



TUESDAY, MAY 23, 2023

All general sessions will be in Garden Room 1.

8:00 AM – 4:00 PM **Registration**
Garden Room Foyer

8:00 AM – 12:30 PM **Legal Steering Group Meeting** (Steering Group members only)
Sabal 1 & 2

12:30 PM – 1:00 PM **Newcomers Welcome**
First time at the Legal Affairs Spring Conference? Second or third time but still getting to know people? New or new-ish to airport law? Please join in this informal welcoming opportunity.

*Led by **Ranessa Santos-Packard**, Associate General Counsel, San Diego International Airport*

1:00 PM – 1:30 PM **Conference Opening Remarks and Introductions**

***Amy Gonzalez**, General Counsel, San Diego International Airport & ACI-NA Legal Committee Chair*

1:30 PM – 2:30 PM **TSA Update**
Transportation Security Administration senior legal staff will discuss legal aspects of security at our nations' airports. The presentation will provide timely updates on TSA's latest programs and policy and will address issues raised by members, including employee screening, cybersecurity, the TSA Action Plan Program and more.

***Francine Kerner**, Chief Counsel, Transportation Security Administration*
***Mary Kate Whalen**, Principal Deputy Chief Counsel, Transportation Security Administration*
***Susan Prosnitz**, Deputy Chief Counsel for Regulations and Security Standards, Transportation Security Administration*

*Introduced by **Amy Gonzalez**, General Counsel, San Diego International Airport*



2:30 PM – 3:00 PM **Networking Break**
Garden Room Foyer

3:00 PM – 4:30 PM **Regulatory Updates**
The panelists will discuss regulatory updates critical to lawyers right now such as: Build America Buy America (BABA), Safety Management Systems (SMS), 49 CFR Parts 23 and 26 (DBE and ACDBE), the Draft FAA Policy Regarding Air Carrier Incentive Programs, and the Draft FAA Policy Regarding Processing Land Use Changes.

Melissa Allison, Partner, Anderson & Kreiger, LLP

Nicholas Clabbers, Associate, Kaplan Kirsch & Rockwell, LLP

Joe Huber, Chief Legal Officer, Cincinnati/Northern Kentucky International Airport

Dan Reimer, General Counsel, Jackson Hole Airport

Brian Werst, General Counsel, Spokane International Airport

Moderated by **Sarah Wilbanks**, Associate, Kaplan Kirsch & Rockwell, LLP

4:30 PM – 4:45 PM **Airports Cooperative Research Program (ACRP) Updates**
Hear what resources are available through ACRP and a debrief on a recent report about lessons from the pandemic.

Elizabeth Smithers, Lead Counsel, Charlotte Douglas International Airport & Chair, ACRP Legal Panel

Peter Kirsch, Partner, Kaplan Kirsch & Rockwell, LLP

4: 45 PM- 5:15 PM **ACI-NA: Beyond the Legal Conference**

Pablo Nüesch, General Counsel, ACI-NA will provide an update on the work of ACI-NA, including legislative hot topics, and give an outline of the resources available to help you in your practice.

Introduced by **Michael Stephens**, General Counsel & Executive Vice President, Hillsborough County Aviation Authority, Tampa International Airport

5:30 PM – 7 PM **Welcome Reception**
Magnolia Courtyard

WEDNESDAY, MAY 24, 2023

7:30 AM – 12:00 PM **Registration**
Garden Room Foyer

7:30 AM – 8:30 AM **Networking Breakfast**
Garden Room 2

8:30 AM – 9:30 AM **Electricity, Hydrogen and Other New Sources of Energy**

The move to cleaner energy is impacting infrastructure, business models, and legal arrangements at airports. How can airports make the most of these coming changes? Where are the legal landmines



and what is the role of the airport attorney? The panel will draw on experiences at airports throughout North America to explore these and other related issues.

William Wright, General Counsel & Governance Officer, Edmonton Regional Airports Authority

Sarah Keane, Partner, Kaplan Kirsch & Rockwell, LLP

Dan Markind, Shareholder, Flaster Greenberg PC

Peter Pierotti, Associate Director, City of Albuquerque Aviation Department

Moderated by **Joe Huber**, Chief Legal Officer, Cincinnati/Northern Kentucky International Airport

9:30 AM – 10:30 AM **Flight Disruptions & Passenger Rights**

Airline service breakdowns stemming from fluctuations in passenger numbers due to the global pandemic, staffing challenges, aging computer systems, weather, etc. have led to major travel passenger disruptions in the U.S. and Canada. How can the legal office assist? The panel will discuss how to evaluate potentially thorny issues including what airline obligations are embedded in airline use and lease agreements, insurance coverage and claims, how passengers' accessibility and language needs are best served, and other regulatory requirements on airlines and airports.

Daniel Gerber, General Counsel, Greater Orlando Aviation Authority

TJ Roskelley, Partner, Anderson & Kreiger LLP

William Wright, General Counsel & Governance Officer, Edmonton Regional Airports Authority

Moderated by **Jami Blocker**, Assistant Municipal Counselor, Oklahoma City Airport Trust

10:30 AM – 11:00 AM **Networking Break**

Garden Room Foyer

11:00 AM – 12:30PM **Litigation Update**

The panel will discuss current and recent cases of importance to airports including: PFAS MDL litigation; *Codoni v. Port of Seattle* (class action aircraft air pollution claims); *Los Angeles v. FAA* (mandating schedule for new flight procedures); *Los Angeles v. FAA* (failure to consider impact of construction noise in NEPA analysis); *US v. King County* (USG rights under Surplus Property Act); *Timberview Helicopters v. Okaloosa City* (denial of access and ANCA claims); *A4A v. City and County of San Francisco* (Market Participation Doctrine); and *Fraport Pittsburgh v. Allegheny County Airport Authority* (termination of master concessionaire).

Closed Session: no one representing interests adverse to airports on topics being discussed may attend during that discussion.

Melissa Allison, Partner, Anderson & Krieger, LLP

Peter Kirsch, Partner, Kaplan Kirsch & Rockwell, LLP

Jeff Letwin, Solicitor, Pittsburgh International Airport

Jeff Longworth, Partner, Earth & Water Law, LLC

John McLaughlin, Senior Port Counsel, Seattle-Tacoma International Airport

Eric Pilsk, Partner, Kaplan Kirsch & Rockwell, LLP

Moderated by **Joe Messina**, Senior Advisor to the Executive Team (Retired), Philadelphia International Airport and **Cameron Boyd**, General Counsel, Metropolitan Airports Commission

THURSDAY, MAY 25, 2023

8:00 AM – 4:00 PM **Registration**

Garden Room Foyer

8:00 AM – 9:00 AM **Networking Breakfast**

Garden Room 2

9:00 AM – 10:00 AM **Spaceports**

Spaceports are sites capable of launching vehicles into space, as well as launching commercial development around them. Panelists will discuss the concerns associated with mixing airports and spaceports and the different development models for spaceports and for the aerospace and innovation community that can surround them.

Adam Bird, *General Counsel, Melbourne Orlando International Airport & General Counsel, Titusville-Cocoa Airport Authority*

Sameera Kapasi Mahendru, *Senior Assistant City Attorney & Deputy Section Chief, Contracts Section, Houston Airport System*

David Steinberger, *Senior Assistant City Attorney, Denver International Airport*

Moderated by Janet Schafer, Director of Real Estate & Leasing, Houston Airport System

10:00 AM – 11:00 AM **Is It a Horse or a Zebra? How to Handle Scheduled Public Charters**

As scheduled public charters proliferate, airports struggle with how to accommodate them and their disruptive business models. The panel will discuss applicable DOT air carrier classifications, and the issues raised by the different business practices, including when and how to collect PFCs, and competitive considerations.

Christina Marshall, *Partner, Anderson & Kreiger LLP*

Steven Osit, *Partner, Kaplan Kirsch & Rockwell, LLP*

Christopher Wilson, *C.J. Wilson Law, P.A*

Moderated by Yovannie Rodriguez, Chief Administrative Officer, Greater Orlando Aviation Authority

11 AM – 11:30 AM **Networking Break**

Garden Room Foyer

11:30 AM – 12:30 PM **Aircraft Noise**

What's old is new as the United States (and other nations) considers revising long-established noise compatibility standards, potentially changing airports' relationships with their neighbors. As airports and their communities continue to deal with aircraft noise and other environmental impacts of aviation, attorneys must work through key legal issues. This panel will tackle some of those issues, including a review of the legal framework and principles, challenges to airport planning and development, and the impact of noise on affordable housing near airports.

Aircraft Noise (continued)

Carolina Potts, Assistant Chief Counsel, City of Phoenix Law Department

Eric Pilsk, Partner, Kaplan Kirsch & Rockwell, LLP

Mort Ames, Senior Counsel, City of Chicago Department of Law

Moderated by **Amy Gonzalez**, General Counsel, San Diego International Airport

12:30 PM – 1:30 PM **Networking Lunch** Sponsored by Kaplan Kirsch & Rockwell, LLP
Magnolia Courtyard

1:30 PM – 3:00 PM **Records in the Digital Age**
Creating, locating, and sharing records has become both easier and harder with the advent of so many technological options. The panel will discuss the challenges and opportunities of managing records in the digital age. What are the legal implications of digitalizing your legal office? How can you ensure you retain the electronic files you need... and purge the ones you don't? What happens when your organization stops using a platform? How do public records laws impact all these concerns?

Cameron Boyd, General Counsel, Metropolitan Airports Commission

Amber Floyd, General Counsel, Memphis-Shelby County Airport Authority

Yovannie Rodriguez, Chief Administrative Officer, Greater Orlando Aviation Authority

Elizabeth Smithers, Interim Lead Counsel, Charlotte Douglas International Airport

Moderated by **Chris Schmaltz**, General Counsel, Tucson Airport Authority

3:00 PM – 3:30 PM **Networking Break**
Garden Room Foyer

3:30 PM – 5:00 PM **Roundtable Discussion**

Interactive audience discussion focused on current issues of interest to airport lawyers.
Moderated by **Cynji Lee**, Assistant County Attorney, Miami Dade County

5:30 PM – 7 PM **Networking Reception** Sponsored by Anderson & Kreiger LLP
Corsair Lawn

FRIDAY, MAY 26, 2023

7:30 AM – 8:30 AM **Networking Breakfast**
Garden Room 2

8:30 AM – 9:30 AM **Speech and Expressive Activities**
From sidewalks to social media, the ability of local and state governments to regulate expressive activities has changed over the years. Recent U.S. caselaw is prompting airports to take another look at their advertising policies and practices. The proliferation of social media raises employee speech questions, particularly in the context of security and emergency response. And, of course, changes to what is considered a public space in airports impacts the regulation of protests and solicitations. This panel will address these and other issues regarding expressive activity at airports.

Speech and Expressive Activities (continued)

Michele Allen-Hart, Chief Legal Counsel, Louis Armstrong New Orleans International Airport

Andrew Hanson, Attorney, Metropolitan Airports Commission

Mina Makarious, Partner, Anderson & Kreiger LLP

Brian Ostler, General Counsel, Los Angeles World Airports

Moderated by **Carolina Potts**, Assistant Chief Counsel, City of Phoenix Law Department

9:30 AM – 10:00 AM **Networking Break**
Garden Room Foyer

10:00 AM – 12:00 PM **Ethics**
This interactive session will explore appropriate responses to ethical questions, examining the Model Rules of Professional Conduct, caselaw, advisory opinions, current events, and practical considerations. The panel, together with attendees, will analyze attorney-client privilege and confidentiality when business and legal advice are comingled, the implications of attorneys assuming administrative roles and responsibilities, and other situations which blur the distinction between attorney and client.

Cameron Boyd, General Counsel, Metropolitan Airports Commission

Chris Schmaltz, General Counsel, Tucson Airport Authority

Peter Pierotti, Associate Director, City of Albuquerque Aviation Department

Co-Moderated by **Don Long**, Attorney, Flora Pettit PC & Chairman, Charlottesville - Albermarle Airport Authority and **Dave Mackey**, Partner, Anderson & Kreiger LLP

12:00 PM **To-Go Box Lunches**
Garden Room Foyer

This conference is made possible in part by our generous Sponsors:

