



83rd Annual Conference

October 17-21, 2018 - Houston, TX

TENATATIVE and Subject to Change

Wednesday, October 17th, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
7:30AM to 5:15PM		Registration		
8:30AM to 12:00PM		BOD Breakfast / Meeting		
9:00AM to 4:15PM	CODE	Code Program	See Full Schedule Below.	
8:30AM to 5:00PM	ILGL	ILGL Program	See Full Schedule Below.	
2:00PM to 3:00PM		Large Population Meeting	<p>This meeting will involve a round table discussion on topics that are important to large population centers, including the following:</p> <ul style="list-style-type: none"> • Affordable housing • First Amendment – public meetings • Cannabis/Marijuana/Opioids • Dockless bikes and scooters/Driverless cars/UberAir • Homelessness • Immigration 	TBD
3:15PM to 4:45PM		State League	The meeting will include a presentation on the legislative push that the telecommunications industry is making to preempt local governments' ability to regulate the rights of way as well as other issues arising involving preemption in state legislatures that would benefit from a lobbying focus.	Gerard Lederer
5:00PM to 6:00PM		State League Reception		TBD

Thursday, October 18th, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
7:30AM to 5:30PM		Registration		
7:30AM to 8:30AM		Past President Breakfast		
8:30AM to 12:15PM	CODE	Code Program	See Full Schedule Below.	
9:00AM to 10:30AM		Work Session: Emerging Transportation Trends and Disruptive Technology	This presentation will explore emerging disruptive transportation technology issues like dockless bikes and scooters as well as autonomous vehicles. These issues will come to your local government. This presentation will help provide insight into how to deal with them when they do. You will also learn about pending federal legislation that will impact how local governments can regulate autonomous vehicles and what's left for the local government to regulate.	Dana Cuberson, Brittney Kohler & David Glasser Moderator: Mac McCarley
9:00AM to 10:30AM		Municipal Finance: SEC Update & The Roles of Legal Counsel in Municipal Finance Transactions	The first presenter will discuss the various roles of legal counsel in municipal finance transactions. Topics to be discussed will include the authorization and issuance of municipal bonds and debt obligations in compliance with state law, compliance with federal tax and securities laws and a discussion of the requisite legal opinions provided by legal counsel in municipal finance transactions.	Robert Doty & Sam Gill Moderator: Karen Kennard
10:30AM to 10:45AM		Coffee Break		
10:45AM to 12:15PM		Challenges at your Local Government Council Meeting: From the Elected Official to Disruptive Speakers	The first presentation will focus on when the elected official is the problem. This presentation will offer insight into how to deal with, defuse, and manage contentious relationships among elected officials. The second presentation will pivot to the issue of disruptive speakers at local government council meetings, including a discussion of the Supreme Court's recent case in <i>Lozman v. City of Riviera Beach</i> .	Christopher Balch, Valerie Flores & Hugo Rossitter Moderator: Gregory Priamos
10:45AM to 12:15PM		Looking in the Rearview Mirror on the Costliest Natural Disaster Year in US History	Panel discussion on lessons learned - This panel will discuss lessons learned on their pre and post recovery efforts, resilience endeavors, best practices and trends moving forward. This panel will focus on making sure you get your policies and procedures in place before the next big disaster strikes and will provide checklists to help you do that.	Mary Beth Coburn, Catherine Ures & Robin Jackson

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
10:45AM to 12:15PM		Construction Contracts Drafting Initiative: Construction Manager at Risk- Comments to AIA A133-2009	<p>CMAR is a delivery method which requires a commitment by the construction manager to deliver the project within a guaranteed maximum price. This delivery method is especially helpful for small municipalities facing complex projects and, if done properly, is extremely effective.</p> <p>This year, IMLA's Construction Contract Drafting Initiative provided IMLA members with a forum to engage in substantive discussions regarding effective terms and conditions in construction contracts for public projects utilizing CMAR. Members participated in monthly CCDI teleconferences as a part of this working group to discuss and draft comments and suggested edits to AIA model document A133-2009—construction manager at risk (CMAR) delivery method. The core drafting committee will present the final revisions and the resulting sample document will be available exclusively to IMLA members as an invaluable resource when drafting and negotiating construction contracts.</p>	<p>Doug Black, Roy Cooper & Dennis Cavanaugh</p> <p>Moderator: John Markovs</p>
12:15PM to 2:00PM		IMLA Awards Lunch		
2:00PM to 3:00PM		Telecommunications – an overview of federal law for Municipalities	<p>Experienced telecommunications attorneys will discuss a host of current events at the Federal Communications Commission that directly impact municipalities, including: (1) Funding opportunities that can benefit municipal anchor institutions, including the FCC's E-Rate and Telehealth programs; (2) Infrastructure – FCC proceedings and policies on infrastructure will be discussed, including issues relating to leasing capacity for wireless deployments on municipal-owned infrastructure, "Dig Once" policies and 5G/small cell deployment; and (3) Spectrum – The presentation will include a discussion of various spectrum initiatives at the FCC that municipalities should track. This includes public safety spectrum bands at 4.9 GHz, the T-Band, and FirstNet. The presentation will also summarize other FCC spectrum initiatives and how the agency's goal of providing more spectrum for 5G could impact municipalities.</p>	<p>Albert Catalano & Wes Wright</p> <p>Moderator: Laura Mueller</p>
2:00PM to 3:00PM		Small / Rural Communities Presentation: How to Attract New Residents and Businesses	<p>15 years ago, Franklin, Tennessee had a population of 31,000. Since that time, it has experienced rapid growth. Its population has more than doubled to 71,000 and it has become the most sought after city in Tennessee to live and to work. Hear from both the City's planning director and the City's attorney to understand how to handle growth like this in your community from both a planning and legal perspective.</p>	<p>Shauna Billingsley</p> <p>Moderator: Douglas Haney</p>

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
2:00PM to 3:00PM		Trends In Shareholder Litigation: Are Your Investments Protected?	Meeting your fiduciary obligations means more than simply allowing a custodian to file claims. Increased litigation overseas and complex settlements mean that legal counsel face ever increasing challenges in protecting and recovering your assets. This session will discuss what recent developments affect you and what policies and procedures you can put into place to ease the burden.	Jeff Dana & Darren Check
2:00PM to 3:00PM		The Appeal Killers –Avoiding The Traps That Can Doom Your Appeal Before It Begins	What you do – or don't do – at trial can make or break your appeal. Two experienced appellate practitioners will provide crucial tips for preserving objections, making adequate offers of proof, navigating jury instruction and verdict form issues, and more.	Alana Rotter Moderator: Lori Bluhm
2:00PM to 3:00PM		AI in Legal: The Role of Data and Domain Expertise	Artificial Intelligence applications start with data. AI requires a combination of domain expertise, content, and technical expertise. This session, led by a Research Director on Thomson Reuters' R&D team, will explore the types of data that go into AI systems, and the importance of legal domain knowledge in leveraging that data.	Tonya Custis Moderator: Joy Hulton
2:00PM to 3:00PM		Stormwater & Wastewater Update	Municipalities have been facing increasingly difficult challenges in managing stormwater, wastewater, and sewage sludge from wastewater treatment plants. At the same time, enforcement of environmental regulations against municipalities is becoming more common and, in some cases, can result in dramatic civil penalties. This session will provide an overview of the regulatory programs, trends, and enforcement in the areas of municipal stormwater, combined sewers, disposal and use of sewage sludge and biosolids, and other related issues, including how municipalities can minimize their exposure to enforcement.	Scott Gould, Ade Bakare & Steve Matzura Moderator: Andrew Whalen
3:00PM to 3:15PM		Coffee Break		
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3:15PM to 4:15PM		Substance Abuse / Mental Health Presentation		TBD

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		Welcome Reception		

Friday, October 19th, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
7:00AM to 5:15PM		Registration		
7:00AM to 8:00AM		State Breakfast		
8:00AM to 8:45AM		Opening Ceremonies		
8:00AM to 5:30PM	TCAA	TCAA Program	See Full Schedule Below.	
8:45AM to 5:00PM	Canada	Canadian Day	Full Schedule Soon.	
8:45AM to 10:15AM		Powering your Community: Municipal Legal issues in the age of Renewable Energy Generation and Sustainability	The first presentation will be a primer for municipal practitioners in areas where development of local renewable energy facilities, through P3 contracts, host community agreements, net metering or power purchase agreements impacts or involves local municipal counsel. The program will introduce concepts such as community aggregation, net metering, renewable portfolio standard programs that impact development of local projects, understanding federal and state energy policy that impact development of local facilities, and how to protect municipalities when structuring deals with project developers, including a “traps for the unwary” checklist. A case study of a municipal renewable solar energy development on brownfields site will be presented. The second presentation will include a discussion of the Community Solar Garden program that was created by the Minnesota Legislature in 2013, which allows for opportunities to invest in renewable resources. Under the program, the Public Housing Agency of the City of Saint Paul entered into a 25-year community solar garden agreement with a private developer. Under the Agreement, 10 hi-rises and the Central Administrative Office building are connected to a community solar garden where the public housing will completely offset its electric costs with billing credits from solar energy. The Agency saves about \$140,000 per year in energy costs, much of which it can reinvest in its housing mission.	Steven Torres & Louise Seeba Moderator: Wynetta Massey
8:45AM to 10:15AM		A Tale of 2 Cities: Legal Strategies and Solutions for Handling Homelessness	This session will provide the perspectives of Portland, Oregon and West Palm Beach, Florida, as to how local governments can approach the issue of homelessness. The discussion will center on some of the main issues that local governments face with regard to the homeless population: parks, policing, property values, and politics. What can local governments do to help find solutions in this area? These two cities offer different solutions to the same problems you can find from coast to coast.	Andrea Barraclough, Kimberly Rothenburg & Armando Fana Moderator: Patrick Baker
10:15AM to 10:30AM		Coffee Break		
10:30AM to TBD		Nominating Committee Meeting		

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
10:30AM to 12:00PM		Telecommunications - Managing Rights-of-Way: The New Hub for Wireless, Internet of Things and Smart City Applications	This program will focus on the challenges and opportunities in locating wireline and wireless communications infrastructure in your rights-of-way and the ever increasing assaults at the state, local and federal level to limit local control over, and charges for, use of the rights of way. Such efforts will accelerate as legislatures and regulators push to promote deployment of infrastructure to support the Internet of Things including autonomous and connected vehicles.	Gerard Lederer, Joseph Van Eaton & Gail Karish
10:30AM to 12:00PM		First Amendment: More Protests, More Problems	This panel will begin with a case study from the Charlottesville City Attorney who will discuss what happened a year ago with regard to the protest and counter-protest that ultimately led to a counter-protester tragically being killed. Hear about what happened in 2017, and how the City prepared for additional protests from the same groups on a planned "anniversary event" in 2018, seeking to balance public safety and the First Amendment. The second speaker will provide the prospective from a city that is well-versed in protests. Once dubbed "Little Beirut" by George H.W. Bush's staffers, Portland, Oregon sees regular protests and will provide insight into their policies/procedures regarding protest management, their proactive relationship with the ACLU, and their time, place, and manner restrictions. The third speaker from Syracuse, New York, will provide a more micro-perspective of First Amendment protest issues, including a discussion of sidewalk proselytizers and how even when the police seem to do everything right, the First Amendment can still trap the unwary.	Lisa Robertson, Andrea Barraclough & Todd Long Moderator: Roger Horner
12:00PM to 1:30PM		Luncheon: Rhyne Award / Keynote		
1:35PM to 2:35PM		The True Ferguson Effect—The overall impact of federal involvement in state/local government affairs	The aftermath of a tragic event can cause a ripple effect that changes the very fiber of how a municipal government operates. When federal oversight is part of that ripple effect, municipalities can face a variety of operational, cultural, and budgetary challenges that change the very nature of that government entity. This presentation will explore the wide-spread impact of federal oversight in state/local municipal affairs and how the broad ripple affect seeps through almost every aspect of municipal government. It will also provide detail regarding the hidden "costs" of federal oversight that government officials may not understand at the outset. Finally, it will explore the issues and provide insights on how to manage the conundrum of dealing with competing interests of the federal government, municipal employees, citizens, and local/elected officials. Presented by the current City Attorney for Ferguson, MO.	John Hessel & Apollo Carey Moderator: Nancy Thompson

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
1:35PM to 2:35PM		Garbage and Recycling: Local Governments Managing the Global Issue	China has significantly limited the mixed recycling it will accept from the United States. With the imposition of tariffs, this situation is constantly changing. On the west coast, China's rejection of mixed recycling has had a huge impact on local governments managing solid waste and recycling franchises. The rest of the country faces different challenges with these agreements. The first presenter will discuss: (1) considerations in negotiating a franchise agreement; and (2) the changing recycling market and how local jurisdictions can approach this issue with flexibility and nimbleness.	Amanda Guile-Hinman Moderator: Mujeeb Shah-Kahn
2:40PM to 3:40 PM		Litigation Section Meeting: Emerging Issues	The presentation will feature emerging issues for litigators, including the use of video evidence in litigation, handling pre-shooting negligence claims in Section 1983 matters, and the intersection of use of force and the ADA	Timothy Coates, Susan Lappen & Paul Reuvers Chairs: Timothy Coates & Patricia Beety
2:40PM to 3:40 PM		Sanctuary Jurisdiction Working Group Meeting		
2:40PM to 3:40 PM		Employment Law Section Meeting: Diversifying the Public-Safety Sector: A practical approach to incorporating under-represented groups into fire departments and law enforcement organizations	This will be a collaborative presentation about the realities of diversifying organizations that have historically struggled with inclusiveness. In addition to covering the laws that affect workplace diversity, there will be a discussion about real-world successes and challenges, as well as practical tips for creating and maintaining more diverse public-safety departments.	Kelly Albin & Deidra Sullivan Chairs: Robin Cross & Lindsay Rose
2:40PM to 3:40 PM		Telecommunications Section Meeting	The first presenter will address the continued issue of franchise fee revenue from cable operators. At issue is whether that \$3 billion in annual franchise fee revenue now going to municipalities will remain an income source in the coming years. This presentation will address that issue, the pending FCC proceedings which could jeopardize that franchise fee revenue stream and the future of cable franchising as cities undertake planning for potential impacts to their local budgets	Brian Grogan, Michael Watza & Daniel White Chairs: Michael Watza & Daniel White

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
2:40PM to 3:40 PM		International Committee Meeting	The agenda for the meeting is as follows: 1. Presentation on IMLA Mission to Israel scheduled for November 24 – December 1, 2018 and proposed agenda for the trip; 2. Preliminary discussion of IMLA Berlin meeting late 2019 – IMLA Member Sven Kohlmeier, Member of Parliament, Berlin, Germany; and 3. Preliminary discussion of IMLA Ireland meeting 2020.	Benjamin Griffith
2:40PM to 3:40 PM		E-discovery Section Meeting: Drilling Down on Possession, Custody or Control		Peter Haskel
3:40PM to 3:55 PM		Coffee Break		
3:55PM to 4:55PM		Land Use Section Meeting: To Zone or not to Zone	Houston is the largest city in the United States without zoning. The Houston model of no zoning makes it more intellectually challenging to find ways to accomplish planning goals without that tool. Euclidean zoning has seen criticism and alternative models (form based codes, flexible zoning, the problems with zoning) have come under increased scrutiny from an extension of exclusionary challenges to the historical impacts of redlining and broader social justice issues (education, infrastructure, jobs, transportation, health and food service location, crime, etc.). This presentation will provide lessons as to what cities can learn from a no zoning model.	Kim Mickelson Chairs: Susan Trevarthen, ulian Grant & Ron Shaver
3:55PM to 4:55PM		Finance / Economic Development Section Meeting	The first presentation will focus on how to approach the bankruptcy of a large business receiving economic development funds from a city. The second presentation will discuss the collection of hotel taxes from online sales and the possible effect of the Supreme Court's South Dakota v. Wayfair sales tax case.	Miles Riley & Justin Bragiel Chairs: Robert Doty, Julian Grant & George Hypolite
3:55PM to 4:55PM		Environmental Law Section Meeting: Too Many Environmental Problems, Too Little Time: Tips on Handling Environmental Liability in Transactions and Litigation	This presentation will discuss how to avoid getting sued over environmental matters, what to do when you are sued, and novel approaches to environmental challenges.	Gene Tanaka & Rebecca Andrews Chair: Gene Tanaka & Michelle Butlin
3:55PM to 4:55PM		Technology Section Meeting		Peter Haskel
3:55PM to 4:55PM		County Department Meeting	This meeting will include presentations on the following issues relevant to counties: 1) "Legal" marijuana in the jails; 2) the Janus decision and union dues.	Silvia Kinch & Marc Hansen
3:55PM to 4:55PM		General Government Section Meeting		Chairs: Glenn Gimbut & Alecia Mayberry Mosadomi
5:00PM to 5:45PM		Listserv Meeting		TBD

Saturday, October 20th, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
7:30AM to 5:15PM		Registration		
7:45AM to 9:00AM		WONK Breakfast		
9:00AM to 10:30AM		Local Governments and the Opioid Crisis	The national opioid epidemic has impacted virtually every city, town and county across the country, taking lives, destroying careers and costing localities billions of dollars in medical, social services, workers compensation, insurance and law enforcement expense. As of May 2018, an estimated 1000 municipalities have filed against the opioid manufacturers, distributors, prescribers and purveyors—with many more still assessing the best response. This panel will discuss the opioid litigation including the relative merits of filing in-state or in the National Prescription Opiate MDL, the current status of the litigation, and some of the remedial efforts that state and local governments are undertaking to address the crisis.	Aelish Baig Moderator: Erich Eiselt
9:00AM to 10:30AM		Land Use: A Local Government's Obligations Under the Fair Housing Act	This session will begin with an overview of the Fair Housing Act and help you understand what local governments' obligations are under the Act. The second presenter will discuss reasonable accommodations under the FHA, including practical lessons on how to handle zoning and variance issues. The third presenter will update you on the status of the affirmatively furthering fair housing rule and explain your obligations under the rule.	Brian Connolly, Michael Allen & Patricia Link Moderator: Tyrone Cooper
10:30AM to 10:45AM		Coffee Break		
10:45AM to 12:15PM		Social Media and Local Governments: Issues for Elected Officials and Policy Issues for Local Governments Own Use	The first part of this presentation will be focused on First Amendment and transparency issues with government social media, including redacting comments, limiting links, candidate social media, and public access and archiving. The next presentation will discuss legal challenges local governments can face with regard to elected officials' use of social media. The final presentation will go over the provisions that should be in your local government's social media policy to prevent you from falling into some of the traps for the unwary.	Frayda Bluestein, Leo Rogers & Stephen Hines Moderator: Mary Ellen Bench
10:45AM to 12:15PM		Employment Law: Handling Complaints of Harassment in the "Me Too" Era and Workplace Investigations	How do we handle claims of harassment in today's environment? When an employee doesn't speak up for years, how do we know that prior conduct was unwelcome? Does a statute of limitations matter in the court of public opinion? Should we continue to explore settlement of these cases or is settlement the new admission? If we settle a frivolous claim, can we enforce the confidentiality agreement on the settlement terms? These questions, and many more, will be answered in this session.	Jennifer Will, Eileen Begle & Christopher Rider Moderator: Rosemary Humway-Warmuth
12:15PM to 2:00PM		Lunch		
2:00PM to 5:00PM		Land Use / Mobile Workshops		TBD
2:00PM to 5:00PM	CODE	Code Mobile Workshop		

Sunday, October 21st, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
7:45AM to 12:10PM		Registration		TBD
8:00AM to 8:45AM		Business Meeting		TBD
8:45AM to 9:45AM		Local Governments Held for Ransom: Lessons Learned from the Atlanta Cyber Attack	In March 2018, the City of Atlanta experienced a sophisticated ransomware attack that made national headlines. The hackers literally held the City for ransom, preventing it from using certain critical databases like those for the judicial system and first responders until the City agreed to pay the hackers to unlock the City's systems. Attacks like these demonstrate that local governments are vulnerable to cyber threats. Hear from the City of Atlanta on what happened and also learn best practices from a cyber-security expert on how to help prevent your client from becoming the next headline.	Rhonda Collins & Roy Hadley Moderator: Sharae Reed
9:45AM to 10:00AM		Coffee Break		TBD
10:00AM to 11:00AM		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 Moderator: Wynetta Massey
11:05AM to 12:05PM		Ethics: Scandal - How to be a Real Life Municipal Gladiator	Presenters will use recent examples to demonstrate the municipal attorney's responsibilities to government officials and employees under investigation or indictment for criminal offenses. Presenters will provide a road map for dealing with public officials, the community and media during the crisis. Additionally, presenters will provide the legal framework of the ABA Model Rules of Professional Conduct, constitutional law, and the interplay of criminal procedure and local disciplinary rules of professional conduct.	Leah Hayes & Akilah Mance Moderator: Douglas Haney

Code Program

Wednesday & Thursday, October 17 & 18, 2018

Wednesday, October 17th, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
9:00AM to 10:00AM	CODE	Nuts and Bolts Presentation: How does the 4th Amendment apply to code enforcement	Illegal searches under 4th Amendment can be one of the biggest risks for a code enforcement officer. This presentation covers how to reduce the risk.	TBD
10:00 AM to 10:15AM		Coffee Break		
10:15AM to 11:15 AM	CODE	Impact of the Religious Land Use and Institutionalized Persons Act (RLUIPA) on code enforcement	This presentation will educate attendees on RLUIPA's impact on code enforcement activities.	TBD
11:15AM to 12:15 PM	CODE	Tips/Lessons Learned Regarding Defending Quasi-Judicial Decisions in Court	This presentation will provide attendees with information about how to improve the likelihood of success when a quasi-judicial decision is appealed to a court or other appellate body.	Kimberly Grinnan Kelley & Gunnar Seaquist
12:15PM to 2:00PM		Lunch on Your Own		
2:00PM to 3:00PM	CODE	Impact of mental health on effective code enforcement	This presentation focuses on what you need to consider, legally and practically, when enforcing code enforcement-related laws and the individuals involved are experiencing mental health issues	David Wesner
3:00PM to 3:15PM		Coffee Break		
3:15PM to 4:15PM	CODE	Code enforcement, ethics, managing the media, and crisis management	This presentation will cover ethical conundrums in code enforcement and what to do when media and crisis management issues arise.	Patricia Link & Jennifer Richie

Thursday, October 18th, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
8:30AM to 9:30AM	CODE	Case Law Update	This case law presentation will focus on code enforcement-related cases.	Sherri Russell
9:30AM to 10:30AM	CODE	TBD		TBD
10:30AM to 10:45 AM		Coffee Break		
10:45AM to 12:15 PM	CODE	Presenting and Preparing Witnesses	This presentation covers practical tips to help attendees effectively prepare and present witnesses for depositions and trials.	Shannon T. O'Connor

TCAA Program

Friday, October 19, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
9:00AM to 9:15AM	TCAA	Welcome and Opening Remarks		Dotty Palumbo
9:15AM to 9:45AM	TCAA	Service Animals	An overview of Texas and Federal Law regarding accommodation of Assistance or Service Animal in Public Places. Includes basic legal definitions and a summary of required modifications and methods of treatment of animals and their owners.	Mick McKamie
9:45 AM to 10:15AM	TCAA	ADA Facility Compliance – What to do When the Feds Come Knocking		Ryan Henry
10:30AM to 11:00AM	TCAA	Public Information Act: How to Effectively Intake, Process, and Respond to Requests		Dawn Roberts
11:00AM to 11:30AM	TCAA	Political Hot Topics in Land Use (Confederate Monuments, Street Naming, Affordable Housing, Etc.)		Terry Welch
11:30AM to 12:00PM	TCAA	Recent Federal Cases of Interest to Cities		Randy Montgomery
1:55PM to 2:10PM	TCAA	Business Meeting	Election of TCAA Officers and Passing of the Gavel	
2:10PM to 2:40PM	TCAA	Top Employment Law Challenges in the Workplace		Victoria Huynh
2:40PM to 3:10PM	TCAA	“Like” it or Not: Developing Social Media Guidelines for City Employees		Mari McGowan
3:10PM to 3:40PM	TCAA	Legislative Forecast		Scott Houston
3:55PM to 4:25PM	TCAA	A Legal Perspective on City Efforts to Create Innovation-friendly Environments for Entrepreneurs and Startups		Lisa Mares
4:25PM to 5:25	TCAA	Anti-Slapp Suits		Derra Purnell

ILGL Program
Institute For Local Government Lawyers
Wednesday, October 17, 2018

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
7:30AM	ILGL	Registration Opens		
8:30AM to 8:45AM	ILGL	Opening Remarks		Robert Alfton
8:45AM to 9:30AM	ILGL	Sunshine 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.	Frayda Bluestein
9:40AM to 10:40AM	ILGL	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
10:40AM to 10:55AM		Coffee Break		
10:55AM to 11:40AM	ILGL	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

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
11:40AM to 11:45AM	ILGL	Morning Program Evaluations		
11:45AM to 12:45PM		Lunch Break (provided)		
12:45PM to 1:30PM	ILGL	Land Use 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.	Jeffrey L. Zyontz
1:40PM to 2:25PM	ILGL	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.</p> <p>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
2:25PM to 2:40PM		Coffee Break		
2:40PM-3:40PM	ILGL	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.	Chuck Thompson
3:50PM to 4:50PM	ILGL	Negotiations	This presentation will outline the steps in preparing for a negotiation, discuss factors to consider in picking a strategy, and demonstrate both how to use and how to counter some of the most common negotiation tactics.	DeWitt “Mac” McCarley
4:50PM to 5:00PM	ILGL	Afternoon Program Evaluations		
5:00PM	ILGL	Finish		