

July 27, 2016

Members, Ballot Simplification Committee
Department of Elections
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 48
San Francisco, CA 94102

VIA PDF E-MAIL

**Re: Response to Mr. Calvin Welch's Request for
Reconsideration of Approved Digest for "Office
Development in Candlestick Point and Hunters Point"
Initiative**

Dear Members of the Ballot Simplification Committee:

Thank you for your time and consideration in approving the digest for the "Office Development in Candlestick Point and Hunters Point" Initiative (the Initiative) at your July 26th meeting.

We support the Committee's approved digest for the Initiative and do not request any changes. However, Mr. Calvin Welch has filed an appeal from the Committee's Approved Digest, in which he seeks to effectively start from scratch, completely rewriting the Committee's painstakingly-crafted Digest to more closely correspond to his preferred campaign message. ***We write to respond to Mr. Welch's proposal, which we regard as inappropriate.***

As the Committee already noted, Mr. Welch's efforts to have the language rephrased to support his campaign arguments are improper and they should again be rejected.

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A. The Approved Digest Correctly States That the Initiative Exempts Candlestick Point and Most of Hunters Point Shipyard from the City's Existing Annual Office Limit. It Does Not Increase the Existing Annual Office Limit, as Mr. Welch Suggests.

Mr. Welch's appeal proposes that the Digest state (in "The Proposal") that "new space would be added to the annual limit for whatever year it occurred" and also (in "A 'YES' Vote Means") that the measure would "add each approved projects [sic] square footage to the annual limit for the year it was built and create a new public policy calling for quick development of the site." Those statements are incorrect.

First, these statements would falsely suggest to the voters that the City would now have the discretion to approve more than 6 million square feet in office space per year. That is simply not the case.

Moreover, Proposition G, adopted by the voters in 2008, already establishes a policy on behalf of the City that "call[s] for quick development of the site."

The Committee's digest properly and accurately characterizes the Initiative as exempting Candlestick Point and most of Hunters Point Shipyard from the City's annual 950,000 square foot office limit.

B. Planned Office Development at Candlestick Point and Hunters Point Shipyard Has Been, and Will Continue to Be, Subject to Extensive Review.

Mr. Welch also wants the Committee to tell the voters that the Initiative would "would exempt all office space in the development from Planning Commission public hearing..." We believe this would also be inappropriate and misleading, because it threatens to give voters the entirely false impression that the project will be exempt from public review, as he stated at yesterday's hearing.

In fact, Candlestick Point and Hunters Point Shipyard Phase 2 project, including office development, has been and will remain subject to

extensive public review; it is simply that the OCII, rather than the Planning Commission, would be responsible for further review.

The project that would be subject to the exemption created by the Initiative was approved in 2010 after years of thorough planning, environmental review, and public participation:

- A Citizens Advisory Committee consisting mainly of neighborhood residents and businesses was convened in 1993 and held hundreds of public meetings to solicit community input and shape the project's design.
- With the benefit of this public input, the City certified a full environmental impact report for the Candlestick Point and Hunters Point Shipyard Phase 2 project in 2010.
- Multiple agencies and City bodies – including the Board of Supervisors, San Francisco Redevelopment Agency (now the Office of Community Investment and Infrastructure, or OCII), Planning Commission, Municipal Transportation Agency, Port of San Francisco, and Public Utilities Commission, among others – each reviewed and approved documents providing for development of the project.
- OCII continues to have land use authority over the project. The OCII Commission reviews and approves at public meetings the designs for office buildings at Candlestick Point and Hunters Point Shipyard that would be subject to the exemption created by the Initiative.
- The Citizens Advisory Committee continues to meet regularly. It still guides project implementation and OCII's review and approval of designs for individual buildings within the project.

Thus, future office development at Candlestick Point and Hunters Point Shipyard will occur with the benefit of *substantial* public participation and process. In essence, adopting Mr. Welch's proposal would be materially misleading, and incorporating an accurate statement—that

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one department, rather than another, will be responsible for further public review—is “inside baseball” that is a mere distraction from the matters pertinent to the voters.

C. The Committee’s Decision to Re-Order the Digest to Begin With Proposition G, Which Is What Establishes the Project Affected by This Measure, Was Appropriate and Well-Suited To Avoiding Unnecessary Confusion.

Mr. Welch proposes to backtrack on the substantial progress that the Committee made yesterday, but again entangling Propositions G and M in “The Way It Is Now.” We believe that the Committee’s Approved Digest is far more comprehensible than Mr. Welch’s proposal.

Conclusion

We request that the Committee deny Mr. Welch’s appeal. We believe that the Committee properly rejected Mr. Welch’s request to incorporate inflammatory statements into the impartial Digest that would support his partisan views on the Initiative. Those views are properly expressed in ballot arguments, not the Digest.

Sincerely,



Christopher E. Skinnell