

Minnesota City Attorneys Educational Conference

February 5-6, 2010
Hotel Sofitel, Bloomington, Minnesota

Presented by: Government Training Services in cooperation with the League of Minnesota Cities



The Minnesota City Attorneys Association will continue a long tradition of presenting superior and timely legal education in 2010. The Association is pleased to announce that its 2010 Educational Conference will be return to Bloomington, Minnesota. The 1½ day event will be held at the Hotel Sofitel.

A diverse and experienced array of experts has been assembled to address the “need to know” aspects of numerous hot legal topics. Whether you work with (or in) metro or non-metro, large or small communities, this year’s Conference is guaranteed to address issues relevant to your day-to-day city business! Among the topics to be addressed during Friday general sessions are:

- ◆ City foreclosure responsibilities/options
- ◆ Utility relations
- ◆ Updates to the Americans with Disability Act
- ◆ Interim/conditional use permits
- ◆ Issues resulting from downsizing of city staffs

Another feature of Friday’s program will be a luncheon address by Chief Judge Ray Krause of the Minnesota Office of Administrative Hearings. In light of several recent court cases criticizing the adequacy of city and county local hearing records, OAH presents a viable alternative hearing process that should be considered. Judge Krause will provide a brief overview of this resource.

Once again, choice has been included in this year’s Conference agenda. After lunch on Friday, attendees can select from two, concurrent sessions: Liability Lessons learned from Joint Powers Agreements and Lessons learned from Subdivision Agreements OR Criminal Law Update which will include a one hour session on mental health issues in criminal prosecution.

Saturday morning will begin with back-to-back sessions involving the wide world of the Internet and the often confusing but exciting realm of social media. A team of presenters will take Conference registrants on a real world (yes, we will be going on-line!) tour of websites designed to maximize your Internet law searches. Next a panel of social media experts (practitioners and attorneys) will explain the benefits and pitfalls of using of all types of social media—from Facebook, LinkedIn & MySpace pages to Twitter and other blogs.

The morning will conclude with a return of the ever-popular Short Shots. While each of the topics deserves attention, they require a short amount of time; so hang onto your hats as the information will come fast and furious! A team of legal experts will present concise, 10-minute updates on: public begging, open meetings, delinquent/defaulted developers, public sector ethics policies, licenses/permits, delinquent/defaulted developers and more.

Conference Agenda

Friday, February 5, 2010

8:00 AM Check-in and Refreshments

8:30 Welcome & Announcements
Mark Walbran, President, MN City Attorneys Association and City Attorney, Owatonna

8:45 **Taking Charge & Taking Back - When Nobody's Home or Nobody Cares!**

- ◆ Cities' rights to abate nuisances & maintain property
- ◆ Recovery of costs
- ◆ Right of entry
- ◆ Bank responsibility for foreclosed properties
- ◆ Proactive neighborhood preservation tactics
Sandra Johnson, City Attorney, Bloomington;
Jan Petersen, City Attorney, St. Cloud;
Matt Staehling, Assistant City Attorney, St. Cloud

9:45 **Getting Utilities Rolling - When Highway 61 is Revisited**

- ◆ Using notices & ordinances to establish deadlines for utilities
- ◆ Who pays for utilities relocation
- ◆ Protecting against contractor claims when utilities are late
- ◆ Using the City's muscle if the project comes to a halt
James Strommen, Attorney, Kennedy & Graven, Chartered

10:15 Refreshment Break

10:30 **Issues Affecting City Services & Facilities in the New World of ADA - A presentation addressing the new definition of disability in the context of:**

- ◆ Balancing equality in participation- physical barriers in facilities, integrated setting desires & safety concerns
- ◆ From snowplowing to sidewalks-defining proper scope of covered services, programs & activities
- ◆ Figuring out the compliance web created by ADA, state /municipal building codes & the Fair Housing Act
Patricia Beety, Attorney, League of Minnesota Cities

11:15 **Conditional and Interim Uses — What and Why**

- ◆ History and use
- ◆ Distinctions
- ◆ Elements
- ◆ Old time limited CUP's
- ◆ Judicial review/burdens
George Hoff, Attorney, Hoff, Barry & Kozar P.A.

12:00 PM **Luncheon, Annual Business Meeting & Presentation**

- ◆ "The City Limits: How to Do What's Right with Less"
Raymond Krause, Chief Administrative Law Judge, MN Office of Administrative Hearings
- ◆ "Safe at Home Program"
Minnesota Secretary of State Mark Richie

CONCURRENT SESSIONS #1

1:15 **Joint Powers Means Never Having to Say You're Liable**

- ◆ Liability
- ◆ Hold harmless
- ◆ Indemnification
- ◆ Delegation of power
- ◆ Insurance issues
- ◆ Alternative forms of cooperative agreements
Chris Smith, Risk Management Attorney, League of Minnesota Cities; Dan Greenweig, Director of Operations/General Counsel, Minnesota Association of Townships

2:15 **Lessons Learned in Subdivision Agreements**

- ◆ Drafting agreements to reduce risk
- ◆ Remedies for breach of contract
- ◆ Unfinished developments
- ◆ Coping with bankruptcies
- ◆ Letters of credit
- ◆ Special assessments on forfeited properties
Timothy Keane, Attorney, Malkerson Gilliland Martin L.L.P.
Brian Neugebauer, Attorney, Ohnstad Twichell, P.C.

CONCURRENT SESSION #2

1:15 **Criminal Law Update**

- ◆ Update on the E-charging Pilot Project
Elliott Knetsch, Attorney, Campbell Knutson
- ◆ Updates on Nordstrom, Stewart & Goff Procedures
Karen Skoyles, City Attorney, Detroit Lakes
- ◆ Framed by Facebook: Using Social Media for Criminal Prosecutions
Bridget McCauley Nason, Attorney, Levander, Gillen & Miller P.A.

2:05 **Overview of Mental Health Issues in Criminal Prosecution (with a reminder of 609-115 subd.10 requirements)**
Trent Barstad, Ph.D., Post Doctoral Resident, Minnesota Consortium for Advanced Rural Psychology Training (MCARPT)

3:15 Refreshment Break

3:45 **Downsizing & Staff Reduction Strategies**

- ◆ Layoffs, salary reductions, furloughs
- ◆ Phased retirement
- ◆ Early retirement incentives
- ◆ Re-hiring retirees
Scott Lepak, Attorney, Barna, Guzy & Steffen
Lisa Wilson, Assistant City Attorney, Duluth

4:45 Adjourn

4:45-6:00 Reception

Mark Your Calendars Now!

The City Attorneys Association will once again offer a **Legislative Update** after the Minnesota Legislature completes their session. Plan now to attend this June 17, 2010 event at the Marriott Hotel in Bloomington. Staff from the League of Minnesota Cities and other topic experts will share information about legislative changes and court decisions of importance to all Minnesota cities and their legal advisers. Complete information will be available in late spring, 2010.



GOVERNMENT TRAINING SERVICES

YOUR PROVEN RESOURCE FOR MEETING
CONFERENCE, EDUCATION AND PROJECT NEEDS

Government Training Services is a non-profit organization dedicated to helping those who provide services to Minnesota citizens and communities meet current needs for knowledge and skills, plus anticipate and prepare for changes to come. We have worked with policy makers, staff and appointed officials from all levels of government and all types of non-profit agencies—and their collaborators in associations, business, higher education and community groups—since 1976.

Conference Agenda

Saturday, February 6, 2010

8:30 AM Check-in and Refreshments

9:00 Thank You AI Gore: The Internet as a City Attorney Tool

- ◆ Using the Internet for legal AND practical research
- ◆ LIVE demonstration of website searches
- ◆ Little-known websites with practical use for city attorneys
- ◆ Searching for data practices advisory opinions
- ◆ Searching for information on properties—ownership, aerial & street views
- ◆ And much more!

Melissa Manderschied, Attorney, Kennedy & Graven Chartered
Jeanna Sather, third year law student, St. Thomas School of Law

9:45 If You Don't Tweet Are You a Twit? . . . and other Social Media Dilemmas

- ◆ LIVE Internet demonstration
- ◆ Learn about the social media your clients are already using
- ◆ First Amendment, data practices and record retention issues

Hoark Haver, Communications Technician, City of Blaine; Corrine Heine, Attorney, Kennedy & Graven Chartered ; Roger Knutson, Attorney, Campbell Knutson P.A.; Debra Strahler, Web Specialist, City of Burnsville

10:30 Refreshment Break

10:45 Short Shots & Open Discussion

- ◆ Homeless Vet—Need Help—Thanks—God Bless – *Terry Adkins, City Attorney, Rochester*
- ◆ Avoid “Reply to All” like the plague! – *Korine Land, Attorney, Levander Gillen & Miller P.A.*
- ◆ What? You are in default to the City? No approval for you! – *Desyl Peterson, City Attorney, Minnetonka*
- ◆ Latest developments for the ethically inclined – *Terry Adkins, City Attorney, Rochester*
- ◆ Liquor licenses, ball fields, temporary licenses & caterers permits – *Paula Callies, Attorney, Callies Law Offices*
- ◆ Favorites from the List Serve – *Timothy Kuntz, Attorney, Levander Gillen & Miller P.A.*

12:10 PM **Wrap-Up & Questions/Comments**

12:15 Adjourn

Conference Information

LOCATION

This year's conference will be held at the **Sofitel Hotel** in Bloomington (5601 West 78th Street—take the East Bush Lake Road exit). This truly unique facility provides the perfect blend of elegance, style and state-of-the art meeting space—all with a French accent! Amenities include free parking, complimentary Wi-Fi, a 24-hour fitness center and an award-winning restaurant.

The Sofitel is holding a block of sleeping rooms on Thursday and Friday at the special rate of \$109/night plus tax. Those needing overnight accommodations should contact them directly at 952-835-1900 by Thursday, January 19, 2010. (Be sure to mention this event to obtain the reduced rate!)

FEES

An “Early Bird” fee of \$198/person applies to registrations postmarked no later than **January 8, 2010**. Fee for registrations postmarked after that date is \$230/person. All registration fees include tuition, notebook of handout materials, Friday luncheon and reception, and coffee breaks on Friday and Saturday.

REGISTRATION

To register complete and return the form included in this brochure. All registrations must be received by **January 22, 2010** (“Early Bird” deadline is **January 8, 2010**). Payment options are credit card or check (payable to Government Training Services). You may also request to be billed after the Conference (a \$10 invoicing charge is added to amount owed). **NOTE:** Approximately ten days before the Conference you will receive an electronic confirmation of your registration only if you provide an e-mail address on your registration form!



CREDITS

Applications for credit have been made to the Minnesota State Board of Continuing Legal Education, the Minnesota State Bar Association for Real Property Specialists, the Wisconsin Board of Bar Examiners, and the State Bar Association of North Dakota. Approvals are anticipated.

SPECIAL NEEDS

If you require special services, or have special dietary needs, every effort will be made to provide such accommodations. Indicate the nature of your needs on the registration form **and return no later than Friday, January 15, 2010**.

CANCELLATION

Fees will be refunded (less a \$25 service fee) if the registration is cancelled no later than **January 22, 2010**. Alternates will be accepted at any time. Should weather or other circumstances beyond our control necessitate program cancellation, notification will be posted on the WCCO websites: www.wcco.com and www.830wcco.com.

FOR FURTHER INFORMATION

Registration Questions — Catherine Dubbe, cdubbe@mngts.org, 651-222-7409 extension 200

Program Questions — Carol Schoeneck, cschoeneck@mngts.org, 651-222-7409 extension 205

Government Training Services (GTS), 2233 University Avenue West, Suite 150, St. Paul, MN 55114

651-222-7409 or Minnesota Toll Free 651-500-8547

www.mngts.org



REGISTRATION FORM

City Attorneys Educational Conference
February 5-6, 2010



First Name:

Last Name:

Firm or City Affiliation (as you wish it to appear on your nametag): _____

Street: _____

City: _____ State: _____ Zip: _____

Phone: (_____) _____ E-mail (required): _____

*NOTE: Approximately ten days before the Conference you will receive an electronic confirmation of your registration **only** if you provide an e-mail address above!*

Registration Options

- \$198/person (“**Early Bird**” registration, postmarked no later than January 8, 2010.)
- \$230/person (Regular registration postmarked after January 8, 2010.)

Program Options

To help determine room assignments indicate which Friday breakout session you will attend:

- #1 Joint Powers and Subdivision Agreements or #2 Criminal Updates

Payment Options

Enclosed is check # _____ (payable to Government Training Services) in the amount of \$ _____.

Please bill me at above address (P.O.# _____ if applicable).

Note: A \$10 invoice charge will be added to the applicable fee.

I would like to pay with a credit card. (Circle one: VISA or MasterCard or Amex)

E-mail (required): _____ Card # _____

Expiration date: _____ Card Security Code (3-digit number on back) _____

Special Needs (Return by January 15 if any apply.)

I have a dietary restriction (specify: _____).

I require some ancillary aids (i.e., sign language interpreter, large print, taped or Braille materials), please contact me at _____ (VOICE or TTY, circle one).

I require some other accommodations, please contact me at _____ (VOICE or TTY, circle one).

Return no later than January 22, 2010 to:

Government Training Services
2233 University Avenue W., Suite 150
St. Paul, Minnesota 55114

Phone: 651-222-7409 Fax: 651-223-5307

Note: Registration may be faxed **only** if you selected the “bill me” or credit card payment options.