



PROBLEM SOLVING FOR LOCAL GOVERNMENTS

Nabors, Giblin & Nickerson's 2022 Seminar

October 12 – 13, 2022

Orange County

Renaissance at Orlando Airport

DETAILED OUTLINE OF COURSE CONTENT

Title: City and County Disputes: Kumbaya or Release the Kraken?
Presenters: Lynn Hoshihara, Esq., County Attorney Okaloosa County
Nabors Giblin & Nickerson, P.A.
Kyle Bauman, Esq. City Attorney Destin, Florida
Anchors, Smith, Grimsley, PLC.

Summary of Presentation:

Having recently and successfully gone through the Governmental Conflict Resolution Process on opposite sides of the table, involving one county and nine municipalities, Lynn Hoshihara and Kyle Bauman will reflect on their experience with the Chapter 164, Florida Statutes process. This presentation will provide an overview of the Chapter 164, F.S., Governmental Conflict Resolution Process. Topics will include: the statutory process; case law; real-life examples; resolving conflicts in a professional manner; and other practice tips.

Title: The Basics of Home Rule and Preemption
Presenters: Heather Encinosa, Esq.
Nabors, Giblin & Nickerson, P.A.
Kirsten Mood, Esq.
Nabors, Giblin & Nickerson, P.A.

Summary of Presentation:

This presentation concerns constitutional and statutory powers of Florida counties and municipalities and the authority of special districts within their current statutory classification scheme. This presentation also discusses preemption of local government power in Florida more broadly and Florida county preemption of municipal power along with changes from the most recent Legislative Session.

Title: Weathering the Storm – Resiliency Projects 101

Presenters: George Nickerson, Esq.
Nabors, Giblin & Nickerson, P.A.
Evan Rosenthal, Esq.
Nabors, Giblin & Nickerson, P.A.

Summary of Presentation:

State, federal, and local governments are paying ever-increasing attention to addressing the impacts of climate change, sea level rise, and other environmental challenges through resiliency planning and major public infrastructure improvements. This presentation will focus on the role of the local government in pursuing resiliency-related capital projects, including a look at legally available funding sources such as capital assessments.

Title: P3s- Fact and Fiction

Presenters: Mark Mustian, Esq.
Nabors, Giblin & Nickerson, P.A.
Valerie Vicente, Esq.
Nabors, Giblin & Nickerson, P.A.
Ed Dion, Esq.
Nabors, Giblin & Nickerson, P.A.

Summary of Presentation:

What does a government do when an unsolicited public-private partnership proposal floats in? This session will feature a roundtable discussion of solicited and unsolicited P3s, an analysis of various types of P3s and a discussion of legal pitfalls to be wary of when entering into the same. Highlights will include successful and unsuccessful P3s for sports facilities, industrial development and general infrastructure.

Title: Federal Grants Updates, Trends, and Published Guidance:

Presenters: David Jahosky, Senior Vice President
Anser Advisory Company d/b/a Government Services Group, Inc.
Ben A. (Steve) Stevens III, CPA, Director, Assurance Services
Thomas Howell Ferguson, P.A.
Kerry Parsons, Esq.
Nabors, Giblin & Nickerson, P.A.

Summary of Presentation:

This presentation and panel discussion will focus on updates and published guidance provided by the Federal Government related to the America Rescue Plan Act and Infrastructure Acts and how it impacts local government from the legal, accounting and staffing perspectives. The presentation will also provide best practices and cautions for navigating the new Federal Acts and information on any trends in the Federal Government's response on these Act, including deobligations of funding and appeals.

Title: Bond Financing: Some Basic Dos and Don'ts
Presenter: Steve Miller, Esq.
Nabors, Giblin & Nickerson, P.A.

Summary of Presentation:

This presentation will cover various bond/debt related issues that attorneys and finance/administrative staff should be aware of even if they are not directly involved in bond or debt issuances. Matters may come across your desk that could impact an existing or future indebtedness of your client. You should be in a position to spot the issues and refer them to the appropriate people in your organization. The presentation will include topics, such as: referendum questions, reimbursement of expenditures from debt proceeds, leases and sales and other private use of bond-financed assets, management contracts, granting security interests, continuing disclosure, SEC liability for public statements and other legal subjects related to bonds and debt of a local government.

Title: Impact Fees: Where are we now?
Presenters: Heather Encinosa, Esq.
Nabors, Giblin & Nickerson, P.A.
Kerry Parsons, Esq.
Nabors, Giblin & Nickerson, P.A.

Summary of Presentation:

This presentation concerns impact fees imposed by Florida local governments to fund the capital infrastructure needs of new growth. The legal parameters and origins of these fees will be examined. Additionally, we will discuss the current status of the Florida Impact Fee Act and the challenges presented by recent amendments.

Title: Ethics in Florida Government: Earning the Public's Trust
Presenter: Michelle Anchors, Esq., Anchors Gordon, P.A.

Summary of Presentation:

All constitutional officers and employees of the State of Florida and its political subdivisions have legal obligations to comply with Florida ethics laws, as set forth in Chapter 112, Florida Statutes, and the Florida Constitution. Lawyers who represent governmental entities are frequently called upon to interpret and apply these laws in dynamic and politically motivated scenarios. This presentation is geared toward supporting those lawyers with information and a perspective that will help them navigate the law in a way that protects both the governmental employee and the public.

Title: Selfies, Snaps, Tweets and Likes: Legal Issues Faced by Local Governments in Today's Online World and Practical Solutions
Presenters: Evan Rosenthal, Esq.
Nabors, Giblin & Nickerson, P.A.
Valerie Vicente, Esq.
Nabors, Giblin & Nickerson, P.A.

Summary of Presentation:

This presentation will focus on a range of issues related to social media use (both official and personal) that impact local governments. Topics covered will include application of the Sunshine law and Florida Public Records Act to social media use by local governments, ADA/online accessibility requirements of the local governments, and First Amendment issues involving technology used by local governments. As part of the presentation, there will be a demonstration conducted, using hypothetical situation (based on real situations) to address what risks and benefits come with the local governments use of social media. The presenters will also demonstrate live and walk participants through the best practices to put into place on social media accounts of the local government and postings on local government pages to ensure compliance with the law.

Title: Land Use Litigation: Case Law and Legislative Update
Presenters: Carly Schrader, Esq.
Nabors, Giblin & Nickerson, P.A.
Elizabeth Ellis, Esq.
Nabors, Giblin & Nickerson, P.A.

Summary of Presentation:

Local governments face a variety of legal challenges based upon their land use decisions, including challenges from both applicants/property owners and third-party challengers. In addition, the legislature continues to prioritize private property rights and broaden the available statutory remedies available to would-be challengers, such as remedies available under the Bert Harris Act. This presentation will provide an overview of various types of land use litigation that local governments and their attorneys may encounter and will examine recent court decisions and changes to relevant statutory authority over the last few years, which impact on land use litigation.



TAMPA 2502 Rocky Point Drive, Suite 1062 • Tampa, Florida 33607 • (813) 281-2222 Tel.
TALLAHASSEE 1500 Mahan Drive, Suite 200 • Tallahassee, Florida 32308 • (850) 224-4070 Tel.
PLANTATION 8201 Peters Road, Suite 1000 • Plantation, Florida 33324 • (954) 315-0268 Tel.
