

RESOLUTION NUMBER R- 308331

DATE OF FINAL PASSAGE JUL 12 2013

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 \$390,000.

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 property located at 1343-1345 Market Street (Laformara Property); and

WHEREAS, the Law Firm Rauch, Detisch & Stienke Don Detisch (Law Firm, and its predecessor in interest, has provided these services to the Former RDA since 2005 pursuant to former legal services agreements; and

WHEREAS, the funds available under the existing agreement for legal services with the Law Firm have been exhausted; and

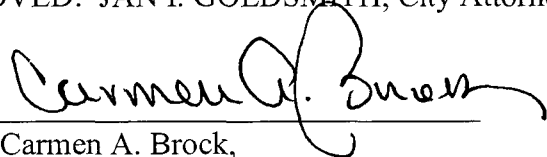
WHEREAS, the Successor Agency now desires to amend the agreement for legal services with the Law Firm and authorize further compensation to the Law Firm in an amount not to exceed \$390,000;

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:

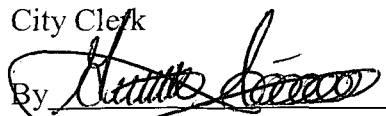
- 1. Authorize the City Attorney to amend the contract with the Law Firm to allow additional compensation in an amount not to exceed \$390,000;
and instruct
- 2. Authorize ~~and instruct~~ the Mayor, or his designee, to execute the amended contract with the Law Firm;
- 3. Authorize the Chief Financial Officer to appropriate and expend an amount not to exceed an additional \$390,000 in accordance with the following ROPS fund designations:
 - Fund 400638 \$ 25,000
 - Fund 400638 \$125,000
 - Fund 400654 \$240,000.

APPROVED: JAN I. GOLDSMITH, City Attorney

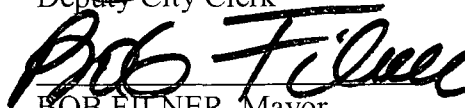
By 
 Carmen A. Brock,
 Deputy City Attorney

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 7/9/13.

ELIZABETH S. MALAND
City Clerk

By 
 Deputy City Clerk

Approved: 7/11/13 (as amended)
 (date)


 BOB FILNER, Mayor

Vetoed: _____
(date)

BOB FILNER, Mayor

Pursuant to the City Attorney Memorandum of Law dated July 15, 2013 (see Resolution R-308282 of July 2, 2013) the strike-out amendments to this resolution have been deemed ineffectual. The resolution, as passed by the Council on July 9, 2013, is effective on the day the resolution was returned to the Office of the City Clerk with the Mayor's approval, that date being July 12, 2013.

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Passed by the Council of The City of San Diego on JUL 09 2013, by the following vote:

| Councilmembers | Yeas | Nays | Not Present | Recused |
|-----------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Sherri Lightner | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Kevin Faulconer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Todd Gloria | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Myrtle Cole | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mark Kersey | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lorie Zapf | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Scott Sherman | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Alvarez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Marti Emerald | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Date of final passage JUL 11 2013

AUTHENTICATED BY:

BOB FILNER

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By  _____, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- _____

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