



# 88<sup>th</sup> Annual Conference

Sept. 27 - Oct. 1, 2023 - La Quinta, CA

**TENTATIVE and Subject to Change**

Last updated: 09/21/23

## Wednesday, September 27, 2023

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
7:30AM to 4:45PM	Flores Foyer	Registration & Exhibitors		
8:30AM to 12:00PM	Capra	BOD Breakfast / Meeting	Board of Directors only.	
9:00AM to 4:45PM	Flores 6-8	California Programing	See Program Below.	
8:45AM to 4:45PM	Flores 5	ILGL Program	See Program Below.	
8:45AM to 4:45PM	Flores 4	Code Enforcement Program	See Program Below.	
2:00PM to 3:00PM	Flores 1-3	Large Populations	This will be a round table discussion on topics relevant to large population centers. Topics will include a discussion of Muldrow v. St. Louis and its potential impact on civil liability; affordable housing; homelessness; and economic development. Other topics may be discussed as well. This meeting will not offer CLE and is intended for attorneys representing large local governments.	Patrick Baker, Jeff Dana & Diana Cortes
3:00PM to 3:15PM	Flores Foyer	Coffee Break		
3:15PM to 4:45PM	Flores 1-3	State League Meeting	This will be a round table discussion on topics relevant to state league counsel. This meeting will not offer CLE and is intended for state league counsel.	Patricia Beety, Lori Lein & Morgain Patterson
5:00PM to 6:00PM	See Registration/ Invitation.	State League/First Time Attendee Reception	Join all of our first timers and state league counsel for a great reception with drinks and hors d'oeuvres. It's a great way to meet your fellow attendees right at the start of the Conference! The is reception is generously sponsored by NetDocuments.	

## Thursday, September 28, 2023

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
7:45AM to 5:00PM	Flores Foyer	Registration & Exhibitors	Registration will close from 12:15PM to 2:15PM.	
7:40AM to 8:40AM	Hotel Waterfall	State / Province Breakfast	Advance registration is required. The State/Provincial Breakfast with give attendees an opportunity to sit down with fellow attendees from their area. If you already registered and would like to add the breakfast, please email trina@imla.org.	
8:40AM to 9:00AM	Flores 1-4	Opening Ceremonies	Join IMLA President and Executive Director for welcoming remarks and helpful tips for new and long-time attendees alike, including information about the Conference and various networking opportunities.	

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
9:00AM to 10:30AM	Flores 1-4	The Battle Over Bus Ads: The First Amendment, Public Transit, and Defensible Content Restrictions	Learn about recent developments in the law concerning the First Amendment and advertising on public transit, including multiple circuit splits regarding the nature of the forum and the defensibility of content restrictions on political, commercial, public issue, offensive and religious speech. We will also discuss best practices for crafting a defensible transit advertising policy under current case law.	Ellie Ruth & Nadia Sarkis  <b>Moderator:</b> Paige Mims
9:00AM to 10:30AM	Flores 5-8	Rock your Employment Law Update	Whether you're taking a stairway to heaven or a highway to hell, you won't want to miss this interactive, musical presentation regarding the latest legal developments in religious accommodations. Panelists will discuss the latest Groff decision, by the U.S. Supreme Court, clarifying the undue burden standard for employers in religious accommodation situations, and the effects of the decision on disability accommodations.	Nina Hickson, Justin Pierce & C laudia Aguayo  <b>Moderator:</b> Meredith Everhart
10:00AM to 2:00PM	TBD	Best Friends Shelter Dogs/ Cats Meet-and-Greet	Join Shelter Pet Data Alliance powered by Best Friends for a meet-and-greet with local dogs and cats from Palm Springs Animal Services. All animals will be adoptable and would love for everyone to come by for some pets!	
10:30AM to 10:45AM	Flores Foyer	Coffee Break		
10:45AM to 12:15PM	Flores 1-4	Airport Law & PFAS	The vast majority of airports in the United States are operated by local governments, but treating your airport as just another city or county department can get you in hot water, and risk your future and even past federal funding. In this session, we will provide an overview of FAA regulations and the FAA grant assurances to help you spot issues before it is too late. The panel will also discuss PFAS as it regards to airport law.	Margaret Martin, Michael Selkirk & Elizabeth Smithers  <b>Moderator:</b> Vivica Brown
10:45AM to 12:15PM	Flores 5-8	The Business of Sports – Lessons Learned from Recent Sports Franchise Transactions	This presentation will discuss recent experiences dealing with sports franchises. They will address the lessons learned from negotiating with teams that have long histories and emotional connections in the community. They will also cover how to prepare for and handle the inevitable legal challenges that arise any time a city engages in a “mega-deal” involving high profile businesses. And they will discuss how a well-conceived stadium project can resurrect a downtown or create an entirely new destination.	Lina James, Ann Davison & Robert Fabela  <b>Moderator:</b> Patrick Baker
12:15PM to 2:15PM	Fiesta 7-14	All Conference Lunch & Awards Ceremony	Awards to be presented: James H. Epps III Award for Longevity of Service to a Community Award, Daniel J. Curtin Young Public Lawyer Award, William I. Thornton, Jr. IMLA Faculty Award, Outstanding State League Counsel Award, Brad D. Bailey Assistant City/County Attorney Award, Outstanding Associate Member Award, Outstanding State/Provincial Chair Award, Burk E. (Buck) Delventhal Legal Advocacy Award, Charles S. Rhyne Lifetime Achievement in Municipal Law Award	
2:30PM to 3:30PM	Flores 1-3	Creating Professional Standards for Fire Departments	While police departments across the country have internal affairs and professional standards, similar internal accountability departments are a rarity in fire departments. With an ever-growing eye of scrutiny over public safety professionals, this CLE covers on-the-ground lessons learned from building a professional standards division from the ground up for fire departments, including creating policies, getting buy-in from union and management, collective bargaining, and more.	Fallon Niedrist  <b>Moderator:</b> Sofia Hernandez
2:30PM to 3:30PM	Flores 5	Cruising the Circuits	A timely and fast-paced review of recent federal circuit court cases.	Doug Haney  <b>Moderator:</b> Wynetta Massey

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
2:30PM to 3:30PM	Flores 6-8	When do States and Local Governments Matter? A Federal Indian Law Regulatory Update	Even to the casual observer, recent decisions have signaled the U.S. Supreme Court's growing disapproval of the Executive Branch's seemingly unfettered exercise of regulatory authority. Application of the "major questions" doctrine, the Court's flirtation with the non-delegation doctrine, and next term's reconsideration of Chevron v. Natural Resources Defense Council should caution federal agencies in the exercise of their rulemaking powers. Yet with respect to rules relating to tribes and tribal lands, the opposite is happening. We'll discuss how several of the Biden Administration's pending rules governing the fee-to-trust process, compact approvals, tribal water quality standards, and other issues may harm state and local governments and the challenges these rules are likely to face.	Jena MacLean & Sarah Hugues  <b>Moderator:</b> Beth Anne Childs
2:30PM to 3:30PM	Fiesta 3,4,6	First Amendment Audits - How to Handle and Protect Against Liability	There has been an increase in private citizens, known as First Amendment Auditors, engaging in activities against local governments designed to provoke a response that violates the First Amendment. First Amendment audits typically involve an individual photographing or filming his or her surroundings from a public space, and is often categorized by its practitioners as activism and citizen journalism designed to test whether local government officials will uphold the auditor's constitutional rights – including the right to photograph and video record in a public space. There is a growing consensus of federal Courts of Appeals holding that the First Amendment generally protects the rights of citizens to film or record public officials, including police officers, performing their duties in public. However, the right to film is not absolute, as it is subject to a reasonable time, place and manner restriction. It is important for local governments to understand the rights involved and how to distinguish protected behavior from unprotected behavior, so as to ensure these matters are appropriately handled by local government officials in order to limit potential liability.	James Benjamin & Bambi Glenn  <b>Moderator:</b> Patricia Beety
2:30PM to 3:30PM	Fiesta 1,2,5	Drones as a First Responder	Drones as first responders (DFR) are force multipliers for law enforcement. But, many see them as invasive and ripe for abuse by government overreach. When a local government proactively explains, engages, and informs the public about its intended use of unmanned aerial systems, the result can be a win for law enforcement and the community. In this presentation, Brookhaven Police Lieutenant Abrem Ayana will discuss the mechanics and uses of DFR in support of law enforcement and de-escalation of police-citizen encounters. Chris Balch will demonstrate how engaging and seeking out input from advocacy groups, prosecutors, and the community can establish the dialogue necessary to have new police programs embraced by a suspicious public. Materials will include the DFR Policy developed and adopted by Brookhaven, examples of the program in action, and discussion of how to navigate the lack of clear court direction when establishing a DFR program.	Chris Balch & Lt. Abrem Ayana  <b>Moderator:</b> Rose Humway-Warmuth
2:30PM to 3:30PM	Flores 4	Governing with Diversity, Equity and Inclusion as Fundamental Principles	Addressing community issues such as lack of access to affordable housing and infrastructure, economic and health disparities, sustainability, and systemic racism requires sound legal advice. Best practices include creating an environment where creative solutions to social issues are valued and respected and diversity, equity, and inclusion (DEI) are fundamental principles. This discussion will include DEI policies and state preemptions surrounding these policies, including structural racism initiatives; anti-LGBTQ+ legislation; environmental, social and governance limitations; and the resulting protests surrounding these issues.	Jeannine Williams  <b>Moderator:</b> Kristin Bray
3:30PM to 3:45PM	Flores Foyer	Coffee Break		
3:45PM to 4:45PM	Flores 4	Governing with Diversity, Equity and Inclusion as Fundamental Principles	Addressing community issues such as lack of access to affordable housing and infrastructure, economic and health disparities, sustainability, and systemic racism requires sound legal advice. Best practices include creating an environment where creative solutions to social issues are valued and respected and diversity, equity, and inclusion (DEI) are fundamental principles. This discussion will include DEI policies and state preemptions surrounding these policies, including structural racism initiatives; anti-LGBTQ+ legislation; environmental, social and governance limitations; and the resulting protests surrounding these issues.	Jeannine Williams  <b>Moderator:</b> Kristin Bray

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
3:45PM to 4:45PM	Flores 5	Cruising the Circuits	A timely and fast-paced review of recent federal circuit court cases.	Doug Haney  <b>Moderator:</b> Wynetta Massey
3:45PM to 4:45PM	Flores 6-8	When do States and Local Governments Matter? A Federal Indian Law Regulatory Update	Even to the casual observer, recent decisions have signaled the U.S. Supreme Court's growing disapproval of the Executive Branch's seemingly unfettered exercise of regulatory authority. Application of the "major questions" doctrine, the Court's flirtation with the non-delegation doctrine, and next term's reconsideration of Chevron v. Natural Resources Defense Council should caution federal agencies in the exercise of their rulemaking powers. Yet with respect to rules relating to tribes and tribal lands, the opposite is happening. We'll discuss how several of the Biden Administration's pending rules governing the fee-to-trust process, compact approvals, tribal water quality standards, and other issues may harm state and local governments and the challenges these rules are likely to face.	Jena MacLean & Sarah Hugues  <b>Moderator:</b> Beth Anne Childs
3:45PM to 4:45PM	Fiesta 3,4,6	First Amendment Audits - How to Handle and Protect Against Liability	There has been an increase in private citizens, known as First Amendment Auditors, engaging in activities against local governments designed to provoke a response that violates the First Amendment. First Amendment audits typically involve an individual photographing or filming his or her surroundings from a public space, and is often categorized by its practitioners as activism and citizen journalism designed to test whether local government officials will uphold the auditor's constitutional rights – including the right to photograph and video record in a public space. There is a growing consensus of federal Courts of Appeals holding that the First Amendment generally protects the rights of citizens to film or record public officials, including police officers, performing their duties in public. However, the right to film is not absolute, as it is subject to a reasonable time, place and manner restriction. It is important for local governments to understand the rights involved and how to distinguish protected behavior from unprotected behavior, so as to ensure these matters are appropriately handled by local government officials in order to limit potential liability.	James Benjamin & Bambi Glenn  <b>Moderator:</b> Patricia Beety
3:45PM to 4:45PM	Fiesta 1,2,5	Drones as a First Responder	Drones as first responders (DFR) are force multipliers for law enforcement. But, many see them as invasive and ripe for abuse by government overreach. When a local government proactively explains, engages, and informs the public about its intended use of unmanned aerial systems, the result can be a win for law enforcement and the community. In this presentation, Brookhaven Police Lieutenant Abrem Ayana will discuss the mechanics and uses of DFR in support of law enforcement and de-escalation of police-citizen encounters. Chris Balch will demonstrate how engaging and seeking out input from advocacy groups, prosecutors, and the community can establish the dialogue necessary to have new police programs embraced by a suspicious public. Materials will include the DFR Policy developed and adopted by Brookhaven, examples of the program in action, and discussion of how to navigate the lack of clear court direction when establishing a DFR program.	Chris Balch & Lt. Abrem Ayana  <b>Moderator:</b> Rose Humway-Warmuth
3:45PM to 4:45PM	Flores 1-3	Councilmembers Gone Wild! Tips on Dealing with Challenging Councilmembers	This session will consider practical tips and strategies for the City Attorney in working with problematic City Council members.	Patrick Baker & Kimberly Rehberg <b>Moderator:</b> Lori Bluhm
4:45PM to 5:15PM	Flores 4	Nominating Committee		
5:15PM to 6:45PM	La Casa	Welcome Reception	Join all attendees for an evening of drinks, hors d'oeuvres and fun while we kick off an excellent Conference! Dress is resort casual.	

# Friday, September 29, 2023

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
7:45AM to 5:00PM	Flores Foyer	Registration & Exhibitors	Registration will close from 12:00PM to 1:30PM.	
7:30AM to 8:30AM	Hotel Waterfall	WONK Breakfast	Advance registration is required. For the WONK breakfast you will sign up for a table based on subject matter and sit down with the subject matter expert to enjoy a meal and discuss areas of interest. You can register for this breakfast online. If you already registered and would like to add the breakfast, please email trina@imla.org.	
9:00AM to 5:00PM		Canada Day	See Program Below.	
9:15AM to 10:15AM	Flores 1-4	Have Police Dogs Finally Lost Their Bite?	This interactive presentation will discuss the current national debate on whether law enforcement should continue to use police canines to bite suspects. States such as New Jersey and Washington have debated the issue. California is currently considering an assembly bill that will prohibit police canines from being used to bite suspects and not be allowed for crowd control situations. We will discuss the historical use of police canines and the issues that public entities need to address in order to maintain this important less than lethal tool.	Eugene Ramirez <b>Moderator:</b> Kuruvilla Oommen
9:15AM to 10:15AM	Flores 5-8	The Multifaceted Municipal PFAS Challenge: Understanding Permitting, Regulatory and Enforcement issues for Public Water and Wastewater Utility Counsel	PFAS is not just toxic tort for future class action, it represents an ongoing challenge for municipal water, wastewater and solid waste operations and their legal advisors. Developing federal and state regulation will impact local governments with public utility infrastructure, and understanding the science behind PFAS regulation, risk analysis, permitting and what the future holds is essential for municipal attorney who will advise their utility directors. This program will introduce participants to the nature and extent of PFAS chemicals in the municipal utility stream, the developing federal and state regulatory and policy developments that could cost locals millions and how to plan for future infrastructure development in wake of the latest environmental scare and how to use contracts, local permits and local policy to shield municipality from unnecessary liability.	Steven "Tip" Torres & Haizhou Liu <b>Moderator:</b> Barbara A. Adams
10:15AM to 10:30AM	Flores Foyer	Coffee Break		
10:30AM to 12:00PM	Flores 1-4	Dialing for Answers: Telecommunications Law Speed Dating	In rapid fire presentations, we will explore the diverse challenges facing local government counsel in the wired and wireless telecommunications, cable and broadband industries. In addition to updates on regulatory topics, we will provide steps counsel should consider to better position your community to compete for the \$44 B Broadband Equity, Access, and Deployment Program and offer insights on how to maximize returns on cell tower agreements.	Gerry Lederer, Tim Lay, Bennett Givens & Greg Caffas <b>Moderator:</b> Gail Karish
10:30AM to 12:00PM	Flores 5-8	The Dual Challenges of Climate Change and Housing Insecurity	Cities of all sizes are simultaneously grappling with the effects of climate change and the shortage of affordable housing. This presentation will explore the ways these challenges intersect. It will include real-world local government approaches for reducing greenhouse gas emissions and providing climate-resilient housing to all community segments.	Roger Horner & Ashley Becnel <b>Moderator:</b> Kimberly Rehberg
12:00PM to 1:30PM	Fiesta 7-14	All Conference Keynote & Awards Lunch	Keynote address with the following Awards to be presented: Bruce A. Noble Distinguished Canadian Municipal Lawyer Award, Local Government Fellows, Diversity, Equity and Inclusion Award	

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
1:35PM to 2:35PM	Flores 1-3	Designated Hitters: Getting the Best Results from Outside Affirmative Litigation Counsel	<p>Most IMLA members perform ordinary course legal work with in-house law departments or via third party lawyers who serve as City or County counsel. But when major affirmative litigation matters arise, many jurisdictions—even those with large and powerful Law Departments—rely on the expertise and prowess of outside law firms to redress wrongs being inflicted in their communities. For some jurisdictions, this is a common practice; for others, the retention of outside firms, particularly on a contingency basis, is a very occasional matter.</p> <p>This session will discuss the nuances of working with outside affirmative litigation counsel to achieve the best results for your local government. The panel will include senior members of the Philadelphia Law Department and a seasoned outside law firm litigator. Our discussion will cover various affirmative litigation actions in which the City has utilized outside counsel, focusing on such issues as retainer agreements, allocation of workload, communication protocols, expert witnesses, expenses, settlements, and other elements.</p>	<p>Benjamin Field, Lydia Furst &amp; Stephanie Biehl</p> <p><b>Moderator:</b> Erich Eiselt</p>
1:35PM to 2:35PM	Flores 5	My Client, My Enemy? Ethical Challenges When Representing Cities	<p>This presentation will discuss ABA Rules 1.1, 1.2, 1.3 and 1.7 when discussing the challenges faced with representing cities. Rule 1.3 addresses organizations as clients, and Comment 1 touches upon entities acting through their officers, directors, etc. Complexities arise when Rule 1.1 calls for competent representation and the need to abide by client decisions under Rule 1.2, but individual city officers find themselves in positions contrary to the city they serve. Rule 1.7 provides guidance on Conflicts of Interest. Rule 1.3 requires lawyers dealing with a city's officers to explain the nature of the relationship and address when interests diverge. This presentation will provide a variety of scenarios and pose hypothetical questions illustrating these points.</p>	<p>Alan Bojorquez</p> <p><b>Moderator:</b> Peter Letzmann</p>
1:35PM to 2:35PM	Flores 6-8	How to Stop a Leviathan	<p>Recent months have been marked by a string of corporate scandals, including FTX, Silicon Valley Bank, and Norfolk Southern. The costs of these human-made disasters fall largely on people and institutions who didn't cause them – taxpayers, governments, working families, and shareholders. And nearly all involve some degree of myopic management that trades off long-term welfare in favor of short-term gain. Shareholders, including municipal governments, play a unique role in correcting this imbalance and responding to corporate abuse. This panel explores how forward-leaning litigation and shareholder advocacy can help municipal leaders hold corporations accountable, make them internalize the costs of fraud and abuse, and deter future misconduct and tragedy.</p>	<p>Juan Carlos Sanchez</p> <p><b>Moderator:</b> Ryan Moehlman</p>
2:45PM to 3:45PM	Flores 1-3	Employment Law Section Meeting: Maintaining a Healthy Work Life Balance	<p>We can all commiserate on the long hours and heavy workload that is often demanded of our profession. In fact, many of you may have transitioned to government agencies because of the high demands of private practice. Nonetheless, maintaining a healthy work/life balance can continue to be challenging even in government practice; having a healthy balance continues to be crucial.</p> <p>Add in a challenging work environment and culture, and it significantly increases the stress and can have a substantial impact on one's physical and mental health and well-being. This presentation will touch on the "great resignation" and some of the factors that create a challenging environment and define the term "quiet firing," a term coined to explain the result of an extremely toxic culture in which there is the systemic demoralization and use of microaggressions that cause employees to resign as a result of such a culture. The presentation will also identify red flags of a challenging work environment. Finally, we hope to leave you with effective, practical ways of creating an effective work/life balance regardless of the culture you find yourself in!</p>	<p>Mindy Sanchez &amp; Jill Sanchez-Myers</p> <p><b>Moderator:</b> Robin Cross</p>

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
2:45PM to 3:45PM	Flores 5	Crisis Communication	This presentation will discuss tips and advice for the very important role that municipal lawyers and other key City figures can play in responding to public crisis at the speed of modern communication. This presentation discusses lessons learned and examples of how cities can communicate during a crisis from the perspective of a litigator and a media relations professional.	Meghan Riley & Jenny LaCoste-Caputo  <b>Moderator:</b> Janet Spugnardi
2:45PM to 3:45PM	Flores 6-8	The Local Government Role in Election Disputes	The most recent Supreme Court term provided insight into the Court's foray into significant several election law issues in which local government can and should play a role. These issues range from state legislative and congressional redistricting, partisan gerrymandering and the Independent State Legislature theory to early voting, voting by mail, absentee voting, Section 2 vote denial and vote dilution, vote suppression, ballot harvesting, out-of-precinct voting and challenges to election administration. Adding to this growing pressure is the fact that much of the litigation involving important election law issues continues to be resolved through growing reliance on the Shadow Docket and reliance on the Purcell principle particularly in cases on the cusp of an election. Local government election machinery and municipal and county administrative processes function as the core of many of these cases.	Ben Griffith  <b>Moderator:</b> Chris Balch
2:45PM to 3:45PM	Fiesta 3,4,6	Hot Topics for Counties	This presentation will discuss all the latest hot topics for county attorneys. This presentation will discuss managing AWOL elected official, Jails: working with your medical provider, managing conflicts among elected officials, providing legal counsel to appointed boards, and land use trends: local vs state control. Additional topics may be discussed.	Martha Thompson & Todd Starr  <b>Moderator:</b> Kelly Moran
2:45PM to 3:45PM	Fiesta 1,2,5	Land Use Section Meeting: The Quest for Affordable Housing—A Zoning Story	State legislators across the country are considering preemptive legislation which would allow construction of multifamily housing by right in some cases and circumventing the voter-approved general plans, building codes, and zoning regulations of the local municipalities. Some states have already passed such legislation and several others are considering legislation that would preempt local zoning and building regulations in the elusive quest for affordable housing. The impact on local cities and towns likely will have a significant impact on residential development leaving many residents upset with the results.	David Warner & Nancy Davidson  <b>Moderator:</b> Kelly Schwab
2:45PM to 3:45PM	Flores 4	Environmental Law Section Meeting: Relatively (Im)permanent: The Changing Scope of the Clean Water Act	From the initial adoption of what is now known as the Clean Water Act, the outer scope of the Act, defined by the phrase "waters of the United States" has been in flux. For example, since 2015, the definition of "waters of the United States" has changed four times (2015, 2019, 2020, 2023). This year, the U.S. Supreme Court decided the case of Sackett v. EPA, which establishes a new and very narrow definition of "waters of the United States" that differs significantly from prior regulatory definitions and introduces significant changes to the reach of the EPA and U.S. Army Corps under the Act. This session will provide an overview of the Sackett decision, discuss next steps that we might see from the EPA and Army Corps, and identify projects that city attorneys may need to reconsider in light of this ruling.	Rebecca Andrews & Shawn Hagerty  <b>Moderator:</b> Norman Dupont
3:45PM to 4:00PM	Flores Foyer	Coffee Break		
4:00PM to 5:00PM	Flores 1-3	The Wireless Industry Can Help Add Revenue to Your Rooftops and Vacant Land	This session will provide an overview of the current status of the wireless industry and its need to expand wireless facilities and how their need can benefit your community. In search of fulfillment of its "5G" promises to the government and consumers alike, the wireless industry is experiencing an urgent need to expand existing cell tower sites and seek new locations for wireless facilities. Despite this dramatic increase in demand, the cunning wireless industry has been attempting to low ball landlords with warnings about a changing wireless infrastructure market place and often times successfully reducing rental rates, despite the exact opposite reality of typical supply and demand economics. As wireless telecommunications real estate professionals, we regularly provide our clients with updated information regarding current rates and the changing state and federal laws and the opportunities available to increase revenues by negotiating renewals and expansions of existing cell tower sites, as well as locating cell towers on vacant land or the roofs of buildings. We have our fingers on the pulse of cell tower market rates for annual revenues related to such facilities. And too, we assist in the details of negotiating such deals, watching out for industry favoring "bad" landlord language.	Mike Watza & Bennett Givens  <b>Moderator:</b> Arthur Gutekunst

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
4:00PM to 5:00PM	Flores 5	Crisis Communication	This presentation will discuss tips and advice for the very important role that municipal lawyers and other key City figures can play in responding to public crisis at the speed of modern communication. This presentation discusses lessons learned and examples of how cities can communicate during a crisis from the perspective of a litigator and a media relations professional.	Meghan Riley & Jenny LaCoste-Caputo  <b>Moderator:</b> Janet Spugnardi
4:00PM to 5:00PM	Flores 6-8	The Local Government Role in Election Disputes	The most recent Supreme Court term provided insight into the Court's foray into significant several election law issues in which local government can and should play a role. These issues range from state legislative and congressional redistricting, partisan gerrymandering and the Independent State Legislature theory to early voting, voting by mail, absentee voting, Section 2 vote denial and vote dilution, vote suppression, ballot harvesting, out-of-precinct voting and challenges to election administration. Adding to this growing pressure is the fact that much of the litigation involving important election law issues continues to be resolved through growing reliance on the Shadow Docket and reliance on the Purcell principle particularly in cases on the cusp of an election. Local government election machinery and municipal and county administrative processes function as the core of many of these cases.	Ben Griffith  <b>Moderator:</b> Chris Balch
4:00PM to 5:00PM	Fiesta 3,4,6	Hot Topics for Counties	This presentation will discuss all the latest hot topics for county attorneys. This presentation will discuss managing AWOL elected official, Jails: working with your medical provider, managing conflicts among elected officials, providing legal counsel to appointed boards, and land use trends: local vs state control. Additional topics may be discussed.	Martha Thompson & Todd Starr  <b>Moderator:</b> Kelly Moran
4:00PM to 5:00PM	Fiesta 1,2,5	Municipal Finance: It Drives the System and Ignites our Communities	Municipal finance is about the revenue and expenditure decisions of municipal governments and as such is a key component in the growth and vitality of our local communities. Recognizing all things are local, in this session, learn more about the role and impact, as well as your role, in municipal finance and igniting your community.	Rita McNeil Danish  <b>Moderator:</b> Eric Shytle
6:00PM to 8:00PM	Desert Recreation District	Softball	Come play or watch the annual IMLA softball game brought to you by Best Best & Krieger! Please bring your own glove. Email cstorner@imla.org to sign up!	

## Saturday, September 30, 2023

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
9:00AM to 12:15PM	Flores Foyer	Registration & Exhibitors		
9:00AM to 10:30AM	Flores 1-4	Law Enforcement Officers and Social Media	Across the country, law enforcement agencies are struggling with their employees misusing social media at times resulting in significant discipline, the dismissal of criminal matters, increased civil liability and an erosion of public trust. This presentation will describe the law relating to the handling of this particular type of misconduct and strategies to avoid this misuse of social media from recurring. This presentation will also address strategies for building and rebuilding public trust when it is threatened by these events.	Jeb Brown & Scott Tiedemann  <b>Moderator:</b> Thomas Powers
9:00AM to 10:30AM	Flores 5-8	The Countdown to Encumbered: The 12/31/24 Sunset of ARPA	As cities implement innovative community programs and actively invest in infrastructure, the sunset of ARPA funding is quickly approaching. With this once in a lifetime opportunity coming to an end, will your city be audit ready? There are dozens of guidelines and regulations applicable to the procurement of goods and services when utilizing ARPA funds. The surest avenue for avoiding negative audit findings is implementing compliant standards at the front end of your expenditure process. Once you've attended this session, you'll understand the best strategies for procurement and contract compliance. By capitalizing on lessons learned and best practices, you will avoid claw-backs and achieve successful project completion.	Mary Beth Coburn, Jacqueline Stout & Robin Jones-Jackson  <b>Moderator:</b> Nancy Thompson



TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
10:30AM to 10:45AM	Flores Foyer	Coffee Break		
10:45AM to 12:15PM	Flores 1-4	Best Practices for Local Governments' Commitment to Racial Equity and Nondiscrimination Ordinances	The first part of the presentation will discuss development of council-level strategies for aligning advancement of racial equity in local government decision-making with the impacts resulting from local government policy, budget, and service-delivery decisions and coordination of various local government racial equity initiatives, efforts, metrics, and best practices into a holistic citywide informed approach with community engagement. The second part of the panel will discuss local non-discrimination ordinances ("NDOs"), what protected classes to include, what enforcement is appropriate, samples from across the country, and city attorney's role in enforcement of NDOs. The panel will also discuss how might the SCOTUS decision in 303 Creative v. Elenis affect municipalities' authority to enact and enforce their NDOs.	Sofia Hernandez & Susana Alcalá Wood  <b>Moderator:</b> Deanna Shahnam
10:45AM to 12:15PM	Flores 5-8	Public Comment – The Good, The Bad, and The Legal	As Leslie Knope (Amy Poehler) from the show Parks and Rec humorously stated: "What I hear when I'm being yelled at [during a public meeting] is people caring loudly at me." This presentation will explore the benefits of public comment, some of the issues commonly associated with public comment, and what you can do to address those issues.	Todd Sheeran, Neal Falgoust & Randy Van Vleck  <b>Moderator:</b> Wendy Law
1:00PM to 4:30PM	BMW Performance Center	BMW Experience	A can't miss experience where participants will drive on the track rotating through custom building driving exercise/rotation. Lunch is included and we will end the day with Professional Hotlaps. This will be the only time you won't be behind the wheel; we will let the professional instructors show you how the car could be really driven. We have limited room and advanced registration is required, please email <a href="mailto:cstorner@imla.org">cstorner@imla.org</a> .	
2:00PM to 5:00PM	La Quinta	Land Use Tours	The tour will feature the following points of interest: X Park, Old Town La Quinta, Washington Street Apartments, Civic Center Campus & Highway 111. More details can be found on our website. Advance registration is required. If you would like to add the tour to your registration, please email <a href="mailto:trina@imla.org">trina@imla.org</a> . There is an additional cost.	
6:00PM to 8:00PM	La Quinta Tennis Courts	Tennis Round-Robin	This fun doubles round robin gives you a chance to compete in a social atmosphere. The PBI professional will mix-and-match players over the course of the round robin, so you don't even need a partner to sign up. The event will begin with an action-packed clinic with great doubles drills to get participants warmed-up, having fun and ready to play. Then, they get to test their new skill during the Tennis Round Robin. Included in these events are court time, tennis balls, dynamic instruction, and professional tournament direction.	

# Sunday, October 1, 2023

TIME	LOCATION	TITLE	DESCRIPTION	SPEAKERS
8:00AM to 12:15PM	Flores Foyer	Registration & Exhibitors		
8:00AM to 8:30AM	Flores 1-5	Business Meeting		
8:00AM to 9:00AM	Flores Foyer	Coffee Break/ Passport Drawing	Participating exhibitors will provide prizes as attendees visit all exhibitor booths to be eligible for the prize drawing.	
8:45AM to 9:45AM	Flores 1-5	Writing Tips for the Municipal Lawyer	Municipal lawyers communicate in writing—from emails to legislation to legal briefs—to numerous constituencies that include judges, other lawyers, officials, staff, and members of the public. This MCLE focuses on tips for clear, straight-forward, and organized writing, with the goal of pleasing and informing the busy reader.	Elaine Zhong  <b>Moderator:</b> Jeff Dorocak
9:45AM to 10:45AM	Flores 1-5	Implicit Bias for Government Lawyers	Implicit bias is a type of bias that occurs automatically and unintentionally, but that nevertheless affects our judgments, decisions, and behaviors. Oftentimes our implicit biases affect the inclusiveness and diversity of our profession. This CLE will explore the definition of implicit bias and why it's important for government lawyers to recognize and combat their implicit biases. It will examine several types of implicit bias that may affect decision making, and will provides some tips on combating implicit bias in your practice.	Tara Kelly  <b>Moderator:</b> Deanne Durfee
10:45AM to 11:00AM	Flores Foyer	Coffee Break		
11:00AM to 12:00PM	Flores 1-5	The Safari Experience: Ethics and Practice Tips for Survival in the Wild	Come along on a safari adventure as we navigate the wilds of ethical rules in municipal attorney work. This presentation will cover ABA Rules 1.1 Competence Rule, 1.3 Diligence, Rule 1.4 Communications, Rule 1.13 Organization as Client, and Rule 5.1 Responsibilities of a Partner or Supervisory Lawyer. During this creative presentation, you will also gain wellness skills to use to battle burnout and fatigue, as well as practical tips on law practice management. At the end, we'll discuss lawyer assistance resources for whenever you need a lifeline.	Karen Blake & Ginger Wald  <b>Moderator:</b> Brad Cunningham

# California Day

## Wednesday, September 27, 2023

### Flores 6-8

## Wednesday, September 27, 2023

TIME	TITLE	DESCRIPTION	SPEAKERS
9:00AM to 9:15AM	Welcome/Opening Remarks		Joe Montes
9:15AM to 10:15AM	Section 1983 Liability: Best Practices for Cities to Manage and Mitigate Risk in a Changing World	This session will include a review of the developing landscape for municipalities to insure against liability for police activity under section 1983. Experts will provide tips and best practices for mitigating and managing risk, including through policy and contract modifications. The session will also include a discussion of the resources that insurance pools can be and provide for their members.	Mike Pott, Kevin Bibler & Karen Rogan  <b>Moderator:</b> Joe Montes
10:15AM to 10:30AM	Coffee Break		
10:30AM to 11:30AM	Conflicts of Interest for City Attorneys	When it comes to hiring a city attorney, it is safe to say that there is no one-size-fits-all approach for local governments in California. Some city attorneys are elected; most are appointed. Some are employed in-house; some are retained by contract. Some of the attorneys retained by contract are solo practitioners; some are part of a larger firm. These dynamics create a difficult landscape for city attorneys to navigate when it comes to identifying and appropriately handling conflicts of interest. This session will provide city attorneys with a framework for approaching that challenging landscape. The panelists will use hypothetical scenarios to identify when conflicts may arise, and will also discuss best practices for city attorneys to obtain client consent and waivers.	Heather Rosing  <b>Moderator:</b> Joe Montes
11:30AM to 1:00PM	Lunch and Keynote Panel IMLA and Cal Cities: How to Enhance the Value of Your Membership	Representatives from IMLA and Cal Cities will talk about how to enhance the value of your membership in both organizations by leveraging resources and opportunities.	Susana Alcala Wood & Amanda Karras
1:00PM to 2:00PM	Using Restraining Orders To Protect Communities Against Gun Violence	The San Diego City Attorney's Office is recognized as a national leader in protecting the public through the use of Gun Violence Restraining Orders (GVROs) - civil restraining orders authorized by California law that empower law enforcement to remove firearms from individuals who pose a threat to themselves or others. This session will provide an overview of the authorizing law and will focus specifically on the city attorney's role in obtaining a GVRO. The panelists will also explain the difference between a GVRO and other types of restraining orders, such as a Workplace Violence Restraining Order, and will identify the circumstances in which GVROs may be most effective.	Patricia Miranda, Cameron Haas & Det. Justin Garlow  <b>Moderator:</b> Eric Danly
2:00PM to 2:15PM	Break		

TIME	TITLE	DESCRIPTION	SPEAKERS
2:15PM to 3:30PM	Bringing It Home: A City Attorney's Perspective on Responding to Homelessness and Making Communities Safer for All	California is one of the states with the highest rates of homelessness. In this session, attorneys for large cities in California will talk about the approaches and strategies their communities have adopted to address the crisis of homelessness. They will also speak to their role in developing and executing those strategies and approaches in a way that is consistent with current case law.	Susana Alcala Wood & Valerie Flores  <b>Moderator:</b> Eric Danly
3:30PM to 3:45PM	Coffee Break		
3:45PM to 4:45PM	Sustainable Cities: Drafting Ordinances with Environmental Goals in Mind	As policymakers, cities can play a critical role in contributing to environmental sustainability. The language that a city attorney incorporates into contracts and regulations governing procurement, project management, and land uses can be a significant factor in terms of environmental impact. This panel will discuss some of the ways city attorneys have incorporated their local government's environmental objectives into such contracts and regulations. The panel will also provide an overview of recent case law for local government attorneys to be aware of in this area.	Dan Carpenter-Gold & Christopher Jensen  <b>Moderator:</b> Eric Danly

# Code Enforcement Program

Wednesday, September 27, 2023

Flores 4

## Wednesday, September 27, 2023

TIME	TITLE	DESCRIPTION	SPEAKERS
8:45AM to 9:45AM	Regulating Sin Using Code Enforcement Tools	This presentation will discuss what to consider when your client wants to regulate "sin" (a/k/a dance halls, BYOBs, and the like).	Janet Spugnardi & Trish Link
9:55AM to 10:55AM	Case Law Update	Code enforcement is necessary in every community. This presentation will discuss what the courts say about code enforcement activities.	Sherri Russell
10:55AM to 11:10AM	Coffee Break		
11:10AM to 12:10PM	Rental Registration	This presentation will cover the policy considerations, legal issues and practical complexities of adopting a rental registry for your municipality based on the experience of the City of New Orleans, who adopted its Healthy Homes rental registry ordinance in 2022.	Ashley Becnel
12:10PM to 2:00PM	Lunch (on your own)		
2:00PM to 3:30PM	Code Enforcement Issues at Large Apartment Complexes	This presentation discusses issues and strategies when handling code enforcement issues at large complexes.	Stephen Dunbar, Maggy White & Tiara Ross
3:30PM to 3:45PM	Coffee Break		
3:45PM to 4:45PM	Post-Bankruptcy Code Enforcement Experience in the Smallest City in the Smallest State in the Nation	After emerging from federal bankruptcy, the City created two programs to address the community's need for safe and affordable housing, especially with traditional New England triple-decker tenement housing stock. This presentation will discuss the City's Receivership Program that includes community benefits and Lead Poisoning Prevention Program.	Matt Jerzyk
			<b>All Day Moderator:</b> Trish Link

# Institute For Local Government Lawyers (ILGL)

Wednesday, September 27, 2023

Flores 5

## Wednesday, September 27, 2023

TIME	TITLE	DESCRIPTION	SPEAKERS
8:45AM to 9:45AM	Personnel and Employment Law	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. This presentation provides some road maps and guideposts 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.	Robin Cross
9:55AM to 10:55AM	Land Use 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.	David Warner
10:55AM to 11:10AM	Coffee Break	Held in Ballroom Foyer.	
11:10AM to 12:10PM	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
12:20PM to 1:20PM	Lunch Break	There is a separate charge.	

TIME	TITLE	DESCRIPTION	SPEAKERS
1:20PM to 2:20PM	Caught in The Middle: Ethics and Government Practice	Municipal and county governing boards are often populated with dedicated public servants who have little experience or knowledge of parliamentary procedure. Consequently, they may conduct their meetings informally, applying procedural rules loosely and perhaps even inconsistently. This relaxed 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. The following ABA Model Rules will be discussed in the presentation: 1.6, 1.7, 1.11, 1.13, 3.8, 4.1, 4.2, and 5.1.	Wynetta Massey
2:30PM to 3:30PM	Parliamentary Procedure	Municipal and county governing boards are often populated with dedicated public servants who have little experience or knowledge of parliamentary procedure. Consequently, they may conduct their meetings informally, applying procedural rules loosely and perhaps even inconsistently. This relaxed 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.	Randall Van Vleck
3:30PM to 3:45PM	Coffee Break	Held in Ballroom Foyer.	
3:45PM to 4:45PM	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
			<b>All Day Moderator:</b> Ravinder Arneja

# Canada Day Program

## Friday, September 29, 2023

### Diego

### Friday, September 29, 2023

TIME	TITLE	DESCRIPTION	SPEAKERS
9:00AM to 9:15AM	Opening Remarks		Amanda Karras & David Boghosian
9:15AM to 10:15AM	The Scope of Municipal Authority to Regulate the Environment	As the threat of climate change continues to amplify, cities across Canada find themselves walking a delicate balance between taking action while not acting outside their legislative purview. This presentation will explore the scope of municipal authority to regulate the environment, including questions like whether and to what extent cities have authority to act concurrently with other levels of government, whether cities enjoy independent jurisdiction in any of the areas they regulate, how chartered cities differ from regular municipalities, and most importantly, what actions Canadian cities can take to meaningfully reduce their emissions.	Simon Hutton <b>Moderator:</b> David Boghosian
10:15AM to 10:30AM	Coffee Break		
10:35AM to 12:00PM	Ethical Issues For Lawyers: As Seen Through the Camera Lense	A lively (and hopefully interactive) review of ethical issues arising in your favourite TV shows and movies. Attorneys to assist you, the following rules will be discussed 7.2.10, 7.2-2, 3.2-4, 3.2-7, 3.3-1, 3.2-5, 3.4-1, 3.2-3 and 3.1-2.	David Boghosian, Byron Werry & Wendy Walberg <b>Moderator:</b> David Boghosian
12:00PM to 1:30PM	Keynote and Award Lunch		
1:30PM to 2:15PM	Inclusionary Zoning	Inclusionary Zoning offers a tool for provision of affordable housing – but legislative provisions increasingly reduce flexibility in implementation. A review of the still-evolving framework and implementation of Inclusionary Zoning in Ontario, including comparison to other jurisdictions across Canada and the United States.	Mark Joblin <b>Moderator:</b> Wendy Walberg
2:15PM to 3:00PM	Privacy Commissioner Topics	Privacy is increasingly of concern to organizations and individuals alike, while at the same time increased transparency in public institutions is also demanded. While some legislation has been updated to reflect this growing concern, much of it has not been, despite changing attitudes and expectations. Most of the time, decisions are made based on best practices informed by guidance from the Privacy Commissioners. This panel will provide an update on recent, leading or interesting decisions from Privacy Commissioners across Canada that will have an impact on Commissioner decisions at the local municipal level.	Jennifer Hunter & Brian Loewen <b>Moderator:</b> Wendy Walberg



TIME	TITLE	DESCRIPTION	SPEAKERS
3:00PM to 3:45PM	Best Foot Forward, Two Steps Back? Summary Judgment Motions in Highway Non-Repair Actions	The issues at stake in an action for highway non-repair may, at first glance, seem ideal for summary judgment: did the plaintiff provide notice within the statutory notice period? Did the road authority adhere to the legislated standards for patrolling and inspection? So why do courts treat such motions skeptically when brought by road authorities? In this session we will define the perfect case for summary judgment and dissect the tactical and strategic considerations from recent cases. Leave this session equipped with practical strategies and a deeper understanding of when and how to wield this potent litigation tool.	Matt Brown & Andra Maxwell <b>Moderator:</b> Wendy Walberg
3:45PM to 4:00PM	Coffee Break		
4:00PM to 5:00PM	Cross-Canada Perspectives on Police Board Governance	Police boards play a critical role in ensuring community safety, public accountability and trust in policing. Across Canada there is a growing skepticism about the effectiveness of police board governance. In what we hope will invoke a lively discussion this panel will consider current issues in police board governance including: <ul style="list-style-type: none"> <li>- Can a Police Board be truly independent</li> <li>- Police budget approval and the impact on community safety and well-being initiatives,</li> <li>- Is there a standoff between civilian oversight, political interests and tactical decision-making</li> <li>- Considering several high profile examples, are current models working</li> <li>- Is true civilian oversight possible, or is it overshadowed by operational independence and police discretion</li> </ul>	John Traves, Katrina Swan & Heather Spicer  <b>Moderator:</b> Wendy Walberg
7:30PM	Canadian Lawyers Dinner and Darioush Wine Tasting	Invitations will be sent out to all Canadian registrants with details. This dinner is generously sponsored by Loopstra Nixon LLP.	