



# 84th Annual Conference

## September 18-22, 2019 - Atlanta, GA

**TENATATIVE and Subject to Change**

### Wednesday, September 18, 2019

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
7:30AM to 4:45PM	2nd Floor Pre-Function	Registration & Exhibitors		
8:30AM to 12:00PM		BOD Breakfast / Meeting		
8:15AM to 5:00PM	Grand Ballroom D	ILGL Program	See Program Below.	
8:30AM to 4:45PM	Grand Ballroom C	Code Enforcement Program	See Program Below.	
2:00PM to 3:00PM	209-211	Large Population Meeting	This meeting will include a discussion of Philadelphia's wage equity ordinance, which prohibited inquiries into salary history in order to try to eliminate discriminatory pay practices, and the ensuing litigation claiming the ordinance was unconstitutional. The meeting will also include a separate discussion related to short-term rentals. This meeting focuses on issues relevant to large population centers, but the issues will be relevant to all IMLA members and members from any population size are welcome at the meeting.	Marcel Pratt & Maleshia McGinnis
3:00PM to 3:15PM	2nd Floor Pre-Function	Coffee Break		
3:15PM to 4:45PM	209-211	State League	The presentation during the meeting will focus on state municipal league lobbying efforts and in particular, how to stave off preemption of local control by the state. The meeting will also have an update from the executive director and board liaison as well as other new and old business. This presentation is intended for state league counsel and association counsel.	Rusi Patel
5:00PM to 6:00PM		State League/First Time Attendee Reception	Invite Only - See Registration Table for Details	

### Thursday, September 19, 2019

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
7:30AM to 5:00PM	2nd Floor Pre-Function	Registration & Exhibitors		
7:30AM to 8:30AM	314	Past President Breakfast	IMLA Past Presidents Only	
8:15AM to 8:45AM	Salon West	Opening Ceremonies		
9:00AM to 5:30PM	Grand Ballroom East	Georgia Institute for City and County Attorneys	See Program Below.	

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
9:00AM to 10:30AM	Salon East	Municipal Finance: The 2018 Amendments to Rule 15c2-12, Practical Guidance for Attorneys	This session will provide a brief overview of bond financings and the related federal securities laws. The presenters will also discuss the implications of the recent amendments to Rule 15c2-12 and will highlight practical approaches to the challenges relating to the recent amendments and the development of disclosure procedures generally.	Melissa Lopez Rogers, Peter Andrews & Doug Selby <b>Moderator:</b> Serena Nowell
9:00AM to 10:30AM	Salon West	Mobility Data in Cities: Utilizing Mobility Data in Transportation and Infrastructure Planning and Managing the Risks of Doing so	In addition to discussing the benefits that using mobility data brings in terms of transportation and infrastructure planning, this presentation will also explore the legal risks involved in data usage and management including data privacy problems, security responsibilities of data owners and users, and open records issues.	Matthew Fitzsimmons, Alex Engel & Uttara Sivaram <b>Moderator:</b> Negheen Sanjar
10:30AM to 10:45AM	2nd Floor Pre-Function	Coffee Break		
10:45AM to 12:15PM	Salon East	Construction Contracts Strategies for Success: From Drafting to Litigating	In King County v. Vinci/Parsons RCI/Frontier-Kemper, JV and Liberty Mutual et al., King County won a contract dispute returning to it over \$130 Million and \$15 Million in attorneys' fees. Learn how the construction contract provisions enabled this win as well as litigation strategies for these disputes. When construction contracts go well, no one seems to notice but when they break bad, they're in the news. A loss can be disastrous, put yourself in a position to win.	Mary DeVuono Englund & Karl Oles <b>Moderator:</b> Pierre Grosdidier
10:45AM to 12:15PM	Salon West	Ransomware and Governments: Practical Advice for Lawyers on a Growing Threat	The number of ransomware attacks on municipalities and other governmental entities are increasing every day. Both large and small governments are being attacked and the results can be catastrophic. This panel discussion will give practical advice to lawyers on how they can help to make their governments, courts and agencies more resilient to these attacks.  In addition to sharing practical lessons learned from the front lines, this session will explore best practices for both preventing attacks and mitigating their impact should an attack occur. Further, the panel will discuss federal assistance to municipalities and well as cyber-insurance.	Susan Garrett, Chad Hunt & Souwei Ford  <b>Moderator:</b> Roy Hadley
12:15PM to 2:00PM	Grandballroom West + Corridor	Keynote & Awards Lunch	Join us for lunch with Governor John Nathan Deal, an attorney and politician who served as the 82nd Governor of Georgia from 2011 to 2019. We will be presenting the James H. Epps III Award for Longevity of Service to a Community Award, Outstanding Associate Member Award and Outstanding State/Provincial Chair Award. We will also recognize IMLA's new Fellows and Recertifying Fellows	Mayor Keisha Lance Bottoms & Governor Nathan Deal
2:00PM to 3:00PM	Galleria 5	Mock Trial	Speakers will present a mock trial, one presenter taking the plaintiff's side of the case and the other the defendant's side of the case. The case presented will be an actual case heading to trial and audience feedback will be solicited. This presentation is organized by the IMLA Litigation Section but is open to all attendees.	John Wilkerson & Sara Monaghan
2:00PM to 3:00PM	Salon East	Telecommunications: An Overview For The Municipal Attorney	This presentation will cover: (1) Update on Small Cells, including RF standards; (2) Rural Broadband Funding; (3) Spectrum Developments, including: a) FirstNet; b) Public Safety Narrowband Channels; and c) Commercial Spectrum; and (4) 911 Overview including a) Location Accuracy (Technology Agnostic); b) Next Generation 911 Funding.	Albert Catalano & Wes Wright  <b>Moderator:</b> Barbara Adams

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
2:00PM to 3:00PM	Galleria 4	Transportation Oriented Development	This will be a comparative presentation on how Atlanta and Vancouver have handled transportation oriented development in their communities. The presentation will explore legal issues associated with this type of development and highlight the benefits of thoughtful planning as it can support economic development.	Jonathan Hunt  <b>Moderator:</b> Beth Anne Childs
2:00PM to 3:00PM	209-211	Local Government and Preemption: Reforming Home Rule	Support for home rule and local authority is a foundational principle of the International Municipal Lawyers Association. Today, as states are increasingly eroding local democracy, IMLA is well-positioned to advance a renewed and revised vision of home rule. Nestor Davidson, of Fordham Law School, has been working with a panel of local governance experts to draft holistic new principles of home rule for the twenty-first century and accompanying model provisions to implement the principles. Kim Haddow, Director of the Local Solutions Support Center, has commissioned public opinion research and developed messaging guidance to help define the need and create demand for the adoption of a new home rule for the 21st century. Davidson and LSSC have been working closely with the National League of Cities and State League executive directors throughout this process and we invite IMLA members to help us refine the principles, provide insights into the approaches of their respective states on home rule, and devise strategies to implement this new vision for home rule.	Nestor Davidson & Kim Haddow  <b>Moderator:</b> Spencer Wagner
2:00PM to 3:00PM	Salon West	How AI and Analytics are Changing Legal Practice	Portrait Mode on your cell phone. Uber. Amazon. Spotify. Fraud protection on your credit card. Google Maps route planning. Mobile Check deposits. Watson. Alexa. Siri. Artificial Intelligence and analytics are already a part of our daily lives. Now, it's a part of legal research, allowing us to make more connections and get faster answers than ever before. The addition of AI-enhanced research capabilities will improve attorney efficiency. AI isn't a "robot lawyer," it supports and complements the work already being done by attorneys.  Learn how new technology utilizes AI to: <ul style="list-style-type: none"> <li>• Integrate Litigation Analytics to provide data-driven insights into the people, precedents and circumstances you need to know in order to craft the strongest litigation strategy</li> <li>• Warn researchers of law that is invalid or questionable in ways that no citator has ever done before</li> <li>• Provide quick answers to specific legal questions through upgraded search engine capabilities.</li> <li>• Compare changes to statutes and federal regulations (including multiple versions) instantaneously</li> </ul>	Claire Jacobson  <b>Moderator:</b> Mujeeb Shah-Khan
2:00PM to 3:00PM	204-206	International Committee	The agenda will be include discussion and update concerning the IMLA 2019 Berlin trip, tentative plans for IMLA Ireland in 2020. This presentaiton is open to anyone wishing to learn more about IMLA's International Committee.	<b>Chairs:</b> Benjamin Griffith & Tyler Wallach
2:00PM to 3:00PM	212-214	Hot Topics for Counties	This meeting will feature a discussion on the following topics: 1) Working with Cities; 2) Disasters - what is the County's role?; 3) Annexation; and 4) Creative Funding. This meeting is organized by IMLA's County Department but is open to all attendees.	Section Chair: Andrew Mai
3:00PM to 3:15PM	2nd Floor Pre-Function	Coffee Break		
3:15PM to 4:15PM	Salon East	Telecommunications: An Overview For The Municipal Attorney	This presentation will cover: (1) Update on Small Cells, including RF standards; (2) Rural Broadband Funding; (3) Spectrum Developments, including: a) FirstNet; b) Public Safety Narrowband Channels; and c) Commercial Spectrum; and (4) 911 Overview including a) Location Accuracy (Technology Agnostic); b) Next Generation 911 Funding.	Albert Catalano & Wes Wright <b>Moderator:</b> Jodie Woods

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3:15PM to 4:15PM	212-214	Predicting the Future: Update on Cases and Regulations for the Environmental Law Section Meeting	This session will highlight recent developments in environmental law focusing on the Trump Administration's efforts to change environmental standards, the court cases challenging those efforts, and local efforts to address climate change. This presentation is organized by IMLA's Health and Environment Section but all are welcome to attend.	Gene Tanaka and Rebecca Andrews  Gene Tanaka, <b>Section Chair</b>
3:15PM to 4:15PM	Salon West	How AI and Analytics are Changing Legal Practice	Portrait Mode on your cell phone. Uber. Amazon. Spotify. Fraud protection on your credit card. Google Maps route planning. Mobile Check deposits. Watson. Alexa. Siri. Artificial Intelligence and analytics are already a part of our daily lives. Now, it's a part of legal research, allowing us to make more connections and get faster answers than ever before. The addition of AI-enhanced research capabilities will improve attorney efficiency. AI isn't a "robot lawyer," it supports and complements the work already being done by attorneys.  Learn how new technology utilizes AI to: <ul style="list-style-type: none"> <li>• Integrate Litigation Analytics to provide data-driven insights into the people, precedents and circumstances you need to know in order to craft the strongest litigation strategy</li> <li>• Warn researchers of law that is invalid or questionable in ways that no citator has ever done before</li> <li>• Provide quick answers to specific legal questions through upgraded search engine capabilities.</li> <li>• Compare changes to statutes and federal regulations (including multiple versions) instantaneously</li> </ul>	Claire Jacobson  <b>Moderator:</b> Leah Simon
3:15PM to 4:15PM	Galleria 5	Best Practices and Professional Standards in Public Disclosures	Are you struggling to meet the ever-increasing demands of transparency and open records requests? Not sure where your agency stands when compared to "best in class" processes when it comes to public disclosures? Or do you just need to re-evaluate the tools and resources your municipality uses for processing requests? In this session, Daniel Bevarly, executive director of the National Freedom of Information Coalition, and Brenda Dodd, director of government technologies at ZyLAB, will lead a discussion on best practices and professional standards for a sound public disclosure process and why technology needs to be part of that process.	Daniel Bevarly & Brenda Dodd  <b>Moderator:</b> Nancy Thompson

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
3:15PM to 5:30PM	Streets' Station Soccer Fields	Station Soccer	Join other IMLA attendees in playing soccer at one of Soccer in the Streets' Station Soccer fields, which builds soccer fields and community classrooms in and around metro-Atlanta transit hubs. Soccer in the Streets, a non-profit organization works to provide better access to quality soccer programs for kids. Founded in 1989 in Atlanta it reaches kids through soccer play, work-readiness training, hands-on experiential activities, and participation in youth leadership councils. The unique concept has been featured on CNN, Fox News, HBO Sports, and many other news outlets.	
4:15PM to 5:00PM	204-207	Listserv Meeting		Julie Lovelace
4:15PM to 5:00PM	209-211	Nominating Committee		
7:00PM to 9:30PM  Buses to board at 6:30PM	World of Coke	Welcome Reception	Kick off the 84th Annual Conference in Atlanta, GA at the Welcome Reception taking place at the World of Coke. Enjoy heavy hors d'oeuvres, drinks (provided by drink tickets upon arrival) and networking! A badge is required for entry and the dress is business casual. Bus transportation will be provided. We hope to see you there! Badge is required for entry! Spouse tickets are available for purchase.	

## Friday, September 20, 2019

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
7:45AM to 5:00PM	2nd Floor Pre-Function	Registration & Exhibitors		
8:00AM to 9:00AM		State/Province Breakfast	Advance Registration Required.	
9:00AM to 5:00PM	309-310	Canada Day		
9:15AM to 10:15AM	Salon East	Case Law Update	This presentation will provide an update on case law throughout the country that is relevant to local governments, primarily focusing on the circuit courts but touching on Supreme Court cases as well.	Ashley Ulbricht & Benjamin Legge <b>Moderator:</b> Wynetta Massey
9:15AM to 10:15AM	Salon West	Public Private Partnerships in Economic Development, Sports and Entertainment: A Municipal Practitioner's View	This program will explore the procurement, policy, contracting and economic parameters that comprise a successful P3 project development framework for municipalities in the areas of sports, recreation and economic development. Municipal counsel will learn how to utilize existing state procurement authority or develop home rule legislation to facilitate public private partnerships with private industry and developers that are mutually beneficial and maximize return and reduce risk for the public entity. Forms of procurement, key contractual elements, deal points and the art of negotiating with large, multi-national players or the local developer will be explored. Our always enlightening "traps for the unwary" will make sure your first or next P3 project is not your last! Key program elements include: - Forms of procurement and project delivery models - Key Contractual terms necessary in a Public Private Partnership agreement - Drafting effective P3 Legislation - Effectively utilizing Qualifications Based or Best Value Selection in public procurements	Steven Torres & DeWitt "Mac" McCarley  <b>Moderator:</b> Patrick Baker
10:15AM to 10:30AM	2nd Floor Pre-Function	Coffee Break		
10:30AM to 12:00PM	Salon East	Telecommunications Work Session: Small Cells, the FCC, and Cable	This session will provide an update on small cell litigation and national efforts to respond. It will also offer insights on Atlanta's response to both the FCC Order and new Georgia state law. The third presenter will focus on FCC proceedings on Cable In-Kind and Over-the-Air Reception Devices.	Gerard Lederer, Nina Hickson, Gail Karish <b>Moderator:</b> Michael Watz

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
10:30AM to 12:00PM	Salon West	Emerging First Amendment Trends	Individuals dubbed as “First Amendment auditors” are becoming more common with some videos on YouTube going viral. Their stated goal is to educate the public about their constitutional rights and they often do so by filming public buildings and officials. They do so in a mostly non-confrontational way, but for many non-police public employees who don’t expect to be filmed, the practice is irksome and for certain governmental buildings, the practice could present safety concerns. If you aren’t careful, they could cost your municipality in the form of a lawsuit and negative publicity. This presentation will discuss First Amendment principles related to filming including time, place, and manner restrictions on these activities. It will also discuss lawsuits that presenters have handled in this area and explore best practices, administrative policies, and how to train your personnel (both police and non-police) in relation to citizens filming public employees and public buildings.	Linda Law, Erik Lamphere & Craig Gottlieb  <b>Moderator:</b> Rosemary Humway-Warmuth
2:00PM to 6:00PM	Capital City Club Crabapple	Golf Tournament	The Golf Tournament will take place at Crabapple Course in Milton. Tee times are 2:00PM-2:36PM. Please e-mail info@imla.org if you are interested in reserving a spot.	
12:00PM to 1:30PM	Grand Ballroom West + Corridor	Awards Lunch	The portion of the awards lunch we will be presenting: <ul style="list-style-type: none"> <li>• Marvin J. Glink Private Practice Local Government Attorney Award</li> <li>• Daniel J. Curtin Young Public Lawyer Award</li> <li>• Brown, Mulligan, Rocha Distinguished Public Service Award</li> <li>• Bruce A. Noble Distinguished Canadian Municipal Lawyer Award</li> <li>• William I. Thornton, Jr. IMLA Faculty Award</li> <li>• Outstanding State League Counsel Award</li> <li>• Brad D. Bailey Assistant City/County Attorney Award</li> <li>• Charles S. Rhyne Lifetime Achievement in Municipal Law Award</li> </ul>	
1:35PM to 2:35PM	Salon East	Opioid Litigation Update	The nation’s opioid litigation is rapidly advancing on several fronts. This session will feature leading mass tort counsel who have directed the municipal opioid actions from the beginning and who play a major role in settlement negotiations. They will discuss up-to-the-minute issues including the Purdue settlement, the Negotiation Class, the potential trajectory going forward –as well as matters raised in questions from the audience. A timely slide set will be provided prior to the session and IMLA will make them available as soon as possible. Please continue to check back for updated materials.	Burton LeBlanc & Peter Mougey  <b>Moderator:</b> Erich Eiselt
1:35PM to 2:35PM	Grand Ballroom A	Immigration and Local Governments at the Border	Hear from two City Attorneys of border cities about what is really happening at the border with regard to immigration and how that crisis is impacting local governments as well as how we got to this point in the first place. The presentation will provide an overview of the reality on the ground, including how cities have responded, what assistance they can and have provided to immigrants, and how they can legally do so. The presentation will also provide an analysis of how state laws can impact local governments’ ability to use public funds during a situation like the migrant crisis as well as how local governments can seek reimbursement at the federal level for a situation like the one at the border or other analogous situations down the road.	Karla Mariana Nieman & Kevin Pagan  <b>Moderator:</b> Tracy Reeve
1:35PM to 2:35PM	Salon West	Common Ground: Small Cells in the ROW and How Local Government and the Industry Can Work Together	Representatives from the Georgia Municipal Association, Verizon and AT&T will discuss their efforts, successes, and key issues to be aware of in their experience of negotiating and coming together with local governments on how to deploy small wireless facilities in the right-of-way while still respecting local control of the right-of-way and some of the more unique features of local governments, such as historic areas and decorative poles. This panel will cover some of the ways two seemingly divergent parties can work together in a mutually beneficial manner.	Andrew Emerson & De O’Roark  <b>Moderator:</b> Rusi Patel
2:40PM to 3:40PM	Salon West	A Practical Approach to Regulating Signs	Struggling to stay constitutional while satisfying your client’s sign regulation desires and needs after Reed v. Town of Gilbert? Then this land use section meeting is for you. Section Co-Chairs Julian Grant and Susan Trevarthen will provide up to date but practical advice on how to thread the needle between political and police desires and constitutional liability. This presentation was organized by IMLA’s Land Use Section and all are welcome to attend.	Susan Trevarthen & Julian Grant <b>Section Chairs:</b> Ron Shaver; Julian Grant, Susan Trevarthen

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
2:40PM to 3:40PM	212-214	Game of Wrongs: Lessons in ethics and e-discovery when social media posts and technology go wrong	Presenters will use the Model Rules of Professional Conduct, recent state ethics opinions and case law to explore ethical issues arising from social media posts made by attorneys and government officials. Although social media is a great way for municipalities to communicate with the public, in the legal context, a post can go from good to bad, very quickly. Not only can attorneys get in trouble with the state ethics officials and the courts for ill-advised social media posts, but our government clients can also create posts that have unwelcomed legal implications for the City. The presentation will further explore potential issues for litigation, in an ever-changing digital age. Governmental entities are often sued, however, the prevalence of social media, the internet, and technology have changed the landscape of what may be discoverable. Presenters will use real life examples of social media “fails” to help attendees create best practices and policies for municipalities. Presenters will also explore the impact of e-discovery on litigation for government entities and recommend ways to mitigate litigation risks for clients.	Akilah Mance & Leah Simon  <b>Moderator:</b> Mujeeb Shah-Khan
2:40PM to 3:40PM	204-206	Small Rural Communities Presentation: Sustainability Initiatives for Local Governments	Brookhaven, Georgia has three sustainability initiatives we are pursuing: 1: move to all electric city vehicles including police in 5 years; 2: install geothermal heating and cooling in city owned new construction; and 3: install no fewer than 5 EV chargers at all city buildings over next 24 months. This presentation will go over these initiatives and discuss the legal implications including contract reviews and legal issues related to public perceptions. The presenters will also discuss using forfeiture funds for purchasing electric police vehicles. This presentation was organized by IMLA’s small / rural communities committee but all are welcome to attend.	Mayor John Ernst & City Manager Christian Sigman  <b>Moderator:</b> Christopher Balch
2:40PM to 3:40PM	Salon East	E-Scooters are Coming to Town	This panel discussion will discuss the role of the local government attorney in negotiating with micromobility companies and go over different approaches a local government can take to working with e-scooter companies. Issues to be discussed include: indemnification, insurance, user agreements, data use, record retention and more	Ashley Scott, Robin Hennessy, Susan Trammell & Andy Segovia <b>Moderator:</b> Anamaria Hazard
2:40PM to 3:40PM	Grand Ballroom A	Reptiles, Picassos, and Stealth Bombers: Tips for Combating Plaintiff’s “Reptile” Theory and Other Aggressive Efforts to Inflate Non-Economic Tort Damages	This presentation will include a discussion of steps to take during discovery and at trial to defend against trial tactics by plaintiffs’ attorneys seeking to inflate non-economic damages through improper arguments and rhetorical sleight-of-hand.	Ted Xanders & Nadia Sarkis  <b>Moderator:</b> Deidra Sullivan
2:40PM to 3:40PM	209-211	The Ethics of Wellness and Why it Matters	The presentation will focus on reasons why wellness matters with a focus on ethical considerations and longevity in the profession. The presentation is intended to address the problems highlighted in the ABA’s Path to Lawyer Well-Being Report.	Karen Blake & Ginger Wald <b>Moderator:</b> Brad Cunningham
2:40PM to 3:40PM	Grand Ballroom B	Telecommunications: You’ve Got Questions, We’ve Got Answers	Do telecom subjects have you scratching your head? Then this is your chance to speak up, raise issues, and ask questions of each other. During this interactive session, our panel of telecom experts will be available to you to work through your questions. Some popular topics we will discuss include the Federal Communications Commission’s small cell order, efforts to expand OTARD rules to certain telecommunications equipment, potential changes to cable franchising rules and what that means for your local franchising authority, federal legislative efforts such as STREAMLINE, and state preemption efforts. You’ll also hear from your counterparts in other cities across the country and how they’ve been handling telecom issues in their jurisdictions. In this interactive session, the audience will drive the subjects covered meaning some popular topics are subject to change. This presentation is put together by IMLA’s telecommunications section and all are welcome to attend.	Gerard Lederer & Joseph Van Eaton  <b>Chair:</b> Mike Watza
3:40PM to 3:55PM	2nd Floor Pre-Function	Coffee Break		

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
3:55PM to 4:55PM	Salon West	Defending testing programs: legal and practical lessons for local government employers regarding employee selection, retention, and promotion procedures	Municipalities making hiring, promotion, and other selection decisions based on merit or minimum qualification requirements frequently use tests to establish a list of eligible candidates or to assess particular skills or aptitudes. These tests, which include cognitive tests, physical ability tests, personality tests, and drug tests are prone to disparate impact challenges, and mistakes can cost millions of dollars (not to mention reputational exposure). In recent years the federal government has focused its enforcement activities on systemic discrimination in employee selection processes, including cognitive and behavioral assessments, background checks, and drug testing. So-called "honesty tests" will also be discussed. This presentation will help attendees understand the continually-evolving law governing tests and personnel-selection procedures. The presenters will explain how to recognize and correct common deficiencies that trigger government investigations and escalate damage claims. The presentation will also provide practical guidance on labor contract language and due-diligence procedures for employers that rely on third parties to design and/or administer their selection procedures. This presentation is a part of the IMLA employment law section and all are welcome to attend.	R. Lawrence Ashe, Jr., B. Lee Crawford & Paul R. Barsness  <b>Moderator:</b> Marianne Landers Banks
3:55PM to 4:55PM	212-214	Green Bonds and Opportunity Zones	The first presentation will describe how cities can tap into new low-carbon financial markets to finance environmentally beneficial projects. This presentation highlights certain securities law considerations that apply to the green bond offering documents and includes practice tips for drafting the official statement. The second presentation will go over what local governments need to know for opportunity zones. This presentation is put together by the IMLA economic and finance section and all are welcome to attend.	Gregory Miller & Ray Jones  <b>Moderator:</b> Eric Shylte
3:55PM to 4:55PM	204-206	Small Rural Communities Presentation: Sustainability Initiatives for Local Governments	Brookhaven has three sustainability initiatives we are pursuing: 1: move to all electric city vehicles including police in 5 years; 2: install geothermal heating and cooling in city owned new construction; and 3: install no fewer than 5 EV chargers at all city buildings over next 24 months. This presentation will go over these initiatives and discuss the legal implications including contract reviews and legal issues related to public perceptions. The presenters will also discuss using forfeiture funds for purchasing electric police vehicles.	Mayor John Ernst & City Manager Christian Sigman  <b>Moderator:</b> Christopher Balch
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3:55PM to 4:55PM	Grand Ballroom A	Reptiles, Picassos, and Stealth Bombers: Tips for Combating Plaintiff's "Reptile" Theory and Other Aggressive Efforts to Inflate Non-Economic Tort Damages	This presentation will include a discussion of steps to take during discovery and at trial to defend against trial tactics by plaintiffs' attorneys seeking to inflate non-economic damages through improper arguments and rhetorical sleight-of-hand.	Ted Xanders & Nadia Sarkis  <b>Moderator:</b> Deidra Sullivan
3:55PM to 4:55PM	209-211	The Ethics of Wellness and Why it Matters	The presentation will focus on reasons why wellness matters with a focus on ethical considerations and longevity in the profession. The presentation is intended to address the problems highlighted in the ABA's Path to Lawyer Well-Being Report.	Karen Blake & Ginger Wald <b>Moderator:</b> Brad Cunningham
6:00PM to 8:00PM  Bus departs at 5:00PM	Piedmont Park	Softball	The annual softball game will be held on Friday, September 20th at Piedmont Park. A bus will pick up the participants at the hotel transport them to Piedmont Park. At the end of the game, each participant will be dropped off by bus at a local bar. All participants will receive a free softball jersey and cap provided by Best Best & Krieger. The organizing committee will supply softballs, bats, snacks, and drinks. No alcoholic beverages are allowed at Piedmont Park. Each participant is encouraged to bring a glove and a jacket or sweatshirt, and must sign standard waiver forms required by IMLA. This is a free event, but bus seats will be given at a first come, first served basis.	

# Saturday, September 21, 2019

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
7:30AM to 12:15PM	2nd Floor Pre-Function	Registration & Exhibitors		
7:45AM to 8:45AM	Grand Ballroom West	WONK Breakfast	Advance Registration Required.	
9:00AM to 10:30AM	Salon East	Blight Fighting Strategies	Blighted properties, in particular those that are vacant and abandoned, exact profoundly negative consequences on afflicted communities. Neglected properties decrease surrounding property values, undercut local housing markets, threaten safety and security, and reduce local tax revenue. There is no single agency, foundation, department or firm that can alone "fix" the scourge of problem properties and the havoc they wreak. This presentation will offer insight to municipal lawyers regarding best practices for fostering cooperative, comprehensive solutions to the complex problem of vacant and abandoned properties plaguing many cities. Presenters will share lessons and tactics gleaned from years of legal, policy and community advocacy efforts to address the many complicated issues and challenges that lead to and stem from problem properties.	Honorable AC Wharton, Jr., Daniel Schaffzin, Judge Patrick Dandridge & Bruce McMullen  <b>Moderator:</b> Steve Barlow
9:00AM to 10:30AM	Salon West	First Amendment and Social Media	Municipalities and municipal officials are increasingly turning to social media to communicate with their constituents. As this new "public forum" has evolved, so have the legal challenges. The presenters will discuss issues associated with elected officials' social media use, municipal employees' social media use, as well as pitfalls associated with moderating comments on the governing body's own social media site. The presenters will provide practice pointers throughout and will also briefly discuss IMLA's model social media policy.	Julie Tappendorf & Deborah Fox  <b>Moderator:</b> Chuck Thompson
10:30AM to 10:45AM	2nd Floor Pre-Function	Coffee Break		
10:45AM to 12:15PM	Salon East	Hot Topics in Employment Law	The first presentation will focus on the #MeToo movement and its impacts on how local government employers must apply their workplace harassment policies and approach complaints or reports of policy violations. The second presentation will discuss Title VII, the Equal Protection Clause and LGBTQ discrimination and will provide practical advice on handling sexual orientation, transgender and gender identity issues in the workplace.	Read Gignilliat & Sheila Gladstone  <b>Moderator:</b> Jennie Tarr
10:45AM to 12:15PM	Salon West	Land Use: Nuts & Bolts of Defending Takings Claims	This presentation walks through the life of an inverse-condemnation ("takings") case from the defendant's perspective, first summarizing key legal doctrines and then highlighting several practice pointers and pitfalls from beginning (complaint and threshold motions) to end (appellate and Supreme Court review). The presentation will also discuss the implications of Knick v. Township of Scott, a recent Supreme Court takings case.	Matthew Littleton & Teresa Sachs  <b>Moderator:</b> Timothy Hollister
12:15PM to 12:45PM	209-211	State/Provincial Chair, RVP & BOD Meeting	We invite all State/Provincial Chairs, Regional Vice Presidents and Members of the Board of Directors to join in this informal meeting to discuss progress and goals of our State/Provincial Chairs and Regional Vice Presidents.	
12:15PM to 2:00 PM		Lunch	On your own.	
2:00PM to 5:30PM		Land Use Tours	Please visit <a href="http://imla.org/events/conferences#imla-events">http://imla.org/events/conferences#imla-events</a> for details on the individual tours.	

# Sunday, September 22, 2019

TIME		TITLE	DESCRIPTION	SPEAKERS
8:00AM to 12:05PM	2nd Floor Pre-Function	Registration & Exhibitors		
8:00AM to 8:30AM	Grand Ballroom	Business Meeting		
8:15AM to 8:45AM	2nd Floor Pre-Function	Coffee Break / Passport Drawing		
8:45AM to 9:45AM	Grand Ballroom	The Dirty Dozen: 12 Common Liability Mis- takes Made by Police Leadership	This presentation will showcase and review the critical law enforcement tasks that have been identified as responsible for most of the lawsuits against police officers and law enforcement agencies. The program will highlight practical policy recommendations that will increase police accountability, while successfully avoiding a Monell finding in a 1983 action.	Chief Lou Dekmar  <b>Moderator:</b> Andrew Whalen
9:45AM to 10:00AM	2nd Floor Pre-Function	Coffee Break		
10:00AM to 11:00AM	Grand Ballroom	Religious Land Use Liti- gation Against Municipal- ities: How Lessons From an Eight-Year Battle Can Teach You To Avoid Litigation or Win	A church comes to your city and tells you that they are buying a commercial property with plans to turn it into a Christian school, thus keeping you from the revenue that property would have raised for the city. What happens when you tell them it is not zoned for the use they want, and they sue you for religious discrimination? Find out how to handle this case before it comes to you.	Mark Landes & Jeanine Amid Hummer <b>Moderator:</b> Lori Bluhm
11:05AM to 12:05PM	Grand Ballroom	Public Service Leader- ship and Ethics in Muni- cipal Representation	The topic will include a presentation on the special nature of public service and the dual set of ethical standards, those that apply to public officials and those that apply to legal counsel. It will discuss leadership principles and how those relate to the role of counsel in representing public entities. It will discuss ethical considerations for representing a municipality including the application and principles of Model Rules of Professional Conduct 1.1, 1.2, 1.13, 2.1, and 4.2. The emphasis will be upon exercising leadership in representing a local government to do the right thing for the right reasons.	Don Jarrett  <b>Moderator:</b> Randy Van Vleck

**ILGL Program**  
**Institute For Local Government Lawyers**  
**Wednesday, September 18, 2019**  
**Grand Ballroom D**

**Wednesday, September 18, 2019**

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
7:30AM	ILGL	Registration Opens		
8:15AM to 8:30AM	ILGL	Opening Remarks		Frank Gummey III
8:30AM to 9:30AM	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 issues that arise in public sector employment.</p>	Deidra Sullivan
9:40AM to 10:40AM	ILGL	Parliamentary Procedure	<p>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.</p>	Randall Van Vleck
10:40AM to 10:55AM		Coffee Break		

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
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
11:40AM to 11:45AM	ILGL	Morning Program Evaluations		
11:45AM to 12:45PM		Lunch Break	Ticketed ILGL Lunch	
12:45PM to 1:30PM	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.	Wynetta Massey
1:40PM to 2:25PM	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.	Sam Fritschner
2:25PM to 2:40PM		Coffee Break		
2:40PM to 3:40PM	ILGL	Land Use Law 101	For those new to land use law, this is a primer on the up to date basics you need to know to spot issues and to determine the appropriate course of action. For the experienced practitioner, this presentation not only serves as a refresher course, but also includes new points of law that have developed in recent years, which impact the basics.	Susan Trevarthen
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		

# Code Enforcement Program

## Wednesday, September 18, 2019

### Grand Ballroom C

## Wednesday, September 18, 2019

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
8:30AM to 9:30AM	CODE	ADA and Animals		Ashley Ulbricht
9:30 AM to 9:45AM		Coffee Break		
9:45AM to 10:45 AM	CODE	Case Law Update	This presentation will be a code enforcement case law update from September 2018 through July 2019.	Sherri Russell
10:45AM to 11:45 PM	CODE	Inspections and Minimizing Risks	This presentation will cover constitutional requirements, legal risks, and ways to minimize risk during and after an inspection	Patricia Link
11:45PM to 1:00PM		Lunch on Your Own		
1:00PM to 2:30PM	CODE	Human Trafficking	This presentation will discuss efforts in combatting human trafficking via Red Light Abatement and Human Trafficking Posters required by Civil Code Section 52.6. It will also discuss the San Diego's partnerships and the strategies employed to combat human trafficking with San Diego Development Services Department, Code Enforcement Department specifically zoning and code violations and inspections, San Diego Police Department, Human Trafficking Taskforce, California Against Slavery and Trafficking and the Human Trafficking and Commercial Sexual Exploitation of Children Advisory Subcommittee.	Bruce Pendleton & Patricia Miranda
2:30PM to 2:45PM		Coffee Break		
2:45PM to 3:45PM	CODE	Issues Related to Demolition of Historic Structures	The presentation will address the code enforcement aspects of historic preservation in terms of enforcing historic district ordinances and what to do if people violate the historic district ordinances.	Janet Spugnardi
3:45PM to 4:45PM	CODE	Non-conforming uses and equitable defenses	After receiving a notice of violation from code enforcement, many homeowners respond by claiming, "But it's been there forever!" This presentation will take a closer look at when such a defense is viable by analyzing non-conformities and equitable defenses like estoppel, vested rights, laches and impossibility with the goal of giving practitioners some takeaways on how to respond to or manage these defenses or raise them on behalf of a client.	Jerrold Simpson

# Georgia Institute for City and County Attorneys

Thursday, September 19, 2019

Grand Ballroom East

**Thursday, September 19, 2019**

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
8:00AM to 8:45AM	Georgia	Registration for the Georgia CLE		
8:15AM to 8:45AM	Georgia	Opening Ceremonies		
9:00AM to 10:00AM	Georgia	Litigating Sovereign Immunity in Georgia Courts	Sovereign immunity – under what circumstances are local governments liable for their actions or inactions, in what kinds of causes of actions, and to whom? I will survey a variety of approaches used throughout the United States, with a particular look at Georgia’s recent (re-) evolution in this area of the law as a case study.	Robert “Robbie” L. Ashe III
10:00AM to 10:30AM	Georgia	Examining Stanford v. City of Albany: Georgia Court of Appeals Rejects “Nuisance” Theory to Skirt Sovereign Immunity	Sovereign immunity is a deceptively fickle doctrine: its outward appearance of an absolute defense hides an ever-changing minefield of statutory and judicially-created “exceptions,” lulling unsuspecting local governments into a false sense of security. The plaintiff’s bar further complicates things by constantly searching for new ways to circumvent sovereign immunity’s protection of local government coffers. The combination of an ambiguous immunity doctrine and enterprising plaintiff’s attorneys can leave local governments finding themselves subject to unprecedented jury verdicts based on novel (and unforeseen) theories of liability. The City of Albany found itself in this very position when a jury rendered a \$10.6 million verdict against it in a wrongful death case where the deceased was shot on private property at the hands of third-party criminals. The presentation will analyze the Court of Appeals rejection of plaintiffs’ novel nuisance claim in City of Albany v. Stanford and discuss its implications.	Sun S. Choy
10:30AM to 10:45AM		Break		
10:45AM to 11:15AM	Georgia	Title VII/ Sexual Orientation	Jack Hancock and Mr. Buechner represent Clayton County in the Bostock v. Clayton County case that is pending in the United States Supreme Court. The question presented in that case is whether Title VII prohibits discrimination on the basis of sexual orientation. The Bostock case has been consolidated with a case from the Second Circuit, Zarda v. Altitude Express, Inc. that raises the same issue. The Supreme Court will also will consider the related question of whether Title VII prohibits discrimination on the basis of transgendered people in R.G. & G.R. Harris Funeral Homes, Inc. v. EEOC. Mr. Hancock and Mr. Buechner will address the background concerning these issues and the primary arguments being advanced by the parties in Bostock and Zarda.	Jack Hancock & William “Bill” H. Buechner, Jr.
11:15AM to 12:15PM	Georgia	Qualified & Official Immunity	County and city officials enjoy various powerful immunities from civil liability for claims against them in their individual capacities. The most commonly employed are official immunity in the State law context, and qualified immunity in the federal law/civil rights context. This presentation will explore the state of the law on these immunities, with particular emphasis placed on the implications of official immunity post-Lathrop v. Deal.	Ken E. Jarrard

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
12:15PM to 2:00PM		Lunch		
2:00PM to 3:00PM	Georgia	The Issue of Failing Stormwater Infrastructure on Private Property	Presenters will provide an overview of federal and state requirements related to storm water discharge and the responsibility of municipalities and counties in the inspection of both public and private storm water infrastructure. A discussion will follow focusing on how responsibility for storm water infrastructure attaches, potential liability to the county or city related to storm water infrastructure, and practical problems faced by local governments in light of uncertainty in determination of ownership, aging infrastructure and changing legal and environmental landscapes.	Matthew C. Welch & Maria Houser
3:00PM to 3:15PM		Break		
3:15PM to 4:15PM	Georgia	Ethical Considerations for City and County Attorneys		Leigh Burgess
4:15PM to 5:15PM	Georgia	Professionalism and Civility: Why Nice Guys Always Finish First	"The social fabric of our world is ever changing. Yet while politics and social norms are in a state of flux, some things remain the same. One is that being a well-mannered, thoughtful, courteous lawyer still matters to personal success as well as to the integrity of our legal system."	Justice Leah Ward Sears
5:15PM to 5:30PM	Georgia	Election of Officers	The Local Government Section of the State Bar will meet for the purpose of electing officers	

# Canada Day

## Friday, September 20, 2019

### Room 309-310

**Friday, September 20, 2019**

TIME	TRACK	TITLE	DESCRIPTION	SPEAKERS
9:00AM to 9:10AM	Canada	Opening Remarks from Chair		
9:10AM to 9:40AM	Canada	Heritage Legislation and Impacts on Municipalities	Eric will be reviewing and discussing the recent amendments made by the Ontario provincial government to the Ontario Heritage Act by the More Home, More Choice Act, 2019 (Bill 108), as well as how Ontario's heritage legislation compares to the heritage legislation of other provinces. Specific emphasis will be given to the new Ontario notice requirements and appeals process and the impact such changes will have on property owners and municipalities alike.	Eric Davis
9:40AM to 10:15AM	Canada	Local Preferences in the Municipal Procurement Process	Many municipalities often struggle with the concept of applying "local preferences" in their procurement processes. This presentation will look at the law (common law and statutory examples) surrounding the use of local preferences, recent trends in procurement practice, as well as some practical tips for managing expectations of elected officials in the procurement process.	Nick Robichaud & Byron Werry
10:15AM to 10:30M	Canada	Morning Networking Break		
10:30AM to 11:15AM	Canada	The National Inquiry into Missing and Murdered Indigenous Women and Girls: Lessons Learned and the Path Forward	This presentation will focus on the importance of relationship building with the Indigenous community.	Katrina Swan
11:15AM to 11:45AM	Canada	Indigenous Peoples and Municipal Consultation: Relationship Building in Uncertain Times	Municipalities may be formally consulting and informally engaging in various ways with the leadership of one or more Indigenous communities during planning processes, land acquisition, construction projects and municipal service delivery. Using the language of the Constitution Act, 1982, section 35 constitutionally protects aboriginal and treaty rights. The continued evolution of case law on the "Duty to Consult and Accommodate" Indigenous peoples requires proper engagement before a decision may be made by the federal or provincial Crown that impacts asserted or existing Indigenous rights. For a municipality, depending on the level of provincial engagement available, the breadth/lack of information and divergent views on the role and responsibilities held by a municipality can lead to uncertainty and confusion on how to approach engagement. Relying on a purely legal approach is unlikely to be the most successful way to undertake engagement due to the complicated perspectives that exist. Instead, an alternative is to strive for a mutually beneficial relationship which is very simple to state but challenging to achieve and maintain.	Sean Love
11:45AM to 12:00PM	Canada	Most Significant Legislative Changes – Roundtable – Session 1		
12:00PM to 1:30PM	Canada	Lunch		

<b>TIME</b>	<b>TRACK</b>	<b>TITLE</b>	<b>DESCRIPTION</b>	<b>SPEAKERS</b>
1:30PM to 2:15PM	Canada	Protecting Privilege in the Municipal Law Context	2019 Scholarship Recipient	Rebecca Hall-Mc-Gurie
2:15PM to 2:45PM	Canada	The Rise of Prompt Payment and the Impact on Municipalities		Wendy Law
2:45PM to 3:25PM	Canada	Civil Actions Arising from By-law Enforcement by Municipalities		Shannon Gaudet & Jennifer L. Hunter
3:25PM to 3:40PM	Canada	Most Significant Legislative/Caselaw Changes – Roundtable – Session 2		
3:40PM to 3:55PM	Canada	Afternoon Break		
3:55PM to 4:30PM	Canada	“My Burning Leaves Are My Free Speech” - Charter Issues in By-law Prosecutions		Sachin Persaud & Matt Brown
4:30PM to 4:50PM	Canada	Municipal By-laws and the Regulation of Aggregate Operations		Steven Ferri
4:50PM to 5:00PM	Canada	Closing Remarks		