



2015 Mid Year Seminar Program

Omni Shoreham

2500 Calvert Street, NW

Washington, DC 20008

202-234-0700

FRIDAY, APRIL 24, 2015

Registration & Exhibits

8:00am to 5:00pm

Omni East End - Blue Room Pre-function

Board of Directors

9:00am - Noon

Governors Room

Lunch *(on your own)*

12:00pm to 1:00pm

Work Session I: Community Relations, and Litigation – Everything you Need to Know to Handle a Police Involved Shooting in Your Community

1:00pm to 2:30pm

Blue Room

Moderator: Mark R. Hayes
Director of Legal Services
Arkansas Municipal League
North Little Rock, Arkansas

Russell (Russ) E. Hamill
Assistant Chief of Police
Investigative Services Bureau
Montgomery County, Maryland

Anatomy of a Shooting Trial

John Wilkerson
Staff Attorney
Arkansas Municipal League
North Little Rock, Arkansas

Work Session II: IMLA Model Employment Agreement for City/County/Local Government Attorneys; What should be in your employment agreement

1:00pm to 2:30pm

Hampton Room

Moderator: Charles W. Thompson
IMLA Executive Director and
General Counsel
Bethesda, Maryland

IMLA Model Employment Agreement for City/County/Local Government Attorneys **IMLA Model Employment Agreement Committee Members:**

Marion Radson
Law Office of Marion J. Radson
Gainesville, Florida

Tom Carr
City Attorney
Boulder, Colorado

Thomas M. Carpenter
City Attorney
Little Rock, Arkansas

Howard Friedman
Chief of the Contracts & Real Estate Division
New York City, New York

Coffee Break
2:30pm to 2:45pm

Work Session III: Land Use– Sustainability Code and Stormwater

2:45pm to 3:55pm

Blue Room

Moderator: Rebecca Tydings
City Attorney
Centerville, Georgia

Municipal Regulation of Outdoor Lighting

Alan Bojorquez

Bojorquez Law Firm, PC
Austin, Texas

Timothy S. Hollister
Town Attorney
Colchester, Connecticut

Andre Monette
Best Best & Krieger LLP
Washington, DC

Work Session IV: Exceeding your Expectations – Avoiding Evaluation Errors in the Employment Setting

2:45pm to 3:55pm

Hampton Room

Moderator: Peter Letzmann
Attorney at Law
Kentwood, Michigan

Participant: Shauna R. Billingsley
City Attorney
Franklin, Tennessee

Daniel Crean
Executive Director New Hampshire Municipal
Lawyers Association
Pembroke, New Hampshire

Work Session V: Signs, Taxation, and Do Police Officers Need to Provide Reasonable Accommodations –

A Review of the 2014 Supreme Court Term to Date

4:00pm to 5:30pm

Blue Room

Moderator: Lisa Soronen
Executive Director
State & Local Legal Center
Washington, DC

Paul D. Clement
Bancroft, PLLC
Washington, DC

Shay Dvoretzky
Jones Day
Washington, DC

Gregory G. Garre
Latham & Watkins LLP
Washington, DC

Immediately Followed by IMLA Amicus Service Award Ceremony

SATURDAY, APRIL 25, 2015

Registration & Exhibits

7:00am to 5:00pm

Omni East End - Blue Room Pre-function

State/ Province Networking All Seminar Breakfast

(included with registration fee)

7:30am to 9:00am

Omni-Empire Ballroom

THE IMLA CHIEF LEGAL OFFICER FORUM (CLOF) –

ALL DAY *(invitation only)*

Hampton Room – All Day*

***All day in Hampton Room unless otherwise indicated below.**

8:00am – 8:30am

*The IMLA Chief Legal Officer Forum (CLOF) -
Breakfast (Included with registration fee)*

8:30am – 8:45am

Welcome

9:00am – 10:00am

*Joint All Seminar and CLOF --Jason Thomas
Presentation*

Blue Room

10:00am – 10:30am

Law Office Management

*-Hiring, increasing diversity, salary scales, effective
evaluation of attorneys, retention*

*-Document management, case management,
matter management*

10:30am – 10:45am

Break

10:45am – 11:20am

Law Office Management

-Settlement policies, caseloads

-Dealing with insurers and cases handled by insurers

11:20am – 1:00pm

*Work Session VII: Joint All Seminar and CLOF Work
Session – ACLU Nuisance Properties*

Blue Room

1:00pm – 2:00pm

Chief Legal Officers Forum Working Lunch

*- Dealing with budget cuts and cost savings idea
(The rule against talking with your mouth full, is waived for this
discussion)*

-Law Office Management

-Procurement and Management of outside counsel

2:00pm – 3:00pm

City Attorney/City Council/City Manager Relations

3:00pm – 3:15pm

Break

3:15pm – 4:00pm

Ethics

*-Defending a legally enacted law that the City
Attorney believes to be unconstitutional*

-The ethical role of the City Attorney

---Appointed city attorney ---Elected city attorney

4:00pm – 4:45pm

*Hot topics and Tired topics: Plastic bag fees;
Uber/Lyft and Taxis; new financing/taxing ideas for
development, ECO-ATM; e-cigs. Gun control; Occupy
Wall Street; FHA/Group homes/disparate impact
cases*

4:45pm

Wrap up and Cracker Barrel

IMLA Chief Legal Officer Forum Rules -

- *When we change agenda topics, you must sit with different people for each agenda topic.*
- *People from the same office must sit at different tables.*
- *You must make friends.*
- *If the group wants to change a topic on the agenda, not a problem - majority rules. (No super delegates!)*
- *I will use the hook, if someone speaks too long.*

This is a rare opportunity for each of you to spend time with your colleagues in a setting that we hope will allow each of us to share ideas, problems and solutions that we can use to better serve our communities.

Joint All Seminar and CLO Forum

9:00am – 10:00am

Blue Room

Moderator: G. Foster Mills

Managing Attorney

New York City, New York

*The Impact of the Anonymous Web: Drugs,
Weapons, and Contract Killings in Your City – Online
Anonymity Poses a Growing Threat to City
Governments*

Jason Thomas

Manager of Innovation, Government

Thomson Reuters

McLean, Virginia

Work Session VI: Disaster Preparedness Ebola

10:05am – 11:05am

Blue Room

Moderator: G. Foster Mills

Managing Attorney
New York City, New York

Isolation and Quarantine-

Thomas Merrill

General Counsel
New York City Department of Health and Mental
Hygiene
New York City, New York

Coffee Break

11:05am – 11:20am

**Work Session VII: Joint All Seminar and CLOF Work
Session – Nuisance Properties**

11:20am – 1:00pm

Blue Room

Moderator: Anthony Fox

Town Attorney
Weddington, North Carolina

*Local Nuisance and Crime-Free Ordinances: Legal
Issues and Policy Considerations*

Sandra Park

American Civil Liberties Union
New York, New York

Melody Taylor-Blancher

U.S. Department of Housing and
Urban Development
Regional Director
Office of Fair Housing and Equal Opportunity
Philadelphia, Pennsylvania

Barbara Delaney

U.S. Department of Housing and
Urban Development
Region 3 Deputy Director
Office of Fair Housing and Equal Opportunity
Philadelphia, Pennsylvania

Lunch (on your own)

1:00pm to 2:15pm

**Work Session VIII: Securities Law Developments—
How Municipal Officials Can Be Banned for Life**

2:30pm to 3:30pm

Blue Room

Moderator: Robert Doty

AGFS
Annapolis, Maryland

*Recent Developments in Municipal Securities Law—
Concerns for Local Issuer Attorneys*

*Discussion of Recent SEC Enforcement Actions and
MCDC Program*

Keshia Ellis

Enforcement Division
Securities and Exchange Commission
Washington, DC
and

Elaine Greenberg

Orrick Herrington
Washington, DC

Discussion of Municipal Advisor Regulation

Saliha Olgun

Municipal Securities Rulemaking Board
Alexandria, Virginia

**IMLA State League and Municipal Attorney
Association Department Meeting**

3:00pm to 5:00pm

Governors Room

Cracker Barrel Discussion

**Special Presentation: Evolving Challenges to
Privilege and Confidentiality**

3:30pm to 5:00pm

Blue Room

Pete Haskel

Dallas Executive Assistant City Attorney
Dallas, Texas

Welcome Reception

6:00pm to 7:30pm

Blue Room

SUNDAY, APRIL 26, 2015

Registration & Exhibits

8:00am to 5:00pm

Omni East End – Blue Room Pre Function

**Work Session IX: Qualified Immunity After
“Plumhoff”**

9:00am to 10:30am

Blue Room

Moderator: Mark R. Hayes
Director of Legal Services
Arkansas Municipal League
North Little Rock, Arkansas

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Director of Legal Services
Arkansas Municipal League
North Little Rock, Arkansas

Timothy J. Longo, Jr.
Attorney - Chief of Police
City of Charlottesville, Virginia
Legal Liability & Risk Management Institute
Legal & Professional Advisory Board
Indianapolis, Indiana

*Police Shootings and Qualified Immunity after
Plumhoff*

John Jack Ryan
Co-Director
Legal Liability & Risk Management Institute
Captain (Ret) Providence, RI Police Department,
Attorney
Indianapolis, Indiana

**Work Session X: Telecomm An Overview of FCC
Regulations**

9:00am to 10:30am

Hampton Room

Moderator: Joseph Van Eaton
Best Best & Krieger LLP
Washington, DC

Gerard Lavery Lederer
Best Best & Krieger LLP
Washington, DC

The Legal Landscape of Municipal Broadband–

Sean Stokes

Baller Herbst Stokes & Lide
Washington, DC

Joseph Van Eaton

Best Best & Krieger LLP
Washington, DC

Coffee Break

10:30am to 10:45am

Work Session XI: Transportation

10:45am to 12:15pm

Blue Room

Moderator: Erich Eiselt
IMLA
Assistant General Counsel/Editor
Bethesda, Maryland

*Transportation Network Companies (TNCs) –
Legislative, Litigation & Policy Update*

Matthew W. Daus

Windels Marx Lane & Mittendorf, LLP
New York, New York
and

Jasmine K. Le Veaux

Windels Marx Lane & Mittendorf, LLP
New York, New York

Work Session XII: Finance Letter of Credit

10:45am to 12:15pm

Hampton Room

Moderator: Barbara A. Adams
Village Attorney
Kenilworth, Illinois

*New Model Forms for Government Mandated
Standby Letters of Credit*

Professor James E. Byrne

Institute of International Banking Law & Practice
(IIBLP)
Montgomery Village, Maryland

*Letter of Credit Good Practices for Municipalities &
ISP 98*

Carter H. Klein

Jenner and Block, LLP
Chicago, Illinois

Lunch (*on your own*)
12:15pm to 1:30pm

Work Session XIII: Pension Reform
1:30pm to 3:00pm
Blue Room

Moderator: Amanda Kellar
IMLA Associate Counsel/Director of
Legal Advocacy
Bethesda, Maryland

Cathy Hampton
City Attorney
Atlanta, Georgia
and

Seth R. Eisenberg
Senior Assistant City Attorney
Atlanta, Georgia
and

Robin Shahar
Chief Counsel
Atlanta, Georgia

**Work Session XIV: Do's and Don'ts of Writing a
Zoning Ordinance & Incentive Based Zoning**
1:30pm to 3:00pm
Hampton Room

Moderator: Kit Williams
City Attorney
Fayetteville, Arkansas

- 1. The Do's and Don'ts of Rewriting a Zoning Ordinance*
- 2. Incentive-Based Zoning for Mixed-Use Development*

Stephen P. Elmendorf
Linowes and Blocher LLP
Bethesda, Maryland

International Committee Business Meeting
3:00pm to 5:00pm
Capitol Room

Benjamin E. Griffith
Board Attorney - YMD Joint Water Management
District
Oxford, Mississippi

MONDAY, APRIL 27, 2015

Registration and Exhibitors
7:00am to 12 Noon
Omni East End- Blue Room Prefunction

**WONK Breakfast and
County Attorney Meeting**
7:30am to 9:00am
Omni-Empire Ballroom

**Regional Vice Presidents and State/Province Chairs
Breakfast Meeting**
8:00am to 9:00am
Capitol Room

**Work Session XV: Detroit – the new “phoenix” –
Municipal Bankruptcy and Revival**
9:00am to 10:30am
Blue Room

Bruce Bennett
Jones Day
Los Angeles, California

Heather Lennox
Jones Day
New York, New York

Sonya Mays
Senior Advisor to Detroit's Emergency Manager
Detroit, Michigan

Evan Miller
Jones Day
Washington, DC

Coffee Break
10:30am to 10:45am

Work Session XVI: Ethics
10:50am to 12:20pm
Blue Room

Moderator: Charles W. Thompson
IMLA Executive Director and
General Counsel
Bethesda, Maryland

The Ethical Litigator

John Davis

Pierce, Davis & Perritano, LLP
Boston, Massachusetts

The speakers will discuss ABA Model Rule 1.6 and what “confidentiality” means under that rule. Specifically included will be a discussion of how the rule applies to posting on a listserv and how the rule applies to information already in the public domain, such as court pleadings and exhibits as well as public information. The speakers will use ethics opinions that have been issued by different states and published articles on the topic to stimulate discussion in an interactive format. As time permits, the speakers will discuss the interaction of the Rule with Rule 1.13 in the context of representing a local government organization.

Charles W. Thompson

IMLA Executive Director and
General Counsel
Bethesda, Maryland
and

Marc Emden

Emdenlaw
Rockville, Maryland
and

Ariana Wright Arnold

Jackson Lewis P.C.
Baltimore, Maryland

Adjournment

12:20 pm

(Tentative Program – subject to change)

2015 Mid Year Seminar WONK Breakfast Table Topics:

- ❖ **“P3’s in Renewable Energy.”** – Speaker: Tip Torres: *Municipal Partnerships to develop renewable energy infrastructure, create “generation side” opportunities and sustainability*
- ❖ **Personnel** – Speaker: Dan Crean: *Personnel Hot Topics*
- ❖ **Transportation, Water & Communications**– Speakers: Gerry Lederer, Andre Monette, and John Freshman: *What to Expect from Congress 2015: Transportation, Water & Communications*
- ❖ **Telecommunications**– Speakers: Adrian Herbst & Sean Stokes: *Municipal Broadband*
- ❖ **Environmental Law**- Speaker: Stacey Meyers: *Voluntary Clean-Up Programs*
- ❖ **Immigration & Non-Citizen Voting** – Speaker: Ben Griffith: *Immigration and Electoral Access*
- ❖ **Law Office Technology** – Speaker: Pete Haskel