the strength of Home Rule, with Ohio being one of the strongest Home Rule states in the nation and Arizona's Home Rule authority, perhaps being more typical, is significantly weaker. Practitioners in each state will discuss the best arguments local government attorneys can make in seeking to stem the tide of preemption. Presenters will discuss current challenges with respect to their state legislatures and will also provide suggestions for where municipal lawyers go from here.	Chair: Glenn Gimbut Speakers: Gary Verburg, Bruce Washburn, Garry Hunter & Rod Davisson

3:55PM	4:55PM	CC14- "Duty to Consult" - A First Nation Community Perspective	REPEAT	Cliff Lawton, Sharilyn Johnson & Mary Ellen Bench Moderator: Abigail Elias
3:55PM	4:55PM	C15: Cyberattack Simulation	REPEAT	Devin Chwastyk Mod-erator: Alison Earles
5:00PM (Pick-Up)	8:00PM	Softball Game	Registration is FREE but you must sign up. Visit www.imla.org for more information	

Wednesday, October 18, 2017

Start Time	End time	Topic		Speaker(s)
7:00AM	12:00PM	Registration		
8:00AM	8:45AM	Business Meeting		
8:45AM	9:45AM	WS1- How to Prevent Harassment and Discrimination: Los Angeles County's Policy of Equity Program	In response to Bouman v. Baca matter, a vast harassment and discrimination case that arose out of the Los Angeles County Sheriff's Department, the County of Los Angeles, an entity with over 100,000 employees, developed a unique and groundbreaking process for managing equity complaints for the entire County workforce. This presentation will address the implications of the Bouman v. Baca matter, its impact on the County workforce, and the program developed to address and prevent workplace harassment, discrimination, retaliation, and inappropriate conduct toward others, with the idea that inappropriate workplace behaviors can be prevented or stopped at the soonest possible time – and litigation costs significantly reduced.	Mary Wickham, Camille Townsend & Lawrence Hafetz Moderator: Lori Bluhm
9:45AM	10:00AM	Coffee Break		
10:00AM	11:00AM	WS2- Case Law Update	This perennial favorite will provide an overview of highlighted Supreme Court and Circuit Court cases from around the country that are relevant to local governments including everything from employment law cases to land use and police misconduct cases.	Douglas Haney Mod-erator: Patrick Baker
11:05AM	12:05PM	WS3- Ethics & Internal Personnel Investigations	Municipal attorneys often play a role in internal investigations of ethical infractions by city officials. The first segment of this panel will outline some of the most common codes of conduct applying to city officials, including those promulgated by state and national professional associations (e.g., APA, ICMA). City attorneys can anticipate members of the public and aggrieved parties invoking these standards in their complaints against city hall. The second segment of this panel will address the ethical issues involved in the city attorney participating in the investigation process, including both state-promulgated ethics rules and the complex nature of the attorney-client relationship working with a governmental body. Important issues such as: who do the state rules protect and when are they applicable, will be addressed.	Meredith Ladd & Alan Bojorquez Moderator: Wynetta Massey

This schedule is TENTATIVE and subject to change.

[Click here](#) to register!

2017 CODE PROGRAM

A special two day Code Enforcement Program, October 14 and 15, which is applicable to not only the city attorney and law department but also your code enforcement officials. Visit www.imla.org to register!

Saturday, October 14, 2017

Start Time	End time	Topic		Speaker(s)
8:00AM	9:00AM	Code Officer Safety	Code and Zoning Enforcement can be a difficult and time consuming task for municipalities. This presentation will focus on Code Enforcement Officer Safety while discussing the administrative process behind enforcing the code, including administrative search warrants, fines and/or injunctions, how evidence gathered to enforce a case, practices to avoid, and helpful hints. The presentation will include an interactive discussion of several common situations code officers face and will identify steps an inspector can take to interrupt escalation.	Ashley M. Ulbricht
9:00AM	10:00AM	Local Amendments to Model Codes	This presentation will begin with a couple of questions: Can local governments make changes to International Codes?; Should local governments make changes to International Codes/Model Codes?; If a local government chooses to make changes, how extensive should they be?. The presenter will then provide some examples of International/Model code language with some local changes. The last part of the presentation will look at the enforcement process and penalties in International/Model codes and determine whether they are effective and what local changes might look like to enhance the effectiveness.	David Wesner
10:00AM	10:15AM	Break		
10:15AM	11:15AM	Sign Enforcement	Murals or other works of art on outdoor walls can be classified as a sign, artwork, or both depending on the content and the municipality in which the work is done. This presentation will provide a brief background into municipal regulation of signs in general. Next, the various ways in which local control of signs raises First Amendment Constitutional issues. Regulation of murals and artwork is an increasing issue for municipalities as some have specifically started mural programs as a means to promote economic development, address issues of blight, or involve long terming planning. Common fact patterns exist between mural owners and local officials over whether or not a mural falls under a sign ordinance and case law on this will be covered along with the legal issues and arguments from both sides. Examples of municipal codes that specifically exempt murals from sign ordinances will be addressed.	Shannon T. O'Connor
11:15AM	12:30PM	Proactive vs. Reactive Rental Registration	Each speaker will provide background about their chosen system and describe the benefits of the system; speakers will pose questions challenging the efficacy of the systems.	Tom Carr & Patricia Link
12:30PM	2:00PM	LUNCH on your own		

2:00PM	3:15PM	Civil Abatement- Focus: Drug Abatement and Red Light Abatement	The Code Enforcement Unit (CEU) of the San Diego City Attorney's Office is an important member of the City's Drug Abatement Response Team (DART) and the City's Red Light Abatement Team (RLA). The DART team focuses on problem properties with ongoing narcotic activity while the RLA team focuses on problem properties with ongoing prostitution and human trafficking activity. Both teams develop an appropriate long term strategy to abate the nuisance activity; and ensures that all code violations are corrected. When a property owner fails to address the narcotic activity at the property, CEU's DART deputy regularly files a civil action under California Health and Safety Code sections 11570-11587, a specialized nuisance statute designed to make property owners and managers civilly liable for illegal drug activity conducted on their premises. Similarly, when a property owner or business owner fails to address the prostitution and human trafficking activity at the property, CEU's RLA deputy regularly files a civil action under Penal Code sections 11225-11233, a specialized nuisance statute designed to make responsible persons liable for the prostitution and human trafficking activity conducted on their premises.	Gabriela Brannon and Patricia Miranda
3:15PM	4:15PM	Derelict Buildings	This presentation will discuss how one city worked to remove derelict houses from a prime tourist location through a novel rezoning agreement with landowners. Prior to the rezoning agreement, landowners were disincentivized from tearing down derelict buildings due to an increased assessment occurring on their property now that it was considered vacant commercial land even though these properties were intended to be assessed as residential. The rezoning agreements helped the landowners avoid these unintended increased assessments, while also helping the city remove derelict buildings.	Ken Beaman
4:15PM	5:15PM	Holistic Code Enforcement Responses	The presentation discusses Holistic Code Enforcement responses to undercapitalized limited liability companies, inattentive lending institutions and sympathetic owner occupants. The interactive presentation will facilitate a discussion of problem solving through piercing the corporate veil, court-ordered receiverships, leveraging Fannie and Freddie backed mortgages and municipal code compliance loan programs.	Adam Stephens

Sunday, October 15, 2017

Start Time	End time	Topic	Speaker(s)
8:00AM	9:00AM	TBA	
9:00AM	12:00PM	Mock Trial	
12:00PM	2:00PM	Lunch on your own	
2:00PM	6:00PM	Mobile WorkShop	*Registration required, but free for Code Registrants

[Click here](#) to register!

2017 INSTITUTE FOR LOCAL GOVERNMENT LAWYERS (ILGL) PROGRAM

The Institute for Local Government Lawyers (ILGL) is a introductory program geared towards attorneys new to local government as well as seasoned attorneys who need a “refresher” on the fundamentals of local government law. Presenters are seasoned law school professors and local government attorneys at the top of their field. The presentations will provide a broad overview on several topics of interest to local government attorneys and will be in a classroom-type setting. Visit www.imla.org to register.

Saturday, October 14, 2017

Start Time	End time	Topic		Speaker(s)
7:00AM	5:00PM	Registration		
8:00AM	8:15AM	Welcome to IMLA		David Wesner
8:15AM	9:15AM	Fundamentals of Municipal Finance and Borrowing	Municipal attorneys are often asked, “Can we do this?”, when “this” relates to getting, spending, and borrowing money by their municipal clients. This session will consider the essential legal issues attendant to that question. We will discuss basic constitutional issues like public purpose, corporate purpose, and lending of the public credit; the theoretical distinction between taxes and fees; the legal ramifications of that distinction; and other limitations on the ways that municipalities can get and spend money. We will also briefly consider the role and types of municipal borrowing. Because the laws vary widely from state to state, the session will focus on issue spotting and general questions that the municipal attorney should consider when asked financial questions.	Eric Shytle

9:20AM	10:20AM	Parliamentary Procedure	Municipal and county governing boards are often populated with well-meaning public servants who have little or no understanding of parliamentary procedure. Consequently, they may conduct their meetings informally, applying procedural rules loosely and perhaps even inconsistently. This “down-home” approach might appear to work well when the board is dealing with noncontroversial matters. Yet when controversy arises – and it always does – the result can be multiple motions made in rapid succession and members who are confused about what they are being asked to vote on. In such situations, the presiding officer is likely to seek the advice of counsel. This presentation will arm local government attorneys with basic principles of parliamentary procedure, examine the legal sources of those principles, and review common procedural problems.	Trey Allen
10:20AM	10:35AM	Coffee Break		
10:35AM	11:35AM	Open Government Laws—Key Concepts and Hot Topics	Public Record (FOIA) laws and open meeting requirements provide transparency and accountability in local government. New city and county attorneys must be familiar with the basic coverage and scope of the transparency laws that govern their clients, as well as the exceptions that apply (whether by statute or court interpretation). These laws vary from state to state, but some issues are universal. Hot topics to be discussed include electronic records and metadata, virtual meetings and remote participation in meetings, status of records in social media, standing requests, status of citizen information in public records, public information on private devices and accounts, and private information on government devices and accounts. Using scenarios involving common transparency issues as prompts, participants will be invited to talk about the basic rules and emerging issues in their jurisdictions.	Kara Millonzi
11:40AM	12:40PM	Personnel and Employment Law	<p>It often has been said that one of the largest components of a local government budget is for personnel and labor costs. While there are many similarities between guiding employers between the public and private sectors, public employers have some additional concerns not faced by their private employment counterparts.</p> <p>This presentation provides some road maps and guide posts to help navigate through the maze of federal and state statutory employment requirements along with discussion of some common law doctrines particularly focused on the public sector. Among topics to be addressed are the following:</p> <ul style="list-style-type: none"> - The Employment Framework – Employee, Volunteer or Independent Contractor; At Will Status - Overview of Selected Federal and State Labor Laws - Constitutional Protections for Public Employees, Including Employee Speech - The Life Cycle of Employment from Hiring to Discipline to Termination - The Municipal Attorney’s Role 	Roberta Cross

12:40PM	12:45PM	Morning Program Evaluations		
12:45PM	1:00PM	Break		
1:00PM	1:45PM	Lunch Panel- Candid Lessons Learned In 40 Years of Practice		Steve Meyers
1:50PM	2:50PM	Land Use Law 101	Land Use Law 101 is designed to serve two audiences. First, for those new to land use law, this is a primer on all the basics you need to know to spot issues and to determine when you need to dig deeper. Second, for the experienced practitioner, it is a comprehensive update of the most recent developments, typically those of the last year, from trial court decisions to the U.S. Supreme Court, all in the context of the issues faced daily in this practice. The focus is on practicality and take-home value.	Dwight Merriam
2:55PM	3:55PM	Ethics	Representing a local government provides opportunities for great satisfaction as well as many challenges. Among the latter are issues arising from the many opposing and possibly conflicting concerns facing a municipality. The municipal lawyer may be asked for guidance from multiple sources and on multiple occasions. The standard ethics rule guidance is to note that the municipal attorney's client is the municipal corporation itself. But that guidance needs clarification in the real world. For example, who is the client when individual governing board members make legal inquiries? To whom are confidential duties owed? Who may waive confidentiality? How may municipal lawyers interact with officials or employees on "personal" matters? When do conflicts of interest arise, and how can municipal lawyers anticipate them with 20-20 hindsight? This session seeks to provide an interactive review of these and other issues which arise in the course of providing legal advice and guidance to a municipality.	Dan Crean
3:55PM	4:10PM	Coffee Break		
4:10PM	5:10PM	Dealing with the Press	If the press is going to run a story about your entity, whether positive or negative, you want the opportunity to present your side. This presentation will outline techniques and strategies for interacting with the press including how to prepare for an interview and how to address various challenges that may arise during the course of an interview.	DeWitt "Mac" McCarley
5:10PM	5:15PM	Program Evaluations		

CLE Credit | 6.0 hours including 1 Ethics/Professionalism Credit

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