

**REDEVELOPMENT AGENCY OF THE
CITY OF SAN DIEGO, CALIFORNIA
AGENDA FOR
SPECIAL REDEVELOPMENT AGENCY MEETING
MONDAY, JANUARY 10, 2011 AT 2:00 P.M.
Council Chambers
202 C Street, San Diego, CA 92101**

Roll Call

To Address Redevelopment Agency on an Agenda Item: Speaker forms are available in the Council Chambers prior to each meeting. Fill out a speaker slip “In Favor” or “In Opposition” to the Recommendation listed first on the Docket for the subject item, and submit the form to the City Clerk. Speakers will be called by name to address the Redevelopment Agency when the item is heard. Time allotted to each speaker is determined by the Chair and, in general, is limited to three (3) minutes; moreover, collective testimony by those who support or oppose an item shall be limited to no more than fifteen (15 minutes to per side).

Members of the public wishing to address the Agency must submit a “Request to Speak” form to the City Clerk **prior** to the agenda item being called. Please note that “Request to Speak” forms will **not** be accepted once the item is called. Speaker slip on any item should be submitted at the **beginning** of each Agency meeting.

Assistance for the Disabled: Agendas, reports and records are available in alternative formats upon request. To order information or request an agenda in an alternative format, or to request a sign language or oral interpreter for the meeting, please call the City Clerk’s Office at least five working days prior to the meeting at 533-4000 (voice) or 236-7012 (TT) to ensure availability. Assistive Listening Devices (ALDs) are available from the City Clerk’s Office prior to the meeting, and are to be returned at the end of the meeting. A closed caption monitor is available, upon request.

Internet Access: www.sandiego.gov/redevelopment-agency

Closed Session Notices, Disclosure, And Public Comment

In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meeting, adopted on February 28, 2005, this portion of the agenda is reserved for Agency Counsel comment, public comment, and Redevelopment Agency discussion of the content of the Closed Session Agenda which may take place at any time after public testimony, but typically, Closed Session takes place at 9 a.m. on Tuesdays. The Closed Session Agenda is separately available in the Office of the City Clerk and also posted at the same locations as the Open Session Agenda, including the City internet address.

The Redevelopment Agency Closed Session Agenda is separately available in the Office of the City Clerk and also posted at the same locations as the Open Session Agenda, including the City and Redevelopment Agency Internet address.

NOTE: Members of the public wishing to address the Redevelopment Agency on any item on the Closed Session Agenda should reference the closed session item number from the Closed Session Docket on the speaker slip. Speakers may speak “in favor” or in opposition” to the subject.

Information Item-No Action Required-The Redevelopment Agency Shall:

Closed Session Notices, Disclosure, and Public Comment:

1) Consider any oral report from the Agency Counsel or City negotiators; 2) Accept Testimony from any member of the public wishing to address the Redevelopment Agency on any item appearing on the Closed Session Agenda; 3) Questions and discussion by Agency Members, limited to the facts as disclosed by the Agency Counsel or City negotiators and the basis of justification for consideration of the matter in closed session; 4) Refer matters discussed to closed session.

Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

RACS-1 *Related California Urban Housing LLC, et al. v. Redevelopment Agency of the City of San Diego, et al.*
San Diego Superior Court Case No. 37-2009-00099184-CU-BC-CTL

DGC Assigned: C. Brock

This matter relates to an alleged breach of contract by Related arising out of an exclusive negotiating agreement with the Redevelopment Agency. The City Attorney will brief the Executive Director and Board regarding the status of the litigation and seek direction.

Conference with Legal Counsel –anticipated litigation – significant exposure to litigation, pursuant to California Government Code section 54956.9(b)(1):

RACS-2 Number of Cases: One

The General Counsel will discuss with the Executive Director and Board a threat of litigation by the County of San Diego in a letter dated December 21, 2010.

Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

RACS-3 *Richard D. Fox, Joseph L. Carter, Wayne M. Edwards, Leslie Elwood, and Alice R. Smith v. Redevelopment Agency of the City of San Diego, Board of Directors of the Redevelopment Agency of the City of San Diego, City of San Diego, City Council of the City of San Diego, Centre City Development Corp.*
San Diego Superior Court Case No. 37-2010-00104545-CU-WM-CTL

DGCs Assigned: C. Leone and K. Malcolm

Petitioners, consisting of low income housing residents, filed an action challenging the involvement by the Agency with the recently passed Senate Bill 863 by the State Legislature. Included in SB 863, was the adoption of Health and Safety Code section 33333.14 (Section 33333.14) which allows for the elimination of the tax increment cap for the CCDC redevelopment project area. Petitioners allege that Section 33333.14 is unconstitutional and that the Agency must operate within the \$2,894,000,000 cap in accordance with the general statutes of California Redevelopment law. The General Counsel will brief the Executive Director and Board on the status of the litigation and seek direction.