

RESOLUTION NUMBER R- 307922

DATE OF FINAL PASSAGE DEC 18 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, ACTING IN ITS CAPACITY AS THE BOARD OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO, APPROVING THE AMENDMENT TO THE AGREEMENT FOR LEGAL SERVICES WITH THE LAW OFFICE OF RAUCH, DETISCH & STIENKE AND AUTHORIZING AN EXPENDITURE NOT TO EXCEED AN ADDITIONAL \$200,000 FOR THE AGREEMENT.

WHEREAS, from its formation in 1958 until its elimination on February 1, 2012, the Redevelopment Agency of the City of San Diego (Former RDA) administered the implementation of various redevelopment projects, programs, and activities within designated redevelopment project areas throughout the City of San Diego (City), and there are presently fourteen such project areas; and

WHEREAS, the Former RDA dissolved as of February 1, 2012, in accordance with a deadline for elimination of all redevelopment agencies throughout California set forth in Assembly Bill x1 26 (AB 26), as modified by the California Supreme Court in a final opinion issued on December 29, 2011, in litigation designated as Case No. S194861; and

WHEREAS, pursuant to Resolution No. R-307238 adopted by the City Council of the City of San Diego (Council) effective January 12, 2012, the City of San Diego, solely in its capacity as the designated successor agency to the Former RDA (Successor Agency), elected to serve as the successor agency to the Former RDA and to retain the Former RDA's housing assets and assume the Former RDA's housing responsibilities, all pursuant to the dissolution provisions in Part 1.85 of AB 26 (Dissolution Provisions); and

WHEREAS, at the time of the Former RDA's dissolution, the Successor Agency became vested with all of the Former RDA's authority, rights, powers, duties, and obligations under the California Community Redevelopment Law and, by operation of law, received all assets, properties, contracts, leases, books and records, buildings, and equipment of the Former RDA for administration pursuant to the Dissolution Provisions; and

WHEREAS, the Dissolution Provisions generally require the Successor Agency to administer the winding down of the Former RDA's affairs in an expeditious manner; and

WHEREAS, the San Diego City Attorney has determined that additional legal expertise and personnel are necessary for particular legal matters of the Successor Agency related to the properties located at 528-542 14th Street (Hon Property) and 1343-1345 Market Street (Laformara Property); and

WHEREAS, the Law Office of Don Detisch (Don Detisch) has provided these services to the Former RDA since 2005 pursuant to former legal services agreements; and

WHEREAS, Don Detisch is currently providing legal services to the Successor Agency in connection with acquisition of the Hon Property, and with litigation related to the Hon Property and the Laformara Property; and

WHEREAS, the funds available under the existing agreement for legal services with Don Detisch will soon be exhausted; and

WHEREAS, the Successor Agency now desires to continue to retain the legal services of Don Detisch under the terms of the existing legal services agreement with compensation not to exceed an additional \$200,000; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, acting in its capacity as the board of the Successor Agency, as follows:

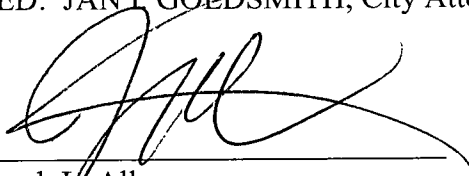
1. Authorize the City Attorney to amend the contract with the Law Firm Rauch, Detisch & Stienke for outside counsel services in an amount not to exceed an additional \$200,000 to continue to represent the City as Successor Agency to the Redevelopment Agency in litigation with Chris Laforanara and Healthcare Services Inc. over disputes involving rent payments and acquisition of properties located at 13th and Market Streets.

2. Authorize the Mayor or his designee to execute the amended contract with the Law Firm Rauch, Detisch & Stienke.

3. Authorize the Chief Financial Officer to appropriate and expend an amount not to exceed an additional \$200,000 from the Centre City Low/Mod fund, No. 200543, for the above contract.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Joseph L. Allen
Deputy City Attorney

November 26, 2012

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 04 2012

ELIZABETH S. MALAND
City Clerk

By *Dorothy Sparto*
Deputy City Clerk

Approved: 12/18/12
(date)

Bob Filner
BOB FILNER, Mayor

Vetoed: _____
(date)

BOB FILNER, Mayor