



April 6, 2010

Mr. Frank Faye
Chief Operating Officer
SCC Alameda Point, LLC
c/o SunCal Companies
2392 Morse Avenue
Irvine, CA 92614

Re: Disclosure of SunCal Pre-Development Documents

Dear Mr. Faye:

I write again to request clarification on SunCal's position with respect to disclosure of Alameda Point pre-development and negotiating documents. As you are aware, the City – both its Council and Staff – has, on several occasions, suggested that to facilitate a more transparent public process, SunCal shall make public all of its pre-development and negotiating documents with the City of Alameda for the potential development of Alameda Point.

Most recently, at the March 16, 2010 Joint City Council/Community Improvement Commission/Alameda Reuse and Redevelopment Authority meeting, you personally stated that as of March 17, 2010, SunCal would "officially commit" to lift the confidentiality provisions in the ENA, with the exception of "certain business terms between SunCal and D.E. Shaw which are proprietary," and SunCal's "underwriting model," which you also deemed to be proprietary. The City is pleased that SunCal has now officially committed to a transparent process, including disclosure of most of its pre-development and negotiating documents; however, for the purpose of avoiding any unintentional misunderstandings regarding which SunCal documents are and which documents are *not* disclosable, I reiterate my previous March 11, 2010 written request to SunCal: please identify any and all specific documents SunCal will not disclose. In reliance on your statements at the Joint Meeting on March 16th, I trust that producing this list will not be burdensome.

In the interest of further transparency, SunCal should also immediately disclose all documentation identifying its lobbying and third-party consultant expenses. This disclosure, which is of great interest to the community, should include identification of

Office of the City Manager
2263 Santa Clara Avenue, Room 320
Alameda, California 94501-4477
510.747.4700 Office • Fax 510.747.4704 • TDD 510.522.7538


Provided by the Interim City
Manager
Re: Agenda Item #3-A
04-06-10 Jnt CC, ARRA, CIC

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any and all persons, business entities or community non-profits that have received payments or other compensation, including "in-kind services" from SunCal and its financial partner, D.E. Shaw, and any of its affiliates, including the amounts received by each in connection with Measure B or any other aspect of SunCal's efforts to develop Alameda Point. To the extent that any of these payments constitute consideration for third-party consultant work performed, the City requests that SunCal disclose copies of the relevant contract, specifying the scope of work performed.

Sincerely,



Ann Marie Gallant
Interim City Manager
City of Alameda

cc: City Council