



CITY OF SACRAMENTO

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DEPARTMENT OF LAW
812 TENTH ST SACRAMENTO, CALIF 95814
SUITE 201 TELEPHONE (916) 449-5346

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WILLIAM P. CARNAZZO
SABINA ANN GILBERT
STEPHEN B. NOCITA
DEPUTY CITY ATTORNEYS

February 21, 1980

MEMORANDUM

TO: JACKI PAPPAS, City Clerk
FROM: SABINA GILBERT, Deputy City Attorney
RE: CITY-STATE MEMORANDUM OF UNDERSTANDING
TO IMPLEMENT SOUTH NATOMAS INTERSTATE
5 CORRIDOR (M-228) (ITEM #35, February 19, 1980)

At the February 19, 1980 City Council meeting the Planning Department asked that this item be continued one (1) week to give staff time to resolve a misunderstanding that arose between the State and the City at the last minute. It now appears that staff will need three (3) weeks to resolve the problem, and, therefore, I ask that this item be continued to the March 18, 1980 meeting.

Thank you.

Sabina Gilbert
SABINA GILBERT
Deputy City Attorney

SG:mb

cc: Marty Van Duyn
Mike Lake
Howard Payne, Deputy Director, CALTRANS

FILED
By the City Council
Office of the City Clerk

CONT. TO
3-18-80
FEB 26 1980

FEB 25 8 27 AM '80

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CITY OF SACRAMENTO



CITY OF SACRAMENTO

DEPARTMENT OF LAW

812 TENTH ST. SACRAMENTO, CALIF. 95814
SUITE 201 TELEPHONE (916) 449-5346

February 22, 1980

JAMES P. JACKSON
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DEPUTY CITY ATTORNEYS

Honorable City Council
City Hall
915 I Street
Sacramento, California

RE: PARTICIPATION IN AGINS VS. THE CITY OF TIBURON

Members in Session:

SUMMARY:

It is recommended that the City Council authorize participation in an amicus curiae brief in support of the City of Tiburon in the above case.

BACKGROUND INFORMATION:

In the case of Agins vs. The City of Tiburon, (1979) 24 Cal 3rd, 266, the California Supreme Court stated that property owners were precluded from seeking damages in inverse condemnation for alleged invalid land use regulations. The Court said that the remedy of the property owners was to seek to have the regulation declared invalid and to prevent its enforcement. The U. S. Supreme Court has now granted a hearing in this case. Oral argument will be calendared for the April session and a decision will probably be issued by the Supreme Court in June. This is a landmark case which will have substantial impact on cases presently pending against the City of Sacramento. The City of Sacramento may join, at no cost, in an amicus curiae brief being filed by the City of San Jose in support of the City of Tiburon. If Sacramento wishes to join in this brief it must notify the San Jose City Attorney by March 1, 1980.

RECOMMENDATION:

Because of the significant importance of the Agins case to Sacramento, I recommend that the City Council permit the City of Sacramento's name to be added to the San Jose amicus curiae brief.

Very truly yours,

James P. Jackson
JAMES P. JACKSON
City Attorney

APPROVED
BY THE CITY COUNCIL

FEB 26 1980

CLERK OF THE
CITY COUNCIL

JPJ:KMF

CITY OF SACRAMENTO

INTER-OFFICE ROUTING

To:

- Mayor / City Council Office
- City Manager
- Asst. City Manager
- Asst. City Manager, Community Development
- Asst. to City Manager
- Public Information
- City Clerk
- Finance Administration
- Revenues & Collections
- Purchasing
- Central Stores
- Accounting
- Utility Billing
- Data Processing
- City Treasurer
- City Attorney
- Planning Department
- Personnel Administration
- Employee Relations
- Employee Services
- Management Services
- Personnel Selections
- Training
- Police Department

To:

- Fire Department
- Fire Prevention
- Weed Abatement
- Emergency Planning
- City Engineer
- Asst. City Engr. Administration
- Animal Control
- Real Estate & Street Assessment
- Facility Maintenance
- Street Maintenance
- Traffic - Parking
- Water & Sewer
- Building Inspection
- Electrical Inspection
- Plumbing Inspection
- Community Improvement
- Waste Removal
- Equipment Maintenance

To:

- Museum & History Commission
- Recreation & Parks Administration
- Recreation
- Parks
- Golf
- Zoo
- Crocker Art Gallery
- Library Administration
- Housing and Redevelopment
- Community Center
- _____

Note:

- For Your Information
- Return with Recommendations
- Please Comment
- Prepare Draft and Return
- Prepare Letter
- Take Necessary Action
- Investigate and Report
- Per Your Request
- Reply, Send Copy To:
- _____
- _____
- _____

To: JAMES JACKSON, CITY ATTORNEY REFERRAL OF AGENDA ITEM, MEETING OF 2-26-80

Comments ITEM NO. 54: Council approved filing of amicus curiae and the attendant expenditure of \$2,000.

cc: City Manager
Finance Director

Signature J Pappas Title or Dept. CITY CLERK Date 2-28-80