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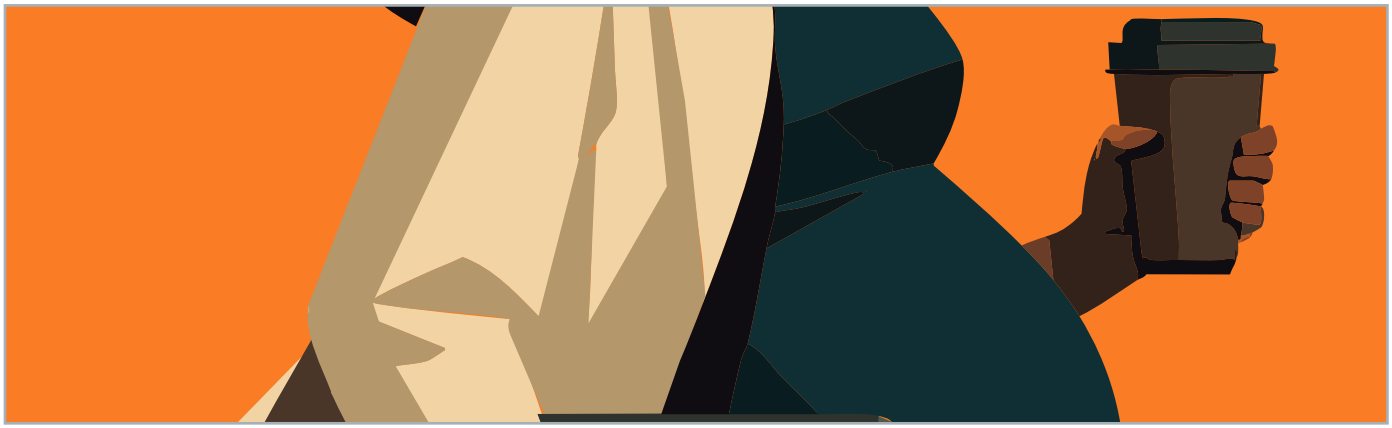
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Contents

SEPTEMBER-OCTOBER 2025

PAGE 26 | **The Pregnant Workers Act** | BY PAM HOWLAND



PAGE 30 | **DeShaney's Controversial Legacy** | BY ERICH EISELT



THE RED PAGES

8 MENTOR'S CORNER

7 Skills for Success

Contributed by: Chris Balch, Shaun Dabby Jacobs, Leann Guzman, Trish Link, Marion C. Moore, Nathan M. Nickolaus, Tamara Niles, Mandana D. Vidwan, Jeannine Williams

10 MOVIE REVIEW: IS THAT LEGAL?

Darren Shulman reviews the comedy Deep Cover

14 PRACTICE TIPS

The Hidden Cost in Our Cities: PFAS

Contributed by: Stag Liuzza

18 INSIDE CANADA

Contributed by: MCM Consulting and Legal Services, Edmonton, Alberta

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LETTER FROM THE PRESIDENT

STRONGER TOGETHER:

The Power of Colleagues Supporting Each Other

In the hustle of professional life, deadlines and deliverables often take center stage. But behind every project completed and every milestone reached is a network of people – colleagues – who, when they support one another, become one of the most valuable assets a workplace can offer.

Support among professional colleagues goes far beyond the occasional helping hand or friendly chat over coffee. It's the quiet encouragement that turns self-doubt into confidence. It's the willingness to listen, to step in when someone is overwhelmed, and to celebrate others' successes as if they were your own. In a world that often glorifies individual achievement, we forget that collaboration and mutual support are what drive long-term success.

Consider the moments when a colleague offers to review your work before a big presentation, or when a team member notices you're off your game and checks in. These aren't just acts of kindness – they're acts of leadership. They create an environment where people feel safe, valued, and motivated to do their best work.

Support also fosters resilience. When challenges arise – and they always do – knowing that your team has your back can make all the difference. A culture of support helps transform failure into a learning opportunity rather than a source of shame. It builds trust, and trust builds teams that don't just work together, but grow together.

There's no one way to support a colleague. It might mean advocating for them in meetings, sharing credit, mentoring, or even just being a sounding board. What matters is the intention: choosing to lift others as we climb.

Let's normalize asking for help and offering it freely. Let's lead with empathy and show that professionalism and compassion are not mutually exclusive. Because at the end of the day, success tastes better when it's shared.

In supporting each other, we don't just become better professionals – we become better people.

IMLA fosters numerous opportunities for local government attorneys to participate as part of a mutually supportive professional community. One of those involves attendance at the highly anticipated annual conference each year. This year's conference will be held from October 17-21, 2025 in New Orleans, LA. Attendance at IMLA's annual conference provides the opportunity to learn from colleagues from throughout North America. It will also be a fabulous setting for folks to socialize with colleagues and friends. I hope to see you there!

On a personal note, I'll be passing the gavel at this year's conference to our incoming IMLA President, Susana Alcala Wood. It has been an incredible honor to serve as IMLA's President during the past year. I owe an immense debt of gratitude to so many people I've met through IMLA – colleagues who have helped me do a better job in my role as a city attorney and folks who have become true friends.

My fellow members of the IMLA board of directors include a collection of individuals who are immensely accomplished attorneys and committed public servants. More importantly, I have found them to be a group of kind and thoughtful people. I thank all of them for their contributions to, and support of, IMLA. Of course, the true stars of IMLA are the dedicated and talented staff. Amanda Karras, Jenny Ruhe, Caroline Storer, Erich Eiselt, Deanna Shahnami, Trina Shropshire-Paschal, Avery Morris, Carolina Moore, Christine Dodd, Sean Cooley, and Chuck Thompson form an amazing team who, collectively, help make IMLA the successful organization that it is.

To all IMLA Members, I hope that you have had an enjoyable summer and I look forward to seeing many of you at this year's Annual Conference in New Orleans!

JEFFREY DANA
City Solicitor,
Providence,
Rhode Island



AMANDA KARRAS

IMLA Executive Director, Rockville, Maryland

LETTER FROM THE EXECUTIVE EDITOR

FINDING BALANCE:

OPPORTUNITIES AND CHALLENGES

This past month, our eyes turned to the District of Columbia as the federal government sought to reduce crime by assuming control of the D.C.'s police force, placing federal law enforcement in the city, and deploying the National Guard. Although Congress enacted the District of Columbia Home Rule Act in 1973, which allows D.C. to maintain a form of local self-governance, D.C. has a special relationship with the federal government, which allows the President more latitude than he would enjoy in other jurisdictions.

The Act allows the President to assume emergency control of the police if the President determines "that special conditions of an emergency nature exist which require the use of the Metropolitan Police force for Federal purposes." Such a presidential takeover is limited to 30 days or until the end of the emergency, whichever comes first. D.C. sued the President to enjoin the takeover of the police, arguing the President and Attorney General Bondi have exceeded their authority under the Home Rule Act and have acted contrary to law in violation of the APA. That action is still pending as of this writing. And while the Home Rule Act creates unique challenges for D.C., the President also mentioned other cities when he made the announcement about the police takeover in Washington, including Chicago, Baltimore, Oakland, Los Angeles, and New York City. As of this writing, the President announced he plans to deploy the National Guard to Chicago, though it remains to be seen whether the President will employ similar actions in other communities.

The deployment of National Guard troops and federal law enforcement officers to help reduce crime in a city is a different legal matter than the takeover of D.C.'s police force. One of the efforts underway in Washington, with the influx of federal troops and law enforcement, is clearing homeless encampments. According to some reports, more than 48 encampments have been cleared in just a few weeks. D.C.'s Mayor has emphasized that there is indoor shelter space available for individuals experiencing homelessness, though it is unclear if people have moved indoors or moved to a new part of the city to create new encampments.

The decision to bring in federal troops and the National Guard to respond to public safety challenges—including encampments of unhoused individuals—raises fundamental questions about governance: Who should bear responsibility for public safety, and what happens when that responsibility shifts away from the local level?

At IMLA, we have long emphasized the importance of local autonomy. Local governments are closest to the people, best positioned to understand their communities' unique challenges. They are often tasked with balancing urgent public safety concerns with the rights of their residents. The recent developments in D.C. highlight what our members across the country already know: public safety is about much more than policing. It increasingly involves addressing homelessness, addiction, mental health, and social services—all of which demand nuanced, community-specific solutions.

Federal involvement in homelessness policy is not new, but it has intensified in recent months. For example, in addition to the actions taking place in D.C., President Trump issued an Executive Order on July 24, 2025, entitled "Ending Crime and Disorder on America's Streets," (the "Homelessness EO"). The Homelessness EO seeks to move away from a housing first model to one focused on civil commitment of individuals with mental illness or those who pose a risk to themselves or the public. It also directs several agencies to set up discretionary grants for States and local governments that have policies and practices in place, including those enforcing prohibitions against urban camping and open illegal drug use.

These actions create both opportunities and challenges for local governments. Federal resources can help communities, but they come with strings attached, compliance requirements, and potential litigation risks. Local governments must carefully navigate the balance between accepting federal assistance and retaining the flexibility needed to address their community's needs.

That balance was at the heart of *Grants Pass v. Johnson*, the Supreme Court homeless encampment case decided last June. IMLA was proud to advocate for

local governments in that case, filing an amicus brief that underscored the need for localities to retain authority over how best to address homelessness in their jurisdictions, including the ability to clear encampments. The Court's decision reaffirmed that these difficult policy choices belong to local communities—not to the federal judiciary. While no ruling eliminates the challenges communities face, *Grants Pass* made clear that local governments have the constitutional space to craft solutions. As Justice Gorsuch, who authored the opinion, explained:

> Instead of encouraging "productive dialogue" and "experimentation" through our democratic institutions, courts have frozen in place their own "formulas" by "fiat." Id., at 534, 537. Issued by federal courts removed from realities on the ground, those rules have produced confusion. And they have interfered with "essential considerations of federalism," taking from the people and their elected leaders difficult questions traditionally "thought to be the[ir] province."

Whether or not clearing encampments and requiring civil commitment of homeless individuals is good policy remains to be seen, and each community may seek to address homelessness in different and nuanced ways. The Homeless EO is incentivizing those policies through discretionary grants, which localities may choose to apply for. Incentives are one thing, but taking the homeless policy decisions away from D.C.'s elected officials and forcing the clearing of encampments within the District would seem to offer some of the same problems that we saw in *Grants Pass* when the federal judiciary had prevented localities from clearing encampments in the Ninth Circuit. IMLA maintains that local elected leaders are in the best position to come up with solutions to the difficult problem of homelessness in their communities.

These developments remind us why IMLA exists: to equip local government lawyers with the tools they need to navigate evolving legal landscapes, assert local authority, and serve their communities effectively. Through our conferences, webinars, working groups, and other resources, we provide education on public safety, homelessness, federal grant compliance, and intergovernmental relations. And through our advocacy, we continue to speak collectively for local governments when the stakes are highest.

As we look ahead to our upcoming Conference in New Orleans, these themes will be front and center. From sessions on homelessness to panels on public safety, immigration, federal funding, and constitutional law, we will explore the most pressing challenges facing our members. I encourage you to join us, connect with colleagues, and share your own experiences.

Local government lawyers stand on the frontlines of some of the most complex and consequential issues of our time. Whether in Washington, D.C., Grants Pass, Oregon, or your own community, the questions of public safety, homelessness, and local autonomy are deeply intertwined. At IMLA, we are here to support you as you address them.

Warm regards,
Amanda Karras
Executive Director, IMLA



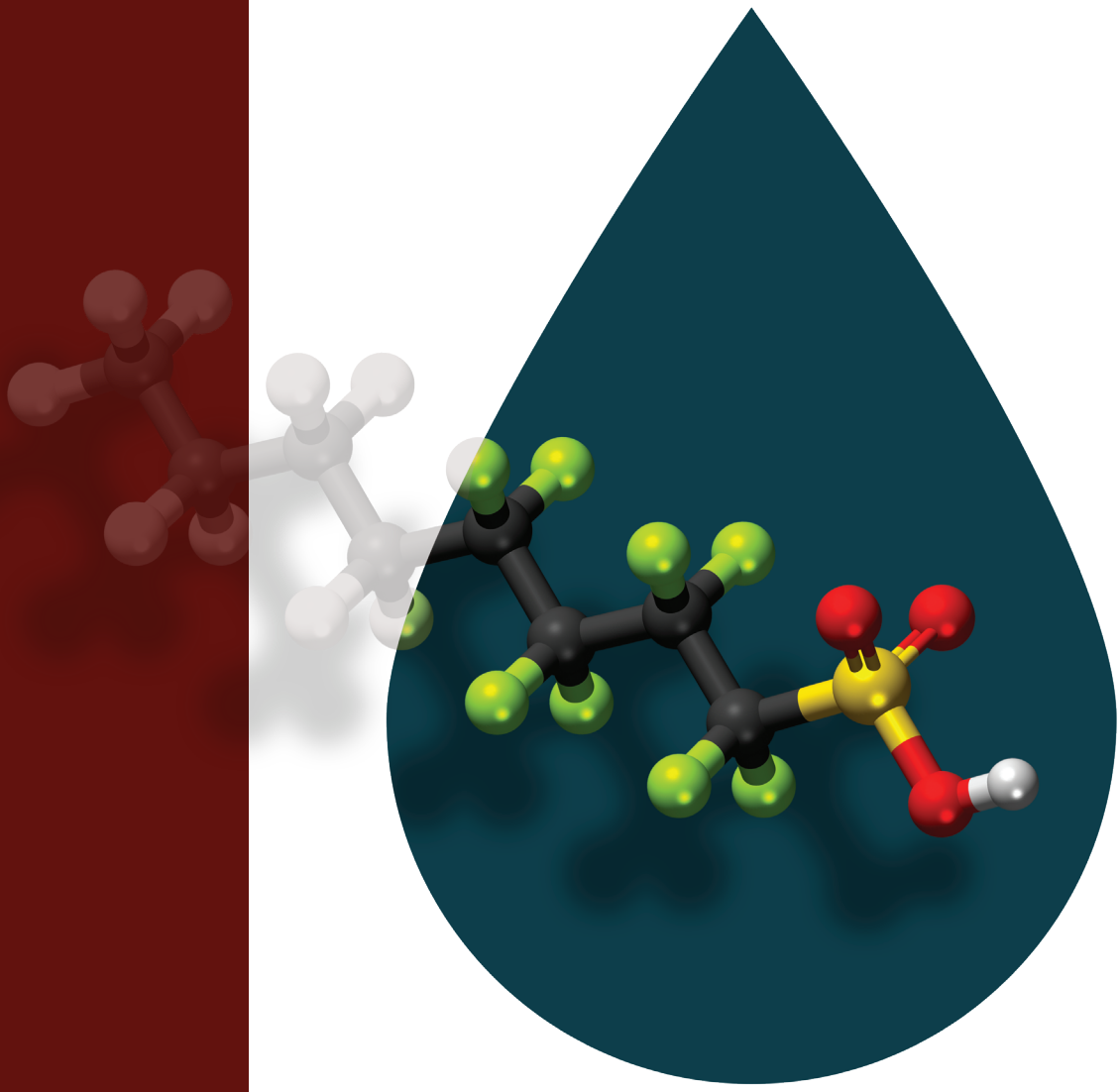


The Hidden Cost in Our Cities:

What Municipal Attorneys Must Know About PFAS Remediation

PRACTICE TIPS

Contributed by Stag Liuzza



PFAS—per- and polyfluoroalkyl substances—are a class of synthetic chemicals that have become an unavoidable environmental and legal issue for municipalities across the United States. Originally developed in the 1940s, these compounds were prized for their ability to resist heat, water, and oil. That made them ideal for use in a wide range of industrial and consumer products: firefighting foams, non-stick cookware, water-repellent fabrics, food packaging, cleaning agents, and chemical manufacturing.

TODAY, PFAS ARE EVERYWHERE.

What makes PFAS so problematic is their chemical structure. The carbon-fluorine bond is one of the strongest in nature, making these substances incredibly resistant to environmental degradation. As a result, PFAS compounds do not break down easily in soil or water. Instead, they accumulate—often undetected—for years. Once released into the environment, PFAS travel easily through air, groundwater, and stormwater systems. They have been found in drinking water sources, wastewater treatment plants, agricultural runoff, and even rainfall.

The health implications are equally serious. Research has linked long-term PFAS exposure to a range of medical concerns, including increased cholesterol, liver and kidney damage, immune system suppression, developmental issues in children, and certain cancers. Because of this, the U.S. Environmental Protection Agency (EPA) and several state agencies have begun to regulate PFAS more aggressively, imposing lower advisory levels, mandating testing, and launching enforcement actions.

This shift has brought a new layer of complexity to municipalities. PFAS can originate from many sources, including airports, military facilities, landfills, and industrial sites. Local governments are often left to identify, manage, and clean up. Cities may own impacted properties, oversee public water systems, or unknowingly contribute to PFAS migration through aging infrastructure.

Municipal legal teams must now do more than react—they must lead. Depending on a municipality's resources, complying with evolving federal and state standards, identifying sources of exposure, and preparing for insurance notice may require working with outside environmental counsel. Early stages of response include:

1. Completing initial site assessments.
2. Taking a comprehensive inventory of historically impacted properties
3. Locating past records related to firefighting foam use, landfill intake, or industrial permitting.
4. Conducting baseline testing,
5. Preserving evidence and reviewing chain-of-custody documentation,
6. Assessing potential claims,
7. And defining your legal position.

WHERE LEGAL STRATEGY MUST BEGIN

PFAS contamination rarely stems from municipal negligence. In most cases, these chemicals entered the environment through historically permitted uses—firefighting foam at airports and military bases, industrial discharges, or long-forgotten consumer waste streams. Still, municipalities are often left to manage the aftermath: testing water systems, coordinating remediation, and navigating public pressure.

Legal strategies often begin with four foundational actions:

1. Site Identification

This is the cornerstone of PFAS risk assessment. Before a city can test, report, or remediate, it must first understand where PFAS contamination is likely to exist—and why.

A. Airports are one of the highest-risk locations due to historical use of aqueous film-forming foam (AFFF) in fire suppression training and emergency response. Many municipal airports used these foams for decades, often without recordkeeping or containment infrastructure. Even decommissioned facilities may still have PFAS hotspots in soil or groundwater.

B. Fire Stations are another common source. Training exercises, equipment cleaning, and on-site foam storage have all contributed to legacy contamination. This risk applies not just to city headquarters, but to satellite stations and volunteer departments operating under the municipality's umbrella.

C. Wastewater Treatment Plants are increasingly flagged as PFAS concentrators. These facilities don't create PFAS but often receive it—from industrial users, consumer waste, and upstream stormwater. PFAS can accumulate in biosolids, which are then land-applied as fertilizer, creating long-term exposure risks that extend into agricultural zones.

D. Landfills are also a significant concern, particularly those that accepted industrial or construction waste. Leachate from landfills can carry PFAS into groundwater or surface water if not adequately contained or monitored. Older facilities, closed before PFAS was regulated, often lack modern liners or reporting systems. Other frequently overlooked sites include:

E. Decommissioned military bases or training grounds previously leased to the city.

F. Public works yards storing old firefighting or industrial supplies.

G. Industrial parks where city leases may obscure PFAS use by tenants.

H. Schools or athletic facilities using artificial turf containing PFAS-derived chemicals.

2. Historical Usage Audit

Once priority sites are identified, the next step is investigating past activity. Without a paper trail, proving that a city was unaware of the contamination, used best practices, or is eligible for funding or reimbursement becomes difficult. And in litigation, lack of documentation is often interpreted as negligence. Reviewing procurement records, contracts, permitting files, insurance policies, and vendor agreements explains how PFAS-containing products entered city systems and who may share responsibility. This may involve:

A. Pulling AFFF purchasing logs and disposal records from fire department Reviewing building permits and utility extensions for industrial tenants

B. Interviewing long-time public works staff or retirees with historical knowledge.

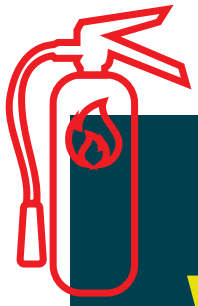
C. Searching archived council meeting minutes for funding or procurement decisions.

D. Locating insurance carriers from the relevant time period to preserve coverage claims.

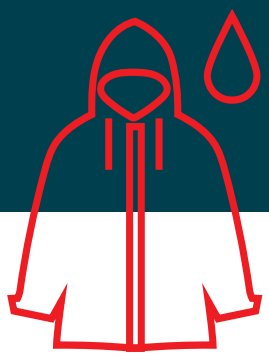
3. Funding Strategy

Legal strategy must also include a funding roadmap. While EPA enforcement is increasing, so is the availability of grants, revolving loan funds, and cost recovery pathways tied to PFAS. The challenge is timing: funding programs often have narrow windows, strict eligibility requirements, and documentation thresholds that cities must meet in advance.

A. Ensure environmental consultants and engineers are documenting sampling in legally defensible ways



WASTEWATER TREATMENT PLANTS ARE INCREASINGLY FLAGGED AS PFASCONCENTRATORS.



WITHOUT A PAPER TRAIL, PROVING THAT A CITY WAS UNAWARE OF THE CONTAMINATION, USED BEST PRACTICES, OR IS ELIGIBLE FOR FUNDING OR REIMBURSEMENT BECOMES DIFFICULT.

B. Review terms and conditions of state or federal funding agreements to avoid unintended liability waivers

C. Coordinate with financial officers to identify matching fund opportunities

D. Preserve cost documentation for reimbursement down the line

E. Notify insurers to preserve potential claims—even if lawsuits haven't yet been filed

4. Communications Planning
Even when cities act responsibly, the perception of inaction can damage trust and create legal exposure. PFAS affects more than infrastructure—it affects public opinion, agency relationships, and political capital. A city that communicates early and often is more likely to be seen as a partner—not a polluter. Early planning includes:

A. Public meeting talking points that communicate transparency while protecting the city's legal position, Press releases and FAQs that explain what PFAS is, what the city is doing, and why action takes time.

B. Internal coordination protocols so that water boards, public works, and legal speak with one voice.

C. Pre-drafted templates for community notices in the event of an EPA contact or test result exceedance.

BUT IT DOESN'T STOP AT PFAS.

PFAS may be the most urgent environmental challenge today, but it's not the last. Municipalities are now facing a wave of interrelated risks:

A. Lead pipe replacement mandates.

B. Emerging contaminants like 1,4-dioxane.

C. New stormwater retention rules.

D. Flood resilience requirements tied to climate policy.

E. Biosolid restrictions affecting waste management.

F. Increased scrutiny of pesticide and fertilizer runoff.

Many of these will follow the same pattern: delayed regulation, surprise enforcement, and expensive cleanup. Cities that have legal frameworks in place—ones that promote documentation, interdepartmental coordination, and proactive funding—will be better prepared.

REAL CITIES. REAL CHOICES.

The outcome often comes down to one thing: when legal leadership enters the conversation. Early engagement results in preparedness, access to funds, and community trust. Late engagement results in scramble, liability, and missed opportunities.

The lesson? No city is immune, but every city has a choice. The right legal strategy—carried out at the right time—can mean the difference between recovery and regret. **ML**

Looking Ahead: Join Us in NOLA
Stag Liuzza, LLC's foundational expertise lies in environmental and complex litigation, emphasizing plaintiff-centric approaches. Our professional commitment is steadfast: to advocate for and protect the rights of cities and municipalities, ensuring both justice and environmental integrity.

This October, the Stag Liuzza team will continue this conversation at the IMLA Annual Conference in New Orleans. Attending the conference means a chance to learn what's ahead for municipal PFAS litigation—to understand not only litigation, but infrastructure, risk allocation, and the evolving regulatory frameworks driving these cases. More information is also available at www.cleangroundwater.com.



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