

Proposed Department Bylaws Amendments: Changes to Article IX regarding the Municipal Law Institute and the Emergency Response Committee

To: City Attorneys' Department Members

From: City Attorneys' Department Executive Committee

Re: Proposed Department Bylaws Amendments: Changes to Article IX regarding the Municipal Law Institute and the Emergency Response Committee

In compliance with Article XV of the Department Bylaws, the Executive Committee submits proposed Bylaw amendments and this statement in support of the amendments.

This past year, the Municipal Law Institute (MLI) Committee was informally integrated into the Attorney Development and Succession Committee (ADSC), which successfully conducted the 2025 MLI. The Executive Committee recommends amending Article IX, Sections 6 and 11 of the Department Bylaws to formally dissolve the MLI Committee and assign ongoing responsibility for the MLI to the ADSC.

The Emergency Response Committee (ERC) is in the final stages of updating the Emergency/Disaster Playbook. With the support of the current ERC members, the Executive Committee recommends amending Article IX, Section 12 of the Department Bylaws to dissolve the ERC as a standing committee. This change reflects the recognition that the ERC's responsibilities are better suited to an ad hoc committee structure.

The proposed amendments will be voted on at the Department's regular meeting at the Cal Cities Annual Conference, currently scheduled for Thursday, October 9, 2025, in Long Beach, California. If approved by a majority vote of those members in attendance, the Bylaw amendments will be effective immediately.

Proposed Amendments to City Attorney's Department Bylaws;
Revise Article IX, Sections 6, 11 and 12
(Article IX, Sections 6, 11 and 12, shown, changes in red italics)

ARTICLE IX - STANDING COMMITTEES

Section 6 – Municipal Law Institute (MLI) and MLI Committee

~~(a) — Membership — The MLI Committee shall be appointed by the president, who shall also designate its chair, with input from the outgoing chair. The term of the chair shall be one year, unless reappointed. The MLI Committee shall be composed of at least five members. A Department Officer shall serve as a liaison and attend meetings as necessary and appropriate. Appointments shall be made by the Department president after the spring conference, after consideration of the candidate's willingness and ability to attend and otherwise participate in the activities of the MLI Committee.~~

~~(b) — Term of Office — The terms of the MLI Committee and the term of the chair shall commence upon appointment as of July 1. All appointments shall be for staggered two-year terms, but the president may reappoint members.~~

~~(c) — Purpose — The MLI shall be a project of the City Attorneys Department. The purpose of the MLI Committee is to carry out the Duties and Responsibilities of the MLI, as set forth below.~~

~~(d) — Duties and Responsibilities — The MLI's mission shall be to advance the Department's purposes, as set forth in Article II by~~

~~(1) — Integrating the study of municipal law in law schools with the practice of municipal law in order to encourage and train students to work in municipal law as a profession.~~

~~(2) — Promoting, through research and scholarly exchange, an analysis of municipal law issues.~~

~~(3) — Acting as a resource to the state legislature and judiciary in the development of municipal law and supporting the legislative and legal advocacy programs of the Department.~~

~~(4) — Conducting an annual symposium on municipal law issues and when possible, in conjunction with a law school or university. The MLI Committee shall be dissolved as of November 1, 2025.~~

Section 11 – Attorney Development and Succession Committee

(a) Membership – The Attorney Development and Succession Committee shall be appointed by the President after the spring conference and shall also designate its chair, with input from the outgoing chair. The term of the chair shall be one year, unless reappointed. The Committee shall be composed of at least nine members. A Department Officer, as designated by the President, may serve as a liaison and attend meetings as necessary and appropriate.

(b) Term of Office – Appointments to the Committee shall commence upon appointment as of July 1. All appointments shall be for staggered two-year terms, but the President may re-appoint members.

(c) Duties and Responsibilities – The Committee shall be responsible for:

(1) Defining and implementing an Attorney Development and Succession Program aimed at developing and enhancing the diverse set of legal, technical, practical and interpersonal skills necessary to succeed as a city attorney or senior member of a City Attorney's Office.

(2) Providing opportunities for department members to build and expand their knowledge of both the substantive and essential skills integral to municipal law practice. Such opportunities may include, but are not limited to, educational programming and professional networking.

(3) Engaging and connecting more experienced municipal practitioners with newer attorneys or those who have had more specialized experiences in order to encourage departmental participation, connectivity, inclusion, and continuity; mentoring; effective knowledge transfer; and succession planning to benefit the profession and all Department members and cities.

(4) Serving as a resource to City Attorneys with questions or problems relating to attorney development and succession planning.

(5) Drafting publications, reports, white papers, and analyses on issues related to attorney development and succession planning as determined by the Committee to be useful to Cal Cities' membership.

(6) Conducting the Municipal Law Institute (MLI). The MLI is an annual symposium on municipal law issues, when possible, held in conjunction with a law school or university. The MLI's mission shall be to advance the Department's purposes by (1) encouraging and training law students and newer attorneys to work in municipal law; and (2) promoting, through scholarly exchange, an analysis of municipal law issues.

(d) Meetings – The Committee shall meet at least once annually at either the Spring or Annual conferences and at other times by teleconference or otherwise as may be

necessary or desirable to perform its duties. The Committee may establish subcommittees as it deems appropriate to perform its duties.

Section 12 - Emergency Response Committee

~~(a) — Membership — The Emergency Response Committee shall be appointed by the President after the spring conference and shall also designate its chair, with input from the outgoing chair. The term of the chair shall be one year, unless reappointed. The committee shall be composed of at least 7 members. A Department Officer, as designated by the President, may serve as a liaison, and attend meetings as necessary and appropriate. Special attention should be paid in selecting members to ensure rural and urban cities; small, medium, and large cities; in-house and contract city attorney's offices; and northern and southern California cities are included on the Committee.~~

~~(b) — Term of Office — The terms of the Emergency Response Committee and the chair shall commence upon appointment as of July 1. All appointments shall be staggered two-year terms, but the President may reappoint members and the chair.~~

~~(c) — Purpose — The Emergency Response Committee is designed to ensure that there is a focus on emergency and disaster related legal and practical issues to serve as a resource to the Department and its members. The Committee was formed in recognition that emergencies and disasters are unfortunately becoming more prevalent, more diverse, and of greater duration in the past. Most emergencies and disasters occur with little or no warning challenging local resources quickly. As will be set forth in the duties and responsibilities, the Emergency Response Committee will help ensure that assistance and expertise from throughout the Department can be provided when needed for disaster preparation, disaster response, and disaster recovery.~~

~~(d) — Duties and Responsibilities — The Emergency Response Committee shall be responsible for:~~

- ~~(1) — To assist Cal Cities in updating the materials and documents in the *Emergency/Disaster Playbook* and to expand the types of emergencies and disasters to which it may be used and to reflect changes in statutory or caselaw, as necessary.~~
- ~~(2) — To identify new subjects, topics, forms, and other documents that should be included in the *Playbook*.~~
- ~~(3) — To provide a cadre of experienced City Attorneys and Assistants/Deputies who can be available to assist others during a disaster or emergency.~~
- ~~(4) — To provide a resource for the Municipal Law Handbook Committee to look to for assistance in reviewing and revising the disaster and emergencies sections or in the creation of a separate or dedicated chapter.~~
- ~~(5) — To provide for the opportunity to have regular interaction with other disaster agencies (e.g., CalOES, CalFire) to update and expand resources and approaches by City Attorneys.~~

- ~~(6) — To serve as a resource for Cal Cities Lobbyist on disaster and emergency related proposed legislation as the same works its way through the state legislature.~~
- ~~(7) — To update as necessary the form agreements where in-house City Attorney Offices can provide assistance to other Department members whose clients are experiencing a disaster or emergency that recognizes the sensitivity to the ethical duties of loyalty to their client and avoids or addresses forming an attorney-client relationship.~~
- ~~(8) — To update as necessary the form agreements where municipal practitioners in private practice can provide assistance to other Department members whose clients are experiencing a disaster or emergency that address the formation of an attorney/client relationship and its impact on future business of the private municipal practitioners and their law firm.~~
- ~~(9) — To provide recommendations and serve as a resource for trainings and other educational events to educate and inform the Department and its members on the special responsibilities and duties of City Attorneys before, during, and after an emergency or disaster.~~

~~(e) — Meetings — The Emergency Response Committee shall meet at least once annually at either the Spring or Annual conferences and at other times by teleconference or video conference or otherwise as may be necessary or desirable to perform its duties. The Committee may establish subcommittees as it deems appropriate to perform its duties. The Emergency Response Committee shall be dissolved as of November 1, 2025.~~