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BURKE, WILLIAMS & SORENSEN, LLP



Brian A. Pierik

Partner
San Francisco
1 California Street
Suite 3050
San Francisco, CA 94111-5432

bpierik@bwslaw.com
D: +1 415.655.8128
T: +1 415.655.8100

Pronouns: he, him, his

Education and Employment

Brian Pierik received his Bachelor of Arts degree in Political Science from Loyola University in Los Angeles and his Juris Doctor degree from Loyola School of Law.

Public Law

Brian is the City Attorney for the City of Carmel by-the-Sea and also serves as the District Counsel for the Santa Lucia Community Services District. Brian has also served as special counsel to over 40 public agencies in California in a wide range of matters including: Brown Act, Public Records Act, conflicts of interest, land use, property transactions (sales, purchases, leases, easements, licenses), LAFCO, annexations, drafting ordinances, resolutions and contracts, AB 1234 training, elections, transportation; public works, airport issues, civil rights, planning, environmental, growth control, administrative law, tort and other liability, employment law, litigation, appeals, eminent domain, inverse condemnation, land movement, and many other public law matters.

Brian has written and presented papers before the City Attorneys Department of the League of California Cities, City Attorneys' Association of Los Angeles County, California Specialized Training Institute, Public Works Officers Institute, City Clerk's Department of the League of California Cities, and Southern California Water Utilities Association.

Litigation Experience

Brian has successfully represented many public agencies throughout California in litigation in both the trial courts and appellate courts. Representative cases include:

Land Use: *City of Goleta v. Superior Court,* 40 Cal. 4th 270 (2006).

PRACTICES
Construction Law
Eminent Domain and Inverse Condemnation
Environmental Land Use and Natural Resources
Litigation
Public Law
Real Estate and Business Law

EDUCATION
J.D., Loyola Law School Los Angeles, 1974
B.A., Political Science, Loyola University, 1971

ADMISSION
State Bar of California
United States Court of Appeals for the Ninth Circuit
United States District Court for the Central District of California
United States District Court for the Eastern District of California

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The California Supreme Court ruled in favor of the City finding that a newly incorporated City has the authority to deny the Final Map.

Land Use: *Gong v. City of Rosemead,* 226 Cal. App. 4th 363 (2014). This is an important case for public agencies with regard to many issues including the discussion on Government Code Section 815.3, the Government Code claims requirement, judicial notice, and the immunity provisions of Government Code Section 818.4.

Brown Act: *Taxpayers for Livable Communities v. City of Malibu,* 126 Cal. App. 4th 1123 (2005). Brian successfully represented the City at trial of this Brown Act case.

CEQA: *SCOPE v. City of Santa Clarita,* 197 Cal. App. 4th 1042 (2011). Brian represented the City at the trial on the Petition for Writ of Mandate. The trial court ruled in favor of the City and the judgment was affirmed on appeal.

CEQA: *Save Atascadero v. City of Atascadero,* 2014 WL 3105199 (July 8, 2014). Petition for Writ of Mandate challenging the City of Atascadero's approval of the Del Rio Commercial Specific Plan. The trial court ruled in favor of the City which was sustained on appeal.

CEQA: *SCOPE v. City of Santa Clarita; Vista Canyon Ranch,* 2014 WL 7204118 (2014). Petition for Writ of Mandate alleging CEQA violations by the City on a 185 acre residential and commercial project. The trial court ruled in favor of the Petitioner. On appeal, the Court of Appeal reversed the trial court decision and ruled in favor of the City.

Election Contest: *Tran v. City of Rosemead,* LASC Case No. GS 011559 (June 2009). Petition for Writ of Mandate in which Brian successfully represented the City at trial. Former Mayor John Tran alleged the City wrongfully rejected absentee ballots on the basis of signatures which did not match the voter registration signature.

Eminent Domain: *City of Santa Clarita v. NTS Systems,* 137 Cal. App. 4th 264 (2006). Eminent domain case to acquire property for the construction of a major arterial road in the City. Brian was trial counsel for the City of Santa Clarita. The trial court ruled in favor of the City and the judgment was affirmed on appeal.

Public Works

Brian has substantial experience in all phases public works, examples include:

Springfield Interchange: Completed in 2012 on time and within budget, the Springville Interchange was constructed on U.S. 101 in the City of Camarillo at a cost $40 million. Brian assisted with many phases of the Springville Interchange Project including review of bid

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documents and advice on construction issues.

Camarillo Library: Opened in 2007, this new Library project came in on time and within budget, replacing the former library, and at 65,621 square feet is one of the best libraries in the State of California. Brian assisted with site acquisition, annexation issues with LAFCO, grant funding, and construction issues on this $28 million project.

Atascadero City Hall Project: Brian was involved in providing legal advice to the City of Atascadero on a major reconstruction project of the Atascadero Historic City Hall with a project cost of $33 million. The project was completed in 2015 on time and within budget.

Water Desalinization Plant: This City of Camarillo project began construction in 2019 and will be completed in 2021 at a cost of approximately $50 million. The Plant will treat groundwater that is high in salt content in order to provide potable water for the community. Brian has assisted in all phases of this project including site acquisition, annexation issues with LAFCO, drafting of bid documents and contracts and construction issues.

City of Santa Clarita Bridge and Roadway Projects: Brian has advised the City of Santa Clarita on numerous major bridge and roadway projects including advice on preparation of bid documents, review and analysis of bids, evaluation of bid protests, construction management issues, surety issues, liquidated damages, stop notices, change orders, extra work and delay claims and arbitration.

Real Estate

Brian has extensive experience in real property transactions, examples include:

Sale of City Property for Hotel Conference Center: A $70 million project; Brian assisted with the sale of 12 acres to the developer and the contracts for public improvements.

Sale of Rancho Simi Recreation and Park District Property: The District owns 13 acres in the City of Simi Valley that was utilized for District offices and other purposes. Brian assisted the District with sale of property for $21 million.

Purchase: Alamos Canyon, Rancho Simi Recreation and Park District. Brian assisted Park District with the acquisition of 326 acres in Alamos Canyon for open space including 55 acres of sensitive habitat.

Sale: Former Camarillo Library. Brian has assisted City staff with the potential reuse of the former library and a proposed sale to a non-profit to construct and operate a children's museum at the site.

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Purchase: Guardian Building, Rancho Simi Recreation and Park District. Brian assisted the District with purchase of a building on Guardian in the City of Simi Valley for $9 million as the new site for District Administrative Offices, recreational facilities and maintenance facilities.

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