



CITY OF SACRAMENTO

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July 18, 1980

CITY MANAGER'S OFFICE
RECEIVED
JUL 18 1980

Honorable City Council
Council Chamber
City Hall
Sacramento, California 95814

RE: SUPPORT OF CITY OF ALHAMBRA'S REQUEST FOR REHEARING OF
COUNTY OF LOS ANGELES vs. CITY OF ALHAMBRA

Members in Session:

SUMMARY

This is a request for authority to support the City of Alhambra's petition for rehearing before the California Supreme Court in the case cited and discussed below.

DISCUSSION

The City of Alhambra has requested that the City of Sacramento and other cities support its petition for rehearing before the California Supreme Court in the case of County of Los Angeles vs. City of Alhambra (June 5, 1980) 27 Cal.3d 184. That case held that an overtime parking fee levied by the City of Alhambra was pre-empted by state law and therefore invalid. The court also upheld the trial court's injunction prohibiting Alhambra from processing its own notices of parking violations.

City of Sacramento does not currently charge an overtime parking fee of the Alhambra type or process its own parking violation notices. We believe, however, that such options should be preserved for the future and therefore ask for authority to send a letter to the Supreme Court supporting Alhambra's petition for rehearing. The time for rehearing is extremely short, hence this request is being made to the full Council.

APPROVED
BY THE CITY COUNCIL

JUL 23 1980

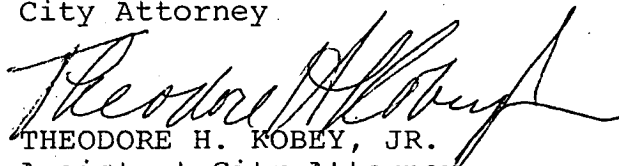
OFFICE OF THE
CITY CLERK

RECOMMENDATION

That the City Attorney be authorized to send a letter to the California Supreme Court expressing the City's support of the City of Alhambra's petition for rehearing in the case of County of Los Angeles vs. City of Alhambra (1980) 27 Cal.3d 184.

Very truly yours,

JAMES P. JACKSON
City Attorney


THEODORE H. KOBEY, JR.
Assistant City Attorney

RECOMMENDATION APPROVED:

William H. Edger
City Manager
Act

THK:GD