Thursday, April 23rd
Day One: Land Use Institute

This year’s theme: “Addressing Sustainability and Resilience in Your Land Use and Environmental Practice”

7:30-8:30am     Registration and Continental Breakfast

8:30-9:00am     Welcome
Martha Harrell Chumbler, Carlton Fields, P.A., Tallahassee, FL and Chair, ABA State and Local Government Law Section

Course Overview
Frank Schnidman, former Distinguished Professor of Urban and Regional Planning; former John M. DeGrove Eminent Scholar; Chair, Florida Atlantic University; and, ABA Section of State and Local Government Law 2019 Lifetime Achievement Awardee, Deland, FL

9:00-10:45am    Update on Planning, Land Use, and Eminent Domain Decisions
A panel discussion of recent court decisions, providing a common foundation for all registrants to build a better understanding of the current state of land use law. Among the subject areas where cases will be addressed (subject to change) are: Affordable Housing/Housing the Homeless; Climate Change; Comprehensive Planning; Drones and Unmanned Aircraft; Eminent Domain; Exactions; First Amendment-Signs; Historic Preservation; Impact Fees; Moratoria; Personal Transportation Vehicles; Pre-emption; Public Trust; Religious Land Use, Short-Term Rentals; Takings; Urban Agriculture; Variances; Vested Rights and Wetlands.

Amy Brigham Boulris, Gunster, Miami, Florida
Hon. Peter Buchsbaum (ret.), New Jersey Superior Court (ret.), Trenton, NJ
Brian J. Connolly, Otten Johnson Robinson Neff + Ragonetti, PC, Denver, CO
W. Andrew Gowder, Jr., Austen & Gowder, Charleston, SC
Wendie L. Kellington, Kellington Law Group, Lake Oswego, OR
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Deborah Rosenthal, FitzGerald Yap Kreditor, LLP, Irvine, CA
Robert H. Thomas, Damon Key Leong Kupckak Hastert, Honolulu, HI

Moderator: Patricia E. Salkin, Provost for the Graduate and Professional Division, Touro College, New York, NY

10:45-11:00am Break

11:00am-12:00pm Annual Richard F. Babcock Faculty Address
“Overview of National and International Best Practices to Address Climate Change and Sea Level Rise”

James F. Murley, Chief Resiliency Officer (CRO) for Miami Dade County (former Chair of the Florida Energy and Climate Commission, and former Secretary of the Florida Department of Community Affairs)

Commentator(s):
Ronald L. Weaver, Stearns Weaver Miller, Tampa, FL
TBD

Introduction: Frank Schnidman, Chair, Land Use Institute

12:00-1:30pm Hot Topics Luncheon Roundtables
Each luncheon table will have a sign indicating the topic to be discussed, and the faculty member to lead the discussion of that topic. The course materials will include a brief outline of the “One Big Thing” that will be the focus of the discussion. Seating capacity allowing, participants are free to select the table topic of their choice

<table>
<thead>
<tr>
<th>Topic</th>
<th>Topic Leader</th>
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<tr>
<td>Affordable Housing</td>
<td>Hon. Peter Buchsbaum (ret.); Victor M. Marquez</td>
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<td>Eminent Domain</td>
<td>Amy Brigham Boulris; Robert H. Thomas</td>
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<td>SLAPP Suite Update</td>
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<td>First Amendment-Signs</td>
<td>Brian J. Connolly</td>
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<td>Nick v. Twp. of Scott</td>
<td>Ronald L. Weaver</td>
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1 Richard F. Babcock was one of the twentieth century’s greatest land use attorneys, and the first Chair of the predecessor to the Land Use Institute. In his honor, each year a selected faculty member presents a major address on a topic of substantial current interest.
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Redevelopment/Opportunity Zones    Paul Boudreaux
Housing the Homeless    Wendie L. Kellington; Dean J. Trantalis
Sustainability/Resilience    Sarah Adams-Schoen; Jessica Ann Bacher
The Future of Zoning    Michael Allen Wolf
Other topics    TBD, as needed

Coordinator: Patricia E. Salkin, Provost for the Graduate and Professional Division, Touro College, New York, NY

1:30-2:45pm Concurrent Sessions
Concurrent sessions provide a detailed analysis covering both traditional “nuts and bolts” and cutting-edge critical practice areas. Faculty members summarize their prepared materials, overview key aspects of the topic, and provide ample time for participant questions.

Nuts and Bolts of Land Use Practice: Amending the Comprehensive Plan

Michael Allen Wolf, Richard E. Nelson
Eminent Scholar Chair in Local Government, Professor of Law, University of Florida, Gainesville, FL

Moderator: TBA

Regulating Personal Transportation

Deborah Rosenthal, FitzGerald Yap Kreditor, LLP, Irvine, CA

Dean J. Trantalis, Mayor, City of Fort Lauderdale, FL

Moderator: Dwight Merriam, Attorney at Law, Hartford, CT

2:45-3:00pm Break
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3:00-4:15pm Concurrent Hot Topics Sessions
Concurrent sessions provide a detailed analysis covering both traditional “nuts and bolts” and cutting-edge critical practice areas. Faculty members summarize their prepared materials, overview key aspects of the topic, and provide ample time for participant questions.

Nuts and Bolts of Land Use Practice: Seeking and Dealing with Variance and Rezoning Requests
W. Andrew Gowder, Jr., Austen & Gowder, Charleston, SC
Ronald L. Weaver, Stearns Weaver Miller, Tampa, FL
Moderator: Deborah Rosenthal, FitzGerald Yap Kreditor, LLP, Irvine, CA

Short-Term Rentals and Accessory Dwelling Units
Paul Boudreaux, Professor, Stetson University College of Law, Gulfport, FL
Victor M. Marquez, CKR Law, LLP, San Francisco, CA
Dean J. Trantalis, Mayor, City of Fort Lauderdale, FL
Moderator: Robert H. Thomas, Damon Key Leong Kupckak Hastert, Honolulu, HI

4:15-4:30pm Break

4:30-6:15pm Federal Laws, Regulations, and Programs Affecting Local Land Use Decision Making
The Federal government continues to encroach upon local government decision-making through a variety of policies, programs and Executive Orders. This closing session presents major current issues as they relate to environmental protection and real estate development at the local level, including the roll-back of regulations in selected programs. Among the topics to be discussed in detail from a regulatory and policy perspective (subject to change) are: Climate Change/Sea Level Rise; Drones and Un-manned Aircraft; Endangered Species; Hazardous Materials; Historic Preservation; Housing; Hydraulic Fracturing; National Flood Insurance Program; NEPA; Pre-emption; Religious Land Use; Opportunity Zones; Water and Wetlands.

Sarah Adams-Schoen, University of Oregon School of Law, Eugene, Oregon
Brian J. Connolly, Otten Johnson Robinson Neff + Ragonetti, PC, Denver, CO
Wendie L. Kellington, Kellington Law Group, Lake Oswego, OR
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Dwight Merriam, Attorney at Law, Hartford, CT
Erica Levine Powers, Senior Assistant City Attorney, City of Atlanta Law Department, Atlanta, GA
Deborah Rosenthal, FitzGerald Yap Kreditor, LLP, Irvine, CA
Robert H. Thomas, Damon Key Leong Kupckak Hastert, Honolulu, HI

Moderator: W. Andrew Gowder, Jr., Austen & Gowder, Charleston, SC

6:15-6:30pm Concluding Comments and Invitation to the 2021 Land Use Institute
Frank Schnidman, Chair, Land Use Institute

6:30 Adjournment

6:30-7:30pm Joint Welcome Reception
Join attendees of both the Land Use Institute and the Spring Meeting of the State and Local Government Law Section, as well as other co-sponsor organizations.

Location to be determined.
Friday, April 24th  
**Day Two: Spring Meeting of State & Local Government Law Section**

This year’s theme:  
“Government in the Age of Information Technology and Social Media”

7:00-8:00 am  
Registration and Continental Breakfast

8:00-9:00 am  
Electronic Communications: Navigating the Ethical Potholes  
The pervasive use of electronic communications and social media creates potential ethical dilemmas for attorneys, particularly in government practice or whose practice involves communications with government entities. The panel will discuss some of the risks associated with the use of social media and electronic communications both with clients and other attorneys, and offer practical advice for avoiding the ethical potholes.

Mark Herron, Messer Caparello PA, Tallahassee, FL  
TBA  

*Moderator: Michael Patrick Donaldson, Carlton Fields PA, Tallahassee, FL*

9:15-9:30 am  
Break

9:15-10:45 am  
Grift, Graffiti, and Ransoms: Cybersecurity for State & Local Government  
This panel of cybersecurity and incident response specialists will address the threats to business continuity and data security facing municipalities and other local and state governments and government instrumentalities. Particular attention will be given to the special problems of critical infrastructure and working with sunshine and public records laws. The panel will further address efforts to prevent data security and business continuity events, techniques for responding to and mitigating the impacts of such events, and some of the legal framework around liability, including sovereign immunity.

Serge Jorgensen, The Sylint Group, Sarasota, FL  
Hoyt L. Kesterson II, Avertium, Phoenix, AZ  
Lai Sun Yee, Federal Coordinating Officer, FEMA Region II, FEMA, Dep’t of Homeland Security, New York, NY
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Moderator: John Ernest Clabby, Shareholder, Carlton Fields PA, Tampa, FL

10:45-11:00am Break

11:00 am-12:15 pm Government Employees and Social Media: Are Posts Protected Speech?
The proliferation of social media has caused new employment law issues for educational and governmental institutions. Use of social media by employees presents numerous issues, including the protection of employees’ 1st Amendment rights, potential retaliatory action by government or educational employers, and the need for workplace policies establishing reasonable parameter for the use of social media in the workplace. The panel will discuss the case law, as well as offering pointers for the development of social media policies.

Gregory Alan Hearing, Gray Robinson PA, Tampa, FL
Daiquiri Steele, Forrester Fellow, Tulane Law School, New Orleans, LA

Moderator: Donald David Slesnick II, Slesnick & Casey LP, Coral Gables, FL

12:15-1:15pm Lunch with Featured Speaker:
Councilman Luis Eduardo Viera, Chairman Tampa City Council, City of Tampa, FL

Introduction: TBA

1:15-1:30pm Break

1:30-2:30pm Government Transparency & Open Meetings: Is It a Meeting When No One’s in the Same Room?
One of the fundamental tenets of government transparency is the requirement that government entities headed by collegial bodies meet in the open, with the opportunity for the public to attend, and sometimes even participate. However, with the advent of virtual meetings, social media, and other digital methods of “meeting,” the traditional model of a town hall meeting often no longer occurs. The panel will discuss the application of government transparency laws to such virtual meetings, including offering warnings about those internet-enabled communications that may be subject to open meetings laws.

Donna Y. Frazier, Caddo Office of the Parish Attorney, Shreveport, LA
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Patricia Gleason, Special Counsel for Open Government, Office of Florida Attorney General, Tallahassee, FL

Diego (“Woody”) Rodriguez, General Counsel, Orlando Expressway Authority, Orlando, FL

* Moderator: Martha Harrell Chumbler, Carlton Fields PA, Tallahassee, FL

2:30-2:45pm  Break

2:45-4:00pm  Monitoring Student Social Media: Necessary for School Security or an Invasion of Privacy?
One of the legislative reactions to the shooting at the Marjory Stoneman Douglass High School, in Parkland, FL, was a bill authorizing the Florida Department of Education to contract for a system that school districts in Florida may use to monitor the social media use of their students. The panel will discuss both the implementation of that system, as well as some of its consequences.

Walter J. Harvey, General Counsel, Dade County Public Schools, Miami, FL

David A. Koperski, General Counsel, Pinellas County Public Schools, St. Petersburg, FL

Amelia Vance, Special Counsel & Director of Education Privacy, Future of Privacy Forum, Washington, DC,

* Moderator: Erika Danielle Robinson, Shelby County Public Schools, Memphis, TN

4:00-4:15pm  Break

4:15-5:30pm  Emerging Technologies (Section of Science & Technology Law)
New technology will affect the law. Three panelists will discuss: how 5g will transform what you do while mobile but introduce infrastructure issues; how important it will be for you to be able to explain what your new and wonderful AI application is actually doing; and how and when quantum computing is going to disrupt how we secure things.

Theodore Franklin Claypoole, Womble Bond Dickinson, Atlanta, GA

Randy Vito Sabbett, Cooley LLP, Washington, DC

* Moderator: Hoyt L. Kesterson II, Avertium, Phoenix, AZ
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5:30pm Adjournment