



# SUCCESSOR AGENCY AGENDA REPORT



DEPARTMENT: Administration

MEETING DATE: February 11, 2013

PREPARED BY: Laurie Lile, Executive Director

AGENDA LOCATION: SA AR-1

**TITLE:** Agreements Related to Settlement of the Following Cases: (i) Samuelson & Fetter, LLC, et al. v City of Monrovia, et al., pending in the Los Angeles Superior Court (Case No. GC050043) (the "S&F Monrovia Action"); (ii) Metro Gold Line Foothill Extension Construction Authority, formerly known as The Pasadena Metro Blue Line Construction Authority v City of Monrovia, et al., pending the Los Angeles County Superior Court (Case No. BC476000) (the "Gold Line M&O Yard Action"); and/or (iii) Metro Gold Line Foothill Extension Construction Authority v Monrovia Redevelopment Agency, et al., pending in the Los Angeles Superior Court (Case No. BC49294) (the "Gold Line Parking Lot Action")

**BACKGROUND:** There are currently three lawsuits between the City, the former Redevelopment Agency and the Samuelson and Fetter LLC entities, ("the Parties"):

- Samuelson & Fetter, LLC, et al. v City of Monrovia, et al., pending in the Los Angeles County Superior Court (Case No. GC050043);
- Metro Gold Line Foothill Extension Construction Authority, formerly known as The Pasadena Metro Blue Line Construction Authority v City of Monrovia, et al., pending the Los Angeles County Superior Court (Case No. BC476000); and
- Metro Gold Line Foothill Extension Construction Authority v Monrovia Redevelopment Agency, et al., pending in the Los Angeles Superior Court (Case No. BC49294)

Over the last several months, the Parties have met to discuss and consider various settlement options. A court date has been set for February 19, 2013.

**ANALYSIS:** Pursuant to ongoing discussions among the Parties, the Council and the Successor Agency Board may be asked to approve a settlement agreement and/or one or more other agreements.

**OPTIONS:** The following options are presented for consideration:

1. **Approve the settlement terms.** Based on the specific terms, approving the settlement terms will require that various considerations be made among the Parties.
2. **Modify the settlement terms.** A modification of the settlement terms will require consent from both Parties prior to the set court date.
3. **Do not approve the settlement terms.** If the settlement terms are not acceptable, the Parties will continue with the litigation and appear at the scheduled court date on February 19.

**RECOMMENDATION:** Staff recommends the Board consider the terms of the settlement agreement and based on the terms, consider each option.

**BOARD ACTION REQUIRED:** The required action will depend on the selected option.

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**Please see City Council agenda item AR-1  
for related attachments.**