



## Thomas B. Brown

Of Counsel

Oakland

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### PRACTICES

Environmental Land Use and  
Natural Resources

Litigation

Public Law

Real Estate and Business Law

### EDUCATION

J.D., University of California,  
Hastings College of the Law,  
1982

B.A., University of California,  
Santa Barbara, 1978

### ADMISSION

State Bar of California

Supreme Court of the United  
States

United States Court of Appeals  
for the Ninth Circuit

United States District Court for  
the Eastern District of California

United States District Court for  
the Northern District of  
California

### AFFILIATIONS

League of California Cities -  
President, City Attorneys  
Department, 2014-15

*Pronouns: he, him, his*

Thomas Brown has been with Burke since 2010. He served for eight years as the City Attorney for the City of St. Helena, and 12 years as the City Attorney for the City of Napa, prior to which he served as Senior Deputy City Attorney for the City of Berkeley.

Tom represents **public** agency clients. His practice focuses on all aspects of municipal law. He has extensive experience advising clients and litigating in **land use**, zoning and planning, the California Environmental Quality Act ("CEQA"), real property entitlements, police power, charter cities, municipal taxation, Brown Act, Public Records Act, code enforcement, intergovernmental relations, grand juries, elections, initiatives, and referenda.

Tom has successfully litigated several cases involving issues under California's open meetings law, the Brown Act. He has provided training under the Brown Act and the Public Records Act, including for the League of California Cities at its annual New Mayors and Councilmembers orientation meeting each January. He has frequently provided ethics training under AB 1234.

Tom was a visiting professor at Sonoma State University where he taught "California Land Use Law." He is a past President of the City Attorneys Department of the League of California Cities.

### RESULTS

St. Helena Triumphs in Rent Stabilization Measure

### PUBLICATIONS

Court of Appeal Holds That Selling Cannabis As Sacrament Is Not  
Religious Exercise Protected By RLUIPA

Selling Voters on Local Tax Measures

League of California Cities - First Vice-President, City Attorneys Department, 2013-14

League of California Cities - Second Vice-President, City Attorneys Department, 2012-13

League of California Cities - City Attorneys Department Nominating Committee

League of California Cities - Chair, Legal Advocacy Committee

League of California Cities - Member, Legal Advocacy Committee

League of California Cities - City Attorneys Department Municipal Law Handbook Committee, 2010-2012

League of California Cities - Co-Chair, City Attorneys Department Medical Marijuana Subcommittee, 2011-2017

## RECOGNITIONS

### REPRESENTATIVE MATTERS

- *California Building Industry Association v. City of San Jose*, 61 Cal.4th 435 (2015)
- *Building Industry Association-Bay Area v. City of Oakland*, 289 F.Supp.3d 1056 (N.D. Cal. 2018)
- *Cruz v. City of Culver City*, 2 Cal.App.5th 239 (2016)
- *McCorkle Eastside Neighborhood Association v. City of St. Helena*, 31 Cal.App.5th 80 (2018)
- *Haro v. City of Solana Beach* 195 Cal.App.4th 542 (2011)
- *Trinity Park, L.P. v. City of Sunnyvale*, 193 Cal.App. 4th 1014 (2011)
- *Disney v. City of Concord*, 194 Cal.App. 4th 1410 (2011)
- *County of Sonoma v. Superior Court*, 190 Cal. App. 4th 1312 (2010)
- *Building Industry Association v. County of Stanislaus*, 190 Cal. App. 4th 582 (2010)
- *Urban Habitat v. City of Pleasanton*, 164 Cal.App.4th 1561 (2008)
- *Hernandez v. City of Hanford*, 41 Cal.4th 279 (2007)
- *Smith v. City of Napa*, 120 Cal.App.4th 194 (2004)
- *Home Builders Association v. City of Napa*, 90 Cal. App. 4th 188, rev. den. 2001 Cal. LEXIS 6166 (Cal. Sept. 12, 2001), cert. den. 535 U.S. 954, 152 L. Ed. 2d 353, 122 S. Ct. 1356, 2002 U.S. LEXIS 1946, 70 U.S.L.W. 3595 (2002)
- *Saad v. City of Berkeley*, 24 Cal.App.4th 1206 (1994)
- *Black Property Owners Association v. City of Berkeley*, 22 Cal.App.4th 974 (1994)
- *Fisher v. County of Alameda*, 20 Cal.App.4th 12 (1993)
- *City of Berkeley v. Cukierman*, 14 Cal.App.4th 1331 (1993)