



**Item #06-4-7
Consent**

SACOG Board of Directors

April 13, 2006

Request for SACOG to File Amicus Brief on Sutter Health Land Use Case

Issue: Whether SACOG should file an amicus brief regarding a CEQA lawsuit against the Sutter Health project in Midtown Sacramento.

Recommendation: The Land Use & Housing Committee recommends that the SACOG Board of Directors approve the filing of an amicus brief on the Sutter Health land use case.

Committee Action/Discussion: Sutter Health has received land use approvals from the City of Sacramento to construct a mixed-use, high-density campus around their existing facilities in Midtown Sacramento. SACOG was requested by the City to conduct Blueprint technical analysis on the proposal and provided supportive testimony to the City Council regarding this project (attached).

The Service Employees International Union has appealed the Council's action, arguing that it violates CEQA. Please see the attached letter from the law firm of Remy, Thomas, Moose and Manley seeking SACOG support for their defense of the City's land use action in the form of an amicus brief. The last time SACOG intervened with an amicus brief was in the Pocket Protectors case in Sacramento, which also was challenged through CEQA. The Committee unanimously recommended that SACOG file the amicus brief on the basis that SACOG should support members who approve good Blueprint-consistent projects and the assurance from the Executive Director that impact on its resources should be minimal.

Approved by:

Mike McKeever
Executive Director

MM:ts

Attachments

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