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The Municipal Law Institute of the League of California Cities and  
The UCLA School of Law Evan Frankel Environmental Law & Policy Program  
present:

## **Local Agencies on the Cutting Edge**

### **Emerging Challenges to Local Land Use Authority: Proposition 26, the Public Trust Doctrine, RLUIPA, and Takings Law.**

**Friday, February 11, 2011  
UCLA School of Law, Room TBD**

**8:30-9:00: Registration and continental breakfast**

**9:00: Welcome**

**9:15-10:30: What does Proposition 26 mean for local government land use and  
environmental fees?**

California's Proposition 26, passed by the voters in November, will impact some municipal fees and charges by redefining them as much harder-to-enact "taxes." Our panelists will discuss the impact of Proposition 26 on various local government programs and policies, focusing on the ways that the proposition may or may not affect future local government decisions involving fees relating to land-use and environmental issues.

Betsy Strauss, *Law Offices of Betsy Strauss*  
Moderator: Cara Horowitz, *UCLA School of Law*

**10:45-12:00: RLUIPA -- A Trap For the Unwary**

This panel will discuss theory and application of the federal Religious Land Use and Institutionalized Persons Act (RLUIPA) to siting of religious institutions. Recently, there has been significant activity in this area, including a court decision in *County of Los Angeles v. Sahag-Mesrob Armenian Christian School*, emerging controversies over Islamic centers in New York and in the Riverside County city of Temecula, and other related challenges that local governments and religious institutions face.

Deborah Fox, *Meyers Nave*  
Roman Storzer, *Storzer & Greene*  
Moderator: Shelley Saxer, *Pepperdine University School of Law*

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**12:15-1:00: Lunch**

**1:15-2:45: The present and future of the public trust doctrine in California**

Our panel will address the state of the art in California's public trust doctrine. Topics will include the doctrine's effect on government decisions about development of, and access to, ports, beaches, rivers, and other shorefronts and waterways; recent efforts to broaden the scope of the public trust doctrine expanding to cover resources beyond surface water and submerged lands; and how these trends are likely to affect governments in the near future.

Noreen Ambrose, *City Attorney of San Francisco*

Sean B. Hecht, *UCLA School of Law*

James Wheaton, *Environmental Law Foundation*

Moderator: John Saurenman, *California Department of Justice*

**3:00-4:30: Cutting-edge issues in takings law**

This panel will explore current and emerging issues in takings law. Likely topics will include: The continuing stream of mobilehome rent control cases; the “Judicial Takings” theory in the wake of the recent ruling by the U.S. Supreme Court in *Stop The Beach Renourishment v Florida Department of Environmental Regulation*; emerging questions about whether application of the Endangered Species Act can constitute a taking; and new developments in takings and water law.

J. David Breemer, *Pacific Legal Foundation*

Richard Frank, *U.C. Davis School of Law*

Andrew Schwartz, *Shute, Mihaly & Weinberger*

Moderator: Manuela Albuquerque, *Member, City Attorney's Department Municipal Law Institute Committee; Berkeley City Attorney 1985-2007*

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