

**Office of
The City Attorney
City of San Diego**

**MEMORANDUM
MS 59**

(619) 236-6220

DATE: July 18, 2007

TO: Nancy Graham, President and Chief Operating Officer
Centre City Development Corporation

FROM: City Attorney

SUBJECT: Little Italy Concrete Planters and Hanging Baskets

Our office is returning the above referenced Request for Council Action (1472) and accompanying documents to the corporation without signature.

The City Attorney's office has concerns regarding several aspects of this project, including, but not limited to, the proposed use of findings in California Health and Safety Code Section 33445 and the expedited bid process being conducted by CCDC. For example, we are concerned that the corporation's analysis of the finding of "no other reasonable means of financing" appears to have failed to take into account the finances of the Little Italy Maintenance Assessment District (MAD) and the Little Italy Association Business Improvement District (BID). The MAD receives the benefit of \$667,546 in annual property tax assessments.

The City Attorney's office expects to provide further elaboration on its concerns prior to this item being heard by the Agency.

MICHAEL J. AGUIRRE, City Attorney

By
Alex W. Sachs
Deputy City Attorney

AWS:mm

cc: Honorable Mayor Jerry Sanders
Honorable City Councilmembers
Andrea Tevlin, Independent Budget Analyst