



LEGAL COMMITTEE WORKSHOP AGENDA

September 14-15, 2019 • Tampa Convention Center • Tampa, FL

Room: 18-19

Saturday, September 14, 2019

7:30am – 6:30pm **Registration**

7:30am – 8:30am **Continental Breakfast**

8:30am – 8:45am **Legal Committee Welcome, Opening Remarks and Attendee Introductions**

Speakers: *Peter Pierotti, Legal Committee Vice Chair, Assistant City Attorney, Aviation, Albuquerque International Sunport; Michael Stephens, General Counsel and Executive Vice President, Hillsborough County Aviation Authority*

8:45am – 10:00am **Legal and Technological Issues Related to Gate/Ramp Allocation Methodologies and Delivery of Other Services to Airlines** – Accommodation provisions for Preferential Use Gates, Common Use Gate Allocation & Charging, Plug 'n' Play Options, Intellectual Property Issues, Airport-Delivered Services (e.g., Ground Handling), etc.

Moderator: *Steve Osit, Kaplan, Kirsch & Rockwell*

Speakers: *Yovannie Rodriguez, Marchena and Graham; Cameron Boyd, General Counsel, Metropolitan Airports Commission; Amy Gonzales, General Counsel, San Diego County Regional Airport Authority; TJ Roskelley, Anderson & Kreiger*

- 10:00am – 10:15am **Morning Break**
- 10:15am – 11:15am **Criminal Law Primer for Airport Attorneys.** Many airports have their own police forces, but even for those that do not, there is interaction between airport attorneys and various law enforcement agencies and officials. This session provides background for navigating the pitfalls of criminal procedure related to arrests, detainments, discovery of firearms, cash, or drugs at checkpoints, and other issues.
- Moderator: *Cynji Lee, Assistant County Attorney, Miami-Dade County Attorney's Office, Miami-Dade Aviation Department*
- Speakers: *Christy Kinard, General Counsel, Memphis International Airport; Cameron Boyd, General Counsel, Metropolitan Airports Commission, Minneapolis-St. Paul; Leila Lahbabi, Lead Counsel, Charlotte Douglas International Airport*
- 11:15am – 12:15pm **Ground Transportation Issues:** Navigating political, financial, and legal minefields relating to Rail/bus access, TNCs, and App-Based Car Rental Operations.
- Moderator: *Sheryl Bregman, Airport General Counsel, Office of the San Francisco City Attorney, San Francisco International Airport*
- Speakers: *Tim Daze, Assistant General Counsel, Los Angeles World Airports; Peter Pierotti, Legal Committee Vice Chair, Assistant City Attorney, Aviation, Albuquerque International Sunport; Dan Reimer, Daniel S. Reimer LLC*
- 12:15pm – 12:45pm **Lunch**
- 12:45pm – 1:45pm **Non-Aeronautical Development in the Sec. 163 Environment.** What does Sec. 163 mean, and how can airports take advantage of the new statutory provision in the planning process and in pursuing land transactions and development projects? What do airport directors need from their attorneys as they evaluate such deals?
- Moderator: *Erin Locklear, General Counsel, Raleigh-Durham Airport Authority*
- Speakers: *Larry Krauter, Chief Executive Officer, Spokane International Airport; Ann Morgan, Fennemore Craig (General Counsel, Reno-Tahoe Airport Authority); Pablo Nuesch, Spiegel & McDiarmid; Katie van Heuven, Kaplan, Kirsch & Rockwell*
- 1:45 – 2:45pm **What Arrangements Would You Make with Airport Tenants/Commercial Service Providers if You Could Design them From Scratch?** A discussion of the Paine Field experience and its applicability in helping airports consider what types of provisions/revisions they may want to aim for in lease and use agreements, ground transportation regulations, FBO agreements, Minimum Standards, etc.
- Moderator: *Amy Gonzalez, General Counsel, San Diego County Regional Airport Authority*
- Speakers: *Peter Kirsch, Kaplan, Kirsch & Rockwell; TJ Roskelley, Anderson & Kreiger*
- 2:45pm – 3:00pm **Afternoon Break**
- 3:00pm – 4:00pm **Passenger Service Provider Issues: Legal and Practical Approaches.** A discussion of issues that affect the provision of services (e.g. wheelchair services) to passengers, including minimum/living wage issues, third party providers hired by airlines vs. airports, compliance with the Americans with Disabilities Act, etc.

Moderator: *Elaine Rodriguez, General Counsel, Dallas-Ft. Worth International Airport;*

Speakers: *Cameron Boyd, General Counsel, Metropolitan Airports Commission, Minneapolis-St. Paul; Sheryl Bregman, Airport General Counsel, Office of the San Francisco City Attorney, San Francisco International Airport; Diane Pezanoski, Deputy Corporation Counsel, City of Chicago Department of Law; Dan Reimer, Daniel S. Reimer LLC*

4:00pm – 5:00pm **Litigation Update (Closed Session. No one representing interests adverse to airports on topics being discussed may attend during that discussion)**

Moderator: *Joseph Messina, Deputy Director of Aviation for Regulatory Affairs, Philadelphia International Airport*

Topics/Speakers: App-based rental car cases, Pouring Rights litigation, LAWA labor peace case, noise/metroplex litigation, additional cases suggested by members.

Sunday, September 15, 2019

7:30am – 7:00pm **Registration**

8:00am – 9:00am **Continental Breakfast**

9:00am – 10:00am **TSA Update – Security Issues of Concern to Airports and TSA**

Moderator: *Peter Pierotti, Legal Committee Vice Chair, Assistant City Attorney, Aviation, Albuquerque International Sunport*

Speakers: *Francine Kerner, TSA Chief Counsel; Susan Prosnitz, Deputy Chief Counsel for Regulations and Security Standards*

10:00am – 10:15am **Morning Break**

10:15am – 11:15am **FAA Legal Issues Discussion:** Structure of the Office of the Chief Counsel and relationship to the FAA Office of Airports and DOT General Counsel; federal preemption issues generally and relating to drones; inter-model issues, autonomous vehicles, rail, TNCs; how the Chief Counsel's Office can be a resource for airport lawyers

Moderator: *Susana Carbajal, Assistant Director, Austin-Bergstrom International Airport*

Speaker: *Charles Trippe, Abel Bean Law, former Chief Counsel, FAA*

11:15am – 12:15pm **Drone Detection and Mitigation --** A Discussion of FAA's May 2019 Guidance, The ACI-NA/AUVSI Blue Ribbon Task Force Interim Report, etc.

Moderator: *Ann Morgan, Fennemore Craig (General Counsel, Reno-Tahoe Airport Authority) (Invited)*

Speakers: *Eric Smith, Kaplan, Kirsch & Rockwell; Christy Kinard, General Counsel, Memphis International Airport; Chad Makovsky, Executive Vice President, Operations, Dallas-Fort Worth International Airport, Mina Makarious, Anderson & Kreiger.*

12:15pm – 1:00pm **Lunch**

- 1:00pm – 2:15pm **Biometrics and Data Privacy – Federal and State Law and Civil Rights Concerns**
- Moderator: *Michael Stephens, General Counsel and Executive Vice President, Hillsborough County Aviation Authority*
- Speakers: *William Wright, Vice President Risk, General Counsel and Governance Officer Edmonton Regional Airports Authority; Peter Pierotti, Legal Committee Vice Chair, Assistant City Attorney, Aviation, Albuquerque International Sunport; Sheryl Bregman, Airport General Counsel, Office of the San Francisco City Attorney, San Francisco International Airport.*
- 2:15pm – 2:45pm **Afternoon Break**
- 2:45pm – 3:45pm **Legal Issues Involving Technology and Data:** Can/should airports require tenants to purchase phone/data service from the airport, or charge phone/cable/telecommunication companies who provide services to airport tenants like any other concessionaire/service provider? Currently, aside from cell towers, many companies often use airport space, easements, and electrical power without charge. How should airports address 5G infrastructure? Advisability of data agreements for provision of information (e.g., such as walk times from checkpoint to gate), even if no money is exchanged, to protect the data from being monetized or distributed to third parties (other than individual customers).
- Moderator: *Peter Pierotti, Legal Committee Vice Chair, Assistant City Attorney, Aviation, Albuquerque International Sunport*
- Speakers: *Michael Stephens, General Counsel and Executive Vice President, Hillsborough County Aviation Authority, Marcos Marchena, Marchena and Graham (Outside General Counsel to Greater Orlando Aviation Authority).*
- 3:45pm – 4:45pm **Airport Law Roundtable (Closed Session. No one representing interests adverse to airports on topics being discussed may attend during that discussion)** Topics include PFAS, app-based air carriers, I.C.E. flights, requests for airports to “support” the federal census of 2020, other issues raised by members.
- Moderator: *Marcos Marchena, Marchena and Graham (Outside General Counsel to Greater Orlando Aviation Authority)*
- Speakers: TBD
- 5:00pm – 7:00pm **Exhibition Hall Grand Opening**