

**REDEVELOPMENT AGENCY OF THE
CITY OF SAN DIEGO, CALIFORNIA
CLOSED SESSION AGENDA
FOR
REDEVELOPMENT AGENCY
MONDAY, JANUARY 10, 2011¹
TUESDAY, JANUARY 11, 2011 AT 9:00 A.M.
COUNCIL COMMITTEE ROOM -12TH FLOOR
202 C Street, San Diego, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meetings, adopted on February 28, 2005, a portion of the Agenda for the Redevelopment Agency meeting has been reserved for Agency Counsel comment, public comment, and Redevelopment Agency discussion of the content of this Closed Session Docket. **Please see the Special Open Session Agenda to determine when such matters may be heard.**

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.

Closed Session

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.

ⁱ Closed Session may take place at any time after public testimony, but typically, the Closed Session meeting takes place at 9:00 a.m. on Tuesdays.