[ms. 0398.039.009.010]

TO: PAM HAMILTON, EXECUTIVE VICE PRESIDENT
CCDC

FM: RICH ROBINSON, DIRECTOR
CAO OFFICE OF SPECIAL PROJECTS

RE: DRAFT MOU BETWEEN THE COUNTY OF SAN DIEGO AND THE SAN DIEGO CITY REDEVELOPMENT AGENCY

I WOULD SUGGEST THE FOLLOWING CHANGES TO THE DRAFT MOU:

SEC 2.A THE QUESTION HAS COME UP REGARDING THE AFFECT THIS SECTION WOULD HAVE IF WE WERE TO DO A LEASE PURCHASE. COULD THE FIRST PAYMENT BE TIED TO OCCUPANCY? IT ASSUMED THAT WE WOULD EXERCISE THE PURCHASE OPTION WHEN THE BUILDING IS DONE.

SEC 2.B THE AGENCY WOULD PAY AND SECURE THE ANNUAL AMOUNTS FROM TAX INCREMENT FUNDS FROM THE COLUMBIA REDEVELOPMENT PROJECT **" OR ANY MERGED OR EXPANDED PROJECT AREA WHICH INCLUDES THE EXISTING COLUMBIA REDEVELOPMENT PROJECT AREA."**

SEC 5. .....IN A MANNER WHICH PROVIDES IN DOWNTOWN AT LEAST THE RATIO OF NEW JUDICIAL POSITIONS, COMPARED TO NEW JUDICIAL POSITIONS IN ALL OTHER AREAS OF THE COUNTY, AS ARE CALCULATED USING THE DISTRIBUTIOJN OF JUDICIAL POSITIONS SHOWN ON EXHIBIT A HERETO, **WHICH MAY BE ADJUSTED FROM TIME TO TIME TO REFLECT CHANGES IN JUDICIAL WORKLOAD.**

SEC 7. ".....FISCAL REVIEW OR TO RESTRIT THE INTEN OF THE AGENCYH AND COUNTY TO OTHERWISE **NEGOTIATE** IN GOOD FAITH, **IDENTIFY APPROPRIATE TERMS FOR A TAX SHARING AGREEMENT, AND ENTER INTO SUCH AND AGREEMENT** WITH RESPECT TO THE MITIGATION OF BURDEN OR DETRIMENT TO THE COUNTY, IF ANY, WHICH MAY RESULT FROM ADOPTION OF THE PROPOSED CENTRE CITY REDEVELOPMENT PROJECT, **AND WHICH IS NOT ADEQUATELY MITIGATED BY THE COOPERATION AGREEMENT."**

WE WOULD APPRECIATE YOUR CONSIDERATION OF THE ABOVE SUGGESTED CHANGES.