

From: [Zenk, Jessica](#)
To: [Downtown West Project](#)
Subject: FW: Requests for Modifications to Protect SAP Center
Date: Sunday, April 18, 2021 4:32:38 PM

From: Lucy Lofrumento <lal@lmallp.com>
Sent: Thursday, April 15, 2021 11:58 AM
To: Klein, Nanci <Nanci.Klein@sanjoseca.gov>; Phan, Johnny <Johnny.Phan@sanjoseca.gov>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>
Cc: Jonathan Becher <jbecher@sjsharks.com>; Jon Gustafson <jgustafson@sharksice.com>; Ken Caveney <KCaveney@SJSharks.com>; Morley, Sean <sean@morleybros.com>; Day, Cameron <Cameron.Day@sanjoseca.gov>; Zenk, Jessica <Jessica.Zenk@sanjoseca.gov>; Jim Goddard <JGoddard@sapcenter.com>
Subject: RE: Requests for Modifications to Protect SAP Center

[External Email]

Hi,

Last week when we spoke about SSE's Requests for Modifications, my understanding was that you were going to evaluate our requests, and schedule a meeting this week to continue the discussion and respond to the issues we've raised. Could you please let us know the status of that? We are concerned about there being sufficient time to agree on changes before the public hearings.

Thanks very much,
Lucy



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From: Jim Goddard <JGoddard@sapcenter.com>

Sent: Thursday, April 1, 2021 6:51 PM

To: Klein, Nanci (Nanci.Klein@sanjoseca.gov) <Nanci.Klein@sanjoseca.gov>

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Subject: Requests for Modifications to Protect SAP Center

Nanci,

As you know, SSE has been working hard to keep up with the proposed Downtown West project entitlements, which pose severe ramifications for the future viability of the SAP Center. With recent updates and modifications provided in March, including the DSAP Amendment and associated CEQA documents, the materials now include thousands of pages, and we understand more information is still pending release including a draft development agreement.

We are providing the attached document, which the mayor requested during our recent meeting, that addresses SSE's requests for modifications to protect the SAP Center through this unprecedented land use entitlement process. These modifications are generally consistent with the key issues list previously shared and discussions the SSE team has had with City and Google representatives over a very long period of time.

In our recent communications it has become apparent there is no current consensus among the parties (even on a conceptual level) regarding the terms under which SSE would be able to consent to Google's purchase of Lots A, B & C. And, although SSE remains committed to continuing discussions with the City and Google about acceptable terms, there is no guarantee that such an agreement will ever be achieved. Thus, the document includes a number of requests to ensure the proposed project at a minimum remains consistent with the current Arena Management Agreement. We look forward to discussing this list and associated comments with you and Google.

While we have tried to ensure that the request document is comprehensive, it remains a work in progress. SSE is working hard to finish its review, but this is a difficult task given the volume and complexity of the approval documents and the importance they have for the future viability of the SAP Center. We may change or add requests once the development agreement is released and we can complete review of all final materials that will be presented to the City Council for approval.

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