

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

**MEMORANDUM**

**(619) 533-5800**

**DATE:** April 12, 2012

**FROM:** City Attorney

**SUBJECT:** Weighted Vote Allocations for the Convention Center Facilities District Election

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In response to several Public Records Act requests, our lawyers, working with outside consultants and the City Treasurer, have determined a way to release certain information regarding the weighted vote allocation for the Convention Center Facilities District ("CCFD") election.

While we are not able to provide the precise vote allocation for each property (see our update describing this and our legal views), we are able to provide the percentage of the total number of votes allocated to each hotel property owner within a 2 percent range.

Data for the owner of record for each hotel property was obtained from the San Diego County Assessor for Fiscal Year 2011-2012 and reflects ownership as of January 1, 2011. In certain instances, the owner of record may have changed. In order to ensure that votes are cast by the current owner, ballots and letters of notification were sent to the owner of record and the operator of each hotel. The City has been informed and received supporting documentation of certain changes of ownership, as with the purchase by Host Hotels of the Manchester Grand Hyatt, and in no case is the former property owner entitled to cast the ballot of current property owner. All ballots must be certified by an individual authorized to cast the ballot on behalf of the property owner under penalty of perjury.

It should also be pointed out that the names on the list are not always reflective of the names of the properties owned. As the list shows, business owners often create unique entities (LLCs, for example) to control individual properties. In reality, some of the listed companies may actually be related to others on the list in some way. The city does not have information beyond the entity that owns the property as of the record date above. In other words, we don't ask which owners are in business relationships with other owners.

As we have said, this is a legitimate matter of public interest. However, we cannot produce documentation as to the actual votes of each owner because of laws that safeguard confidential taxpayer information. The votes are calculated based upon information provided to the city for determining transit occupancy taxes. (Also see the Memorandum of Law produced by our office.)

The attached was prepared at our office's request by Willdan Financial Services, the City's special tax consultant with respect to the CCFD election. Our office does not have direct access to the underlying information that was used to prepare the attached summary.

Finally, let us state one more time that due to legal uncertainties which we have explained, the City will file a validation lawsuit after the election, but before any tax is collected (if approved), to be sure we are on firm legal ground.

# # #

City of San Diego  
CCFD 2012-1 Allocation of Votes

Property Owner	Allocated Votes as % Range
500 WEST BROADWAY L P	0-2%
543 HOTEL CIRCLE SOUTH LLC	0-2%
5550 CLAIREMONT L L C, GOLDEN HARBOR L L C, LIN CHENG-I & MERRY P	0-2%
5TH AVENUE PARTNERS L L C	0-2%
630 F STREET L L C	0-2%
631 CAMINO DEL RIO SOUTH HOLDINGS L L C ET AL	0-2%
AA REFERRAL SERVICE INC	0-2%
AFJR PARTNERSHIP L P	0-2%
AHT-SPE II LIMITED PARTNERSHIP	0-2%
ALKOSH INC, HABIB JIM A & SAMIRA, HABIB ISAM A & SUSAN K ET AL	0-2%
AMERICAN A-ONE INVESTMENT CO INC	0-2%
APPLE SEVEN HOSPITALITY OWNERSHIP INC	0-2%
ARETE PARTNERS LP	0-2%
ASHFORD HOSPITALITY LIMITED PARTNERSHIP, HILTON ORLANDO PARTNERS III LLC	0-2%
ASHFORD MIRA MESA SAN DIEGO L P	0-2%
ATLAS-KONA KAI LLC	0-2%
B R E/E S A PROPERTIES L L C	0-2%
B R E/L Q PROPERTIES L L C	0-2%
BALAJI CORP	0-2%
BARRY HOTEL L L C	0-2%
BAY CLUB HOTEL & MARINA, BAY CLUB HOTEL & MARINA ET AL	0-2%
BEACHCOMBER SHORES L L C	0-2%
BEAR STEARNS COMMERCIAL MORTGAGE SECURITIES INC 2006-T O P 24	0-2%
BEST REST MOTEL INC	0-2%
BF HOSPITALITY L P	0-2%
BH PARTNERSHIP	0-2%
BLUE SEA LODGE L L C	0-2%
BRAEMAR PARTNERSHIP (52%)	0-2%
CABRILLO GARDEN INN L L C	0-2%
CARLSTEAD INC	0-2%
CHAUHAN PRAVIN & MEENA	0-2%
CHEN THOMAS & ASSOCIATES	0-2%
CHHATRALA HOTEL GROUP INC	0-2%
CHOU FAMILY TRUST 09-08-03	0-2%
D P A INVESTMENT INC	0-2%
DARR JAMES & BERTA TRUST 04-06-78	0-2%
DEL MAR HOTEL L L C	0-2%
DEL MAR SUITES L P, TORREY SUITES LP	0-2%
DHD HOLDING LLC	0-2%
DILLIGAS L L C	0-2%
DIWALI I LLC	0-2%
E S A P PORTFOLIO L L C	0-2%
ELRIO MOTEL L P	0-2%
ESH/HV PROPERTIES L L C	0-2%
E-Z 8 MOTEL	0-2%
FELCOR HOTEL ASSET COMPANY LLC	0-2%
FLOIT DAN	0-2%
G 5 GLOBAL PARTNERS I X L L C	0-2%
GASLAMP HOLDINGS L L C	0-2%
GASLAMP VILLAGE L P	0-2%
GHALP PARTNERSHIP L P	0-2%
GOOD NITE INN SEA WORLD PARTNERS, GOOD NITE INN SEA WORLD PARTNERS ET AL	0-2%
GRAND DEL MAR RESORT L P	0-2%
GREENS (MIRAMAR) INC	0-2%
H E I MISSION VALLEY L L C	0-2%
H M H H P T RESIDENCE INN INC	0-2%
H Q 1 3-C I SEAWORLD L L C	0-2%
HAMPSTEAD LAFAYETTE HOTEL LLC	0-2%
HANAIEI ASSCS L L C	0-2%
HANDLERY HOLDING CO INC	0-2%
HARBOR HOTEL ASSOCIATES L L C	0-2%
HARDAGE HOTELS X L L C	0-2%
HARIO M INC.	0-2%
HARNEY HOSPITALITY L P	0-2%
HERO LLC	0-2%
H I SAN DIEGO L L C	0-2%
HORTON GRAND L L C	0-2%
HOSPITALITY LODGING GROUP	0-2%
HOTEL MAJESTIC L L C	0-2%
HPT IHG PROPERTIES TRUST	0-2%

City of San Diego  
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Property Owner	Allocated Votes as % Range
I N D EAST VILLAGE S D HOLDINGS L L C	0-2%
INN AT THE PARK LLC	0-2%
INTERNATIONAL HOTEL ASSOCIATES NO 5 L L C	0-2%
INTERSTATE HOTELS PARTNERS L P	0-2%
J C K HOTELS L L C	0-2%
J P MORGAN CHASE COMMERCIAL MORTGAGE TRUST 2007-CIBC20	0-2%
JOHNSON JAN L TRUST 01-06-04, STEVENTON LOIS J, JOHNSON CLINTON NALL	0-2%
K P A R I M V L L C	0-2%
K S P SHREEJI CORP	0-2%
KALA KAI CORPORATION	0-2%
KARISHMA HOSPITALITY INC	0-2%
KEARNY VILLA HOTEL VENTURE L L C	0-2%
KEATING BUILDING L L C	0-2%
KENCAL OWNERSHIP LLC	0-2%
KORAAM HOSPITALITY INC	0-2%
KRISHNA HOSPITALITY L P	0-2%
LA JOLLA BEACH & TENNIS CLUB INC, LA JOLLA BEACH & TENNIS CLUB PARTNERS	0-2%
LA JOLLA BEACH TRAVELODGE	0-2%
LA JOLLA COVE MOTEL & HOTEL APTS	0-2%
LA JOLLA PALMS LTD PTNSHP	0-2%
LA JOLLA SHORES HOTEL VENTURES L L C	0-2%
LA MAR PROPERTIES INC	0-2%
LA PENSIONE PARTNERS III	0-2%
LA V HOTEL	0-2%
LAJOLLA COLONIAL HOTEL L L C, FARGO HOTEL INVESTORS L L C	0-2%
LAKI REAL ESTATE CORP	0-2%
LAMPLIGHTER INN L P	0-2%
LIBERTY STATION HHG HOTEL LP	0-2%
LODGE AT TORREY PINES PARTNERSHIP THE	0-2%
LU MING-NAN & SHU-CHEN, HWANG ING-WEN & LING-LONG	0-2%
MANDIRA INVESTMENTS L L C	0-2%
MARCOURT INVESTMENTS INC	0-2%
MASSACHUSETTS MUTUAL LIFE INSURANCE CO	0-2%
MERCED MOTEL INVESTMENTS INC	0-2%
MOLER DIANE M REVOCABLE FAMILY TRUST 03-24-06, MOLER NANCY M ET AL	0-2%
MOTEL 6 L P	0-2%
MOTEL 6 OPERATING L P	0-2%
MURPHY MAUREEN K TRUST 07-13-98	0-2%
NATHA ASSOC INC	0-2%
NEW AVENTINE L L C	0-2%
NEWPORT TAFT INC, MANSOUR BROTHERS INC	0-2%
NOBEL FAMILY TRUST 02-18-98	0-2%
NOIRO WEST L L C	0-2%
OAK PARK APARTMENTS INC	0-2%
OCEANUS DEVELOPMENT CORP, KATZ-BERTOLINO L L C	0-2%
OLD TOWN INN L P	0-2%
P B P HOTEL L L C	0-2%
PACIFICA ALVARADO L P	0-2%
PACIFICA MIRA MESA L L C	0-2%
PACIFICA OLD TOWN L P	0-2%
PACIFICA ROSECRANS LTD PARTNERSHIP	0-2%
PACIFICAS INN L L C	0-2%
PADRE TRAIL INN LLC	0-2%
PALACIO MISSION BAY L L C	0-2%
PANAMA HOSPITALITY L L C	0-2%
PATEL BALUBHAI G	0-2%
PATEL LALITABEN N	0-2%
PATEL NILAY & SHEFALI	0-2%
PATEL RAMANBHAI R & SHAKUNTELABEN R	0-2%
PATEL RAMANLAL V & SAVITABEN R SURVIVORS LIVING TRUST 07-19-01	0-2%
PECOS HOTEL INVESTMENT L L C, LA CUESTA LTD PARTNERSHIP ET AL	0-2%
PHF RUBY L L C	0-2%
PIC I L P	0-2%
PICKWICK PARTNERS LTD	0-2%
PINNACLE 1617 LLC	0-2%
PINNACLE MIRAMAR LLC	0-2%
PINNACLE MISSION VALLEY L P	0-2%
PINNACLE ROSECRANS L P	0-2%
RALPH BURNI TRUST ET AL	0-2%
RANCHO BERNARDO PARTNERS LTD	0-2%

Property Owner	Allocated Votes as % Range
RBI INVESTORS	0-2%
RED LION HOTELS INC	0-2%
ROYAL HOSPITALITY INC	0-2%
RPD MISSION BAY L L C	0-2%
RT SD-DENVER L P	0-2%
SAN DIEGO CALIFORNIA LODGE L L C, SAN DOEGP CALIFORNIA LODGE L L C ET AL	0-2%
SAN DIEGO COUNCIL AMERICAN YOUTH HOSTELS INC	0-2%
SAN DIEGO FARAH PARTNERS	0-2%
SAN DIEGO HOTEL CO L L C	0-2%
SAN DIEGO HOTEL OWNER 2010 L L C	0-2%
SAN DIEGO TRUST & SAVINGS BANK TRUST NO 1-1629-00-9, SASS DORIS L TRUST ET AL	0-2%
SAN YSIDRO MOTEL INVESTMENTS INC	0-2%
SANYSIDRO PROPERTIES L L C	0-2%
SD OLD TOWN HOTEL OWNER 2010 L L C	0-2%
SEVEN SEAS ASSOCIATES L L C	0-2%
SHICKRY PROPERTIES L L C	0-2%
SOTAL OCOTILLO INC	0-2%
SOULDRIVER LP	0-2%
SOUTH BAY MOTEL INVESTORS	0-2%
SPORTS ARENA HOTEL VENTURE L P	0-2%
SPORTS ARENA INVESTMENTS L L C	0-2%
ST JAMES HOTEL L L C ST JAMES HOTEL L L C ET AL	0-2%
SUITES L P	0-2%
SUNSTONE DURANTE L L C	0-2%
SUNSTONE EL CAMINO L L C	0-2%
SUNSTONE TOP GUN LLC	0-2%
SURTI DEVELOPERS L L C	0-2%
THOMSON J RICHARD & SHERRY M TRUST 06-20-95	0-2%
TIC BAYSIDE INN LLC	0-2%
TOWER 23 LP, 610 R & T LUCKY STORES INC	0-2%
TOWN & COUNTRY HOTEL L L C	0-2%
TRAVEL TIME MOTEL	0-2%
TRISTAR HOTELS L L C	0-2%
U S GRANT HOTEL VENTURES L L C	0-2%
V S S D ASSOCIATES L L C, V S S D ASSOCIATES L L C	0-2%
VAGABOND MOTOR HOTELS	0-2%
VALLEY BUDGET MOTEL INC	0-2%
VALLEY HO HOTELS INC	0-2%
W 2007 EQUITY INNS REALTY L L C	0-2%
W L B MISSION VALLEY L L C	0-2%
W P I LTD, CAPITOL ARMS LTD, FLETCHER FAMILY TRUST 05-24-02	0-2%
WARNER RANCH INVESTMENT PARTNERSHIP	0-2%
W-EMERALD L L C	0-2%
WEST COAST INVESTMENTS INC	0-2%
WESTGATE HOTEL CO	0-2%
WIN & GREAT TIMES LLC	0-2%
WIN & HO TIMES LLC	0-2%
WIN & LONG TIMES LLC	0-2%
WONG A Y MANAGEMENT CO	0-2%
WSI, (II) CSD, LLC	0-2%
WW LODGING LTD L L C	0-2%
WW SAN DIEGO HARBOR ISLAND INC	0-2%
YI JEONG SOON TRUST 08-26-05	0-2%
ZENAIDA DREAMS INC, BLACKWELL DOROTHY M M TR (DCSD)	0-2%
BARTELL HOTELS	2-4%
CHIEF SAN DIEGO HOTEL L L C	2-4%
HOST SAN DIEGO HOTEL LLC	2-4%
SAN DIEGO BALLPARK HOTEL CO L L C	2-4%
STARWOOD CMBS I L L C	2-4%
T-12 THREE L L C	2-4%
LHO SAN DIEGO HOTEL ONE L P	4-6%
ONE PARK BOULEVARD LLC	6-8%
PACIFIC GATEWAY LTD	6-8%
MANCHESTER RESORTS L P	8-10%
<b>Grand Total of Votes</b>	<b>26,993,118.92</b>