

KEVIN R. HENEGHAN
PARTNER
DIRECT DIAL (415) 995-5801
DIRECT FAX (415) 995-3411
E-MAIL khenehan@hansonbridgett.com

July 29, 2013

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

Re: Comments on Draft Digest for "8 Washington Referendum"

Dear Members of the Ballot Simplification Committee:

On behalf of our client, San Franciscans for Parks, Jobs, and Housing, we respectfully submit this letter regarding the draft digest which you will be considering at tomorrow's meeting.

We would like to provide some minor additions to the draft digest. The Ordinance which is the subject of the current referendum is only one aspect of the project approvals. By analogy, the approval of the project in 2012 is like a three-legged stool. The other two legs of the stool are agreements with the Port of San Francisco and a Conditional Use Authorization approved by the Planning Commission and upheld by the Board of Supervisors. The project opponents chose to circulate a referendum petition regarding only one leg of this stool – the Ordinance amending the zoning ordinance in order to increase the heights on a portion of the project site. This is a disingenuous attempt by project opponents to deceive the voters into thinking that the project is solely about the heights while ignoring all of the benefits to the City contained in the other two legs of the stool. Unfortunately, the draft digest does not adequately explain the other project approvals and, therefore, the voters are deprived of important information regarding the benefits (including funding for affordable housing, new public access to the waterfront, and new revenue for the Port and the City, etc.) which are contained in the Port agreements and the Conditional Use Authorization. These benefits are vital and the digest should provide this information to voters. As a result, we urge the BSC to include more specific information regarding the benefits contained in the other two legs of the stool in the digest. To this end, we have attached a marked-up and a clean version of the draft digest for your consideration.

We hope that these comments are useful as the Ballot Simplification Committee conducts the important task of drafting the digest. We would look forward to discussing these comments at tomorrow's meeting.

Members of the Ballot Simplification Committee
July 29, 2013
Page 2

Very truly yours,



Kevin R. Heneghan
Campaign Counsel for San Franciscans for Parks, Jobs, and Housing

KRH/cxa

Enclosures

PROPOSED EDITS – MARKED UP VERSION

8 Washington Referendum *(working title only, subject to change)*

The Way It Is Now:

8 Washington Street is a 3.2 acre site bounded by the Embarcadero, Washington Street and Drumm Street (the "Site"). Most of the Site is private property that Golden Gateway Center owns and uses as a private tennis and swim club. The remainder is a public parking lot under the jurisdiction of the City and County of San Francisco's Port Commission (the "Port").

In 2012 the Board of Supervisors (the "Board"), the Port and the Planning Commission issued a number of approvals for a development project for the Site involving construction of two mixed-use buildings containing 134 residential units, ground floor restaurants and retail, a fitness and swim facility, public parks and open space, and underground parking, payment for affordable housing, new public access to the waterfront and new revenue for the Port and City and County of San Francisco.

In approving the development project, the Board also adopted an Ordinance (the "Ordinance") to increase the allowable building heights on an approximately half acre portion of the Site along Drumm Street from 84 feet to 92 feet on one portion and 136 feet on another portion. Without the Ordinance, the entire Site has an 84 foot height limit.

Before the Ordinance went into effect, opponents of the proposed development filed a referendum petition to overturn the Board's approval in order to stop the development. The referendum requires that the Ordinance be submitted to the voters. The Ordinance will not go into effect unless a majority of voters vote in favor of it.

The Proposal:

The Ordinance would increase the allowable building heights on an approximately half acre portion of the Site along Drumm Street from 84 feet to 92 feet on one portion and 136 feet on another portion. Without the Ordinance, the entire Site has an 84 foot height limit. If the Ordinance is passed, the approvals by the Board of Supervisors, the Port and the Planning Commission, which include public parks and open space, underground parking, payment for affordable housing, new public access to the waterfront, and new revenue for the Port and City and County of San Francisco, would take effect.

A "YES" Vote Means: If you vote "yes," you want the Ordinance increasing the height limit along Drumm Street near Washington Street and other approvals regarding public parks and open space, underground parking, payment for affordable housing, new public access to the waterfront, and new revenue for the Port and City and County of San Francisco.

A "NO" Vote Means: If you vote "no," you want the Ordinance to be rejected.

word count: 301 401 [suggested word limit: 300]

PROPOSED EDITS – CLEAN VERSION

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