



ACI-NA Legal Affairs Spring Conference May 3 – 6, 2017 • Omni Amelia Island Plantation • Amelia Island

Host Airport

Sponsor



Wednesday, May 3, 2017

- 9:00am – 5:00pm **Registration**
Amelia 4 Foyer
- 9:30am – 12:00pm **Steering Group Meeting (Steering Group Members only)**
Talbot
- 1:00pm – 5:00pm **GENERAL SESSION (All general sessions will take place in Amelia 4 Ballroom)**
Amelia 4 Ballroom
- 1:00pm – 1:15pm **Welcome and Introduction – Moderator: Ann Morgan, Legal Committee Vice Chair.**
Amelia 4 Ballroom
Speakers: Steve Grossman, Chief Executive Officer, Jacksonville Aviation Authority (JAA); Debra Braga, Chief Legal Officer, JAA.
- 1:15pm – 2:15pm **FAA Update – Moderator: Tom Anderson. Speakers: Elliott Black, Director, Airport Planning and Programming, FAA; Lorraine Herson-Jones, Manager, Airport Compliance Division, FAA.**
Amelia 4 Ballroom
FAA plans for implementation of Executive Orders on regulatory moratorium, Two-for-One regulatory rollback, regulatory relief for airports, potential changes to AIP and PFC eligibility standards and processes, FAA’s study on potential revisions to noise standards, other FAA initiatives and more.
- 2:15pm – 2:30pm **Break**
Amelia 4 Foyer
- 2:30pm – 3:30pm **General Aviation Issues Affecting Airports: Lease Issues, FBOs, and User Fees**
Amelia 4 Ballroom
Moderator: Ann Morgan, Legal Committee Vice Chair, and Director, Fennemore Craig Jones Vargas (Outside General Counsel, Reno Tahoe Airport). Speakers: Nancy McNair, Counsel and Secretary, Tulsa Airports Improvement Trust; Pablo Nuesch, Spiegel & McDiarmid; Sarah Meadows, General Counsel Tucson Airport Authority; David C. Benner, Aviation Management Consulting Group, Inc. Legal Issues confronting GA/Reliever airports as leases are expiring (capital investment, term, reversion); minimum standards; AOPA assertions about fuel prices and ramp fees, and FBO issues.
- 3:30pm – 5:00pm **Litigation Update (Closed Session. No one representing interests adverse to airports)**

Amelia 4 Ballroom **on topics being discussed may attend during that discussion)** Moderator: Joseph Messina, Deputy Director of Aviation for Regulatory Affairs, Philadelphia International Airport. *Phoenix v. FAA* (Metroplex case) and ACI-NA amicus brief in Santa Monica (SMO) 9th Circuit case (Eric Pilsch, Kaplan Kirsch & Rockwell); SMO-FAA Settlement and implications for other airports (Zane Gresham, Morrison & Foerster); LAX Labor Harmony case (Ray Ilgunas, Los Angeles World Airports); A4A pre-complaint dispute resolution on per turn fees at Northwest Arkansas Regional Airport (Peter Kirsch, Kaplan Kirsch & Rockwell); A4A's Part 16 case against the Port of Portland concerning the City stormwater charges (Ian Whitlock, Port of Portland); implications for other airports of *Afoa v. Port of Seattle* (Pablo Nuesch, Spiegel & McDiarmid), *Anoka Air Charter, Inc. v. MAC*, (Tom Anderson, MAC); NLRB cases of concern to airports (Eric Smith, Kaplan Kirsch & Rockwell).

5:30pm – 6:30pm **Welcome Reception**
Marshview Terrace

Thursday, May 4, 2017

7:30am – 12:00pm **Registration**
Amelia 4 Foyer

7:30am – 8:30am **Continental Breakfast**
Amelia 4 Foyer

8:30am – 9:30am **Air Service Issues: Legal Means to Induce Air Service to Your Community** Moderator Jeffrey Letwin, Partner, Saul Ewing LLP (Outside General Counsel, Allegheny County Airport Authority – Pittsburgh International Airport). Speakers: Sheri Ernico, Director, Leigh Fisher; Candace McGraw, CEO, Cincinnati/Northern Kentucky International Airport; Joseph Messina, Deputy Director of Aviation for Regulatory Affairs, Philadelphia International Airport. What means are available for airports to attract new air service, including incentives and rate-setting methodologies that accommodate different airline business models? Are there new types of air service on the horizon?

9:30am – 10:30am **Violent Incidents at Airports: How Do Lawyers Help the Airport Respond and Recover? Part I (Includes Potential Litigation Issues to Consider)** Moderator: Debra Braga, Chief Legal Officer, JAA. Speakers: Raymond Ilgunas, General Counsel, Los Angeles World Airports-Legal Department; Mark Stevens, Director of Aviation Security, JAA; and Terrence Dlugos, Director, Jacksonville International Airport Operations. Discussion of the lawyer's role in addressing shooting incidents and getting the airport back up and running. Analysis of Jacksonville and LAX incidents.

10:30am – 10:45am **Break**
Amelia 4 Foyer

10:45am – 12:00pm **Violent Incidents at Airports: How Do Lawyers Help the Airport Communicate Effectively and Productively Throughout the Incident and Afterwards? Also, How to Help the Airport Get Back Up and Running? Part II** Moderator: Debra Braga, Chief Legal Officer, JAA. Speakers: Matt Barkett, Chief Client Officer, Dix & Eaton; Michael Stewart, Director of External Affairs, Jacksonville Airport Authority; Lourdes DeSapri, Senior Account Executive, Dix & Eaton. Legal role in initial response and handling of incident, as well as press statements, records requests, disseminating information to the public, etc. Analysis of after-effects includes issues such as how passengers are dumped from the terminal (including those out on the airside pavement) and their luggage re-screened (e.g., how to reconnect passengers with their discarded luggage and other lost items left in the terminal during the evacuation).

Noon **Adjourn for the day**

Friday, May 5, 2017

- 8:00am – 4:00pm **Registration**
Amelia 4 Foyer
- 8:00am – 9:00am **Continental Breakfast**
Amelia 4 Foyer
- 9:00am – 10:00am **Coping with Fast-Developing Protests/Demonstrations: Ensuring That Your Permitting Process and On-Site Approach Reflect the Realities of the Social Media Era Part I** *Moderator: Dan Reimer, Assistant General Counsel, Denver International Airport. Speakers: Tim Filer, Foster Pepper; Jodi Howick, Howick Law; Diane Pezanoski, Deputy Corporation Counsel, City of Chicago Department of Law.* Legal underpinnings of airport regulations and restrictions concerning demonstrations/protests in terminals.
Amelia 4 Ballroom
- 10:00am – 10:15am **Break**
Amelia 4 Foyer
- 10:15am – 11:15am **Coping with Fast-Developing Protests/Demonstrations: Ensuring That Your Permitting Process and On-Site Approach Reflect the Realities of the Social Media Era Part II.** *Moderator: Dan Reimer Assistant General Counsel, Denver International Airport. Speakers: Tim Filer, Foster Pepper, Jodi Howick, Howick Law, Diane Pezanoski, Deputy Corporation Counsel, City of Chicago Department of Law.* Legal challenges for airports in handling protests/demonstrations, such as the widespread protests that arose swiftly after issuance of President Trump's Executive Order banning travelers from certain countries.
Amelia 4 Ballroom
- 11:15am -12:00pm **Important New Developments in Securities and Tax Laws for Airport Lawyers** *Moderators Dave Bannard, Elaine Rodriguez. Speaker: Paul Maco, Bracewell.* SEC continuing disclosure requirements for bond issuers, IRS treatment of management contracts, and more.
Amelia 4 Ballroom
- 12:00pm – 1:15pm **Lunch**
Amelia 2&3 Ballroom
- 1:15pm – 2:15pm **Airport Legal Ethics for Public Agency Officials in a Post-Ethics Era Interactive Session Part I –** *Presenters: Peter Pierotti, Assistant City Attorney, Aviation, Albuquerque International Sunport; Tim Karaskiewicz, General Mitchell International Airport, Office of the Milwaukee County Corporation Counsel; Dave Mackey, Anderson & Kreiger.*
Amelia 4 Ballroom
- 2:15pm – 2:30pm **Break**
Amelia 4 Foyer
- 2:30pm – 3:30pm **Airport Legal Ethics for Public Agency Officials in a Post-Ethics Era Interactive Session Part II -** *Presenters: Peter Pierotti, Assistant City Attorney, Aviation, Albuquerque International Sunport; Tim Karaskiewicz, General Mitchell International Airport, Office of the Milwaukee County Corporation Counsel; Dave Mackey Partner, Anderson & Kreiger.*
Amelia 4 Ballroom
- 3:30pm – 5:00pm **Public Private Partnership (P3) Development Opportunities: Challenges for Airport Lawyers as a Plethora of Possibilities are Presented -** *Moderator: Mark Gardner, Deputy General Counsel, Pease Development Authority. Panelists: Paige Scott Reed, Anderson & Kreiger; Peter Kirsch, Kaplan Kirsch & Rockwell; Carlene McIntyre, Assistant General Counsel, Port Authority of New York and New Jersey; Steve Michoulas, Director, Legal Services & Legal Counsel, Vancouver Airport Authority.* Overview of P3s and the various potential development options, including large and smaller scale projects that have been undertaken or considered.
Amelia 4 Ballroom

5:00pm – 6:30pm **Jacksonville Aviation Authority Host Reception**
8 Flags Patio & Lawn Reception hosted by Jacksonville Aviation Authority at the 8 Flags Patio and Lawn immediately outside the conference area. Mingle with fellow attendees and speakers and enjoy the ambiance, food and drinks outside in the sunshine!

Saturday, May 6, 2017

7:30am – 10:00am **Registration**

Amelia 4 Foyer

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

Amelia 4 Foyer

8:30am – 9:00am **Regulatory Update - Tom Devine, General Counsel, ACI-NA.** Regulatory relief initiatives, other issues of concern to airports

Amelia 4 Ballroom

9:00am – 10:00am **TSA Update - Moderator: Bob Watson, Senior Vice President & CLO, Metropolitan Nashville Airport Authority; Speaker: Francine Kerner, Chief Counsel, Transportation Security Administration.** TSA enforcement policy, issues on the horizon facing airports and TSA, how TSA will implement Trump Administration regulatory initiatives (e.g., the Two-for-One Executive Order), and other airport security issues.

Amelia 4 Ballroom

10:00am --10:15am **Break**

Amelia 4 Foyer

10:15am – 11:45am **Contracting Methodologies/Competitive Procurements: Innovative Possibilities and Legal Constraints Moderator: Sheryl Bregman, Airport General Counsel, Office of the San Francisco City Attorney, San Francisco International Airport. Speakers: Scott Knight, Hillsborough County Aviation Authority; Yovannie Rodriguez, Marchena & Graham; Michael Stephens, General Counsel and VP for Information Technology, Hillsborough County Aviation Authority;** Basics and potential innovations in airport contracting and procurement practices, including concessions contracts, Information Technology contracts, and various contractual requirements.

Amelia 4 Ballroom

11:45pm -12:30pm **Airport Law Roundtable (Closed Session. No one representing interests adverse to airports on topics being discussed may attend during that discussion) – Moderator: Susana Carbajal, Assistant Director, Austin-Bergstrom International Airport** Labor peace agreements: is the concept spreading to more cities/airports? What is the state of the law now?; What restrictions should airports put on deploying their security/police forces to carry out the desires of an airline or other tenant?; other topics raised by attendees.

Amelia 4 Ballroom

12:30pm – 12:45pm **Legislative Update Greg Cota, Senior Director, Government and Political Affairs FAA** Reauthorization, Security Legislation, and other legislative issues of concern to airports

12:45pm **Conference Adjourns**