File No. 120341

Committee Item No. 21
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Date 4/19/12

Board of Supervisors Meeting Date _____

Cmte	Board	
☒	☐	Motion
☐	☐	Resolution
☐	☐	Ordinance
☐	☐	Legislative Digest
☐	☐	Budget Analyst Report
☐	☐	Legislative Analyst Report
☐	☐	Youth Commission Report
☐	☐	Introduction Form (for hearings)
☒	☐	Department/Agency Cover Letter and/or Report
☐	☐	MOU
☐	☐	Grant Information Form
☐	☐	Grant Budget
☐	☐	Subcontract Budget
☐	☐	Contract/Agreement
☐	☐	Award Letter
☐	☐	Application
☐	☐	Public Correspondence

OTHER (Use back side if additional space is needed)

☒	☐	Form 700
☐	☐	
☐	☐	
☐	☐	
☐	☐	

Completed by: Linda Wong Date 4/16/12
Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Confirming Reappointment, Municipal Transportation Agency Board of Directors – Malcolm
Heinicke]
2
3 **Motion confirming the reappointment of Malcolm Heinicke to the Municipal**
4 **Transportation Agency Board of Directors, term ending March 1, 2016.**
5
6 WHEREAS, Article VIII.A of the City Charter, approved November 1999, establishes
7 the Municipal Transportation Agency ("MTA") which includes the Municipal Railway and shall
8 include the Department of Parking and Traffic; and
9 WHEREAS, The MTA includes a Board of Directors governed by a board of seven
10 directors appointed by the Mayor and confirmed by the Board of Supervisors; and
11 WHEREAS, At least four of the directors must be regular riders of the municipal railway
12 and must continue to ride the municipal railway during their terms; and
13 WHEREAS, The directors must posses significant knowledge of, or professional
14 experience in, one or more the fields of government, finance, or labor relations; and
15 WHEREAS, At least two of the directors must possess significant knowledge of, or
16 professional experience in, the field of public transportation; and
17 WHEREAS, The Mayor has reappointed Malcolm Heinicke to the MTA Board of
18 Directors to serves a term ending March 1, 2016; now, therefore, be it
19 MOVED, That the Board of Supervisors of the City and County of San Francisco does
20 hereby confirm the reappointment of Malcolm Heinicke to the Board of Directors of the
21 Municipal Transportation Agency for a term ending March 1, 2016.
22
23
24
25

CAB, Rules, CC, Leg. Dep.

OFFICE OF THE MAYOR
SAN FRANCISCO

EDWIN M. LEE
MAYOR

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR -5 PM 4:55

Notice of Appointment

April 5, 2012

Honorable Board of Supervisors:

Pursuant to the San Francisco Charter, I hereby reappoint Malcolm Heinicke to the San Francisco Municipal Transportation Agency Board of Directors for a term ending March 1, 2016.

I am confident that Mr. Heinicke, a CCSF elector, will serve our community well. Please see his attached resume which will illustrate that Mr. Heinicke's qualifications will allow him to represent the communities of interest, neighborhoods, and diverse populations of the City and County of San Francisco.

Should you have questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

I encourage your support and am pleased to advise you of this appointment.

Sincerely,

Edwin M. Lee
Mayor

1 DR. CARLTON B. GOODLETT PLACE, ROOM 200
SAN FRANCISCO, CALIFORNIA 94102-4681
TELEPHONE: (415) 554-6141

OFFICE OF THE MAYOR
SAN FRANCISCO

EDWIN M. LEE
MAYOR

April 5, 2012

Angela Calvillo
Clerk of the Board, Board of Supervisors
San Francisco City Hall
1 Carlton B. Goodlett Place
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR -5 PM 4:55

Dear Ms. Calvillo,

Pursuant to the San Francisco Charter, I hereby reappoint Malcolm Heinicke to the San Francisco Municipal Transportation Agency Board of Directors for a term ending March 1, 2016.

I am confident that Mr. Heinicke, a CCSF elector, will serve our community well. Please see his attached resume which will illustrate that Mr. Heinicke's qualifications will allow him to represent the communities of interest, neighborhoods, and diverse populations of the City and County of San Francisco.

Should you have questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

I encourage your support and am pleased to advise you of this appointment.

Sincerely,

Edwin M. Lee
Mayor

MALCOLM A. HEINICKE

Avenue • San Francisco, CA 94122
(415) or (415)
a@mto.com

EMPLOYMENT

Munger, Tolles & Olson LLP, San Francisco, CA 1998-
Partner with focus on labor and employment litigation
Daily Journal Top 20 Lawyers in California Under 40 (2008)

San Francisco District Attorney's Office 2004
Served as (volunteer) Asst. D.A.; obtained four convictions

United States District Court, San Francisco, CA 1997-1998
Law Clerk to United States District Judge Vaughn Walker

GOVERNMENT AND VOLUNTEER EXPERIENCE

San Francisco Taxicab Commission 2006-2008

San Francisco Human Rights Commission 2002-2006
Commission Chair (appointed by Mayor Brown)

San Francisco Bar Association 2003-2005
Past Member Board of Directors; Past President of the Barristers Club

United Council of Human Services (Mother Brown's Kitchen) 2000-2004
Past Executive Board Member

California State Senate Fellow 1993-94

EDUCATION

Stanford Law School J.D., 1997
Elected to Order of the Coif Society (top 10% of graduating class)

Harvard University A.B., 1993
Graduated *cum laude*, with departmental honors in Government
Elected Student Government President, 1992; Vice President, 1991
Intercollegiate Baseball (Letter earned in 1993)

Family: Wife Margaret "Meg" Morrissey Heinicke; Daughter Charlotte Frances (June 2, 2004), Son Alexander Christoph (June 23, 2006); Interests: Baseball (play weekly on team); watching football, golf and California history

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION
A PUBLIC DOCUMENT

STATEMENT OF ECONOMIC INTERESTS

COVER PAGE

Date Received
Official Use Only

FILED
12 MAR 21 PM 2:48
SAN FRANCISCO
ETHICS COMMISSION

Please type or print in ink.

NAME OF FILER (LAST)	(FIRST)	(MIDDLE)
Heinicke	Malcolm	

1. Office, Agency, or Court

Agency Name: Municipal Transportation Agency

BY _____

Division, Board, Department, District, if applicable: Board of Directors

Your Position: Director

► If filing for multiple positions, list below or on an attachment.

Agency: Parking Authority Commission

Position: Commissioner

2. Jurisdiction of Office *(Check at least one box)*

- ☐ State
- ☐ Multi-County _____
- ☒ City of San Francisco
- ☐ Judge or Court Commissioner (Statewide Jurisdiction)
- ☒ County of San Francisco
- ☐ Other _____

3. Type of Statement *(Check at least one box)*

☒ **Annual:** The period covered is January 1, 2011, through December 31, 2011.

-or-

The period covered is ___/___/_____, through December 31, 2011.

☐ **Assuming Office:** Date assumed ___/___/_____

☐ **Candidate:** Election Year _____ Office sought, if different than Part 1: _____

☐ **Leaving Office:** Date Left ___/___/_____ *(Check one)*

- ○ The period covered is January 1, 2011, through the date of leaving office.
- ○ The period covered is ___/___/_____, through the date of leaving office.

4. Schedule Summary

Check applicable schedules or "None."

► *Total number of pages including this cover page:* 3

- ☒ Schedule A-1 - *Investments* – schedule attached
- ☐ Schedule A-2 - *Investments* – schedule attached
- ☐ Schedule B - *Real Property* – schedule attached
- ☒ Schedule C - *Income, Loans, & Business Positions* – schedule attached
- ☐ Schedule D - *Income – Gifts* – schedule attached
- ☐ Schedule E - *Income – Gifts – Travel Payments* – schedule attached

-or-

☐ **None** - *No reportable interests on any schedule*

5. Verification

MAILING ADDRESS STREET *(Business or Agency Address Recommended - Public Document)*	CITY	STATE	ZIP CODE
One South Van Ness Ave. 7th Fl.	San Francisco	CA	94103

DAYTIME TELEPHONE NUMBER	E-MAIL ADDRESS (OPTIONAL)
(415) 701-4505	MTABoard@sfmta.com

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 3/20/12 *(month, day, year)*

Signature _____ *(File the originally signed statement with your filing official.)*

SCHEDULE A-1
Investments
Stocks, Bonds, and Other Interests
(Ownership Interest is Less Than 10%)

Do not attach brokerage or financial statements.

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name
Heinicke, Malcolm

► NAME OF BUSINESS ENTITY
IBM

GENERAL DESCRIPTION OF BUSINESS ACTIVITY
Business Equipment

FAIR MARKET VALUE
☒ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☒ Stock ☐ Other _____ (Describe)
☐ Partnership ○ Income Received of $0 - $499
○ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
___/___/ 11 ACQUIRED ___/___/ 11 DISPOSED

► NAME OF BUSINESS ENTITY
Microsoft

GENERAL DESCRIPTION OF BUSINESS ACTIVITY
Software

FAIR MARKET VALUE
☒ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ○ Income Received of $0 - $499
○ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
___/___/ 11 ACQUIRED ___/___/ 11 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF BUSINESS ACTIVITY

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
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GENERAL DESCRIPTION OF BUSINESS ACTIVITY

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☐ Partnership ○ Income Received of $0 - $499
○ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
___/___/ 11 ACQUIRED ___/___/ 11 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF BUSINESS ACTIVITY

FAIR MARKET VALUE
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☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ○ Income Received of $0 - $499
○ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
___/___/ 11 ACQUIRED ___/___/ 11 DISPOSED

► NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF BUSINESS ACTIVITY

FAIR MARKET VALUE
☐ $2,000 - $10,000 ☐ $10,001 - $100,000
☐ $100,001 - $1,000,000 ☐ Over $1,000,000

NATURE OF INVESTMENT
☐ Stock ☐ Other _____ (Describe)
☐ Partnership ○ Income Received of $0 - $499
○ Income Received of $500 or More *(Report on Schedule C)*

IF APPLICABLE, LIST DATE:
___/___/ 11 ACQUIRED ___/___/ 11 DISPOSED

Comments: _____

SCHEDULE C
Income, Loans, & Business Positions
(Other than Gifts and Travel Payments)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name
Heinicke, Malcolm

1. INCOME RECEIVED

NAME OF SOURCE OF INCOME
Munger, Tolles & Olson, LLP

ADDRESS *(Business Address Acceptable)*
560 Mission St. 27th Fl. SF, 94105

BUSINESS ACTIVITY, IF ANY, OF SOURCE
Law Firm

YOUR BUSINESS POSITION
Partner/Lawyer

GROSS INCOME RECEIVED
☐ $500 - $1,000 ☐ $1,001 - $10,000
☐ $10,001 - $100,000 ☒ OVER $100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED
☒ Salary ☐ Spouse's or registered domestic partner's income
☐ Loan repayment ☒ Partnership
☐ Sale of _____ *(Real property, car, boat, etc.)*
☐ Commission or ☐ Rental Income, *list each source of $10,000 or more*
☐ Other _____ *(Describe)*

1. INCOME RECEIVED

NAME OF SOURCE OF INCOME
Heron Wines

ADDRESS *(Business Address Acceptable)*
2269 Chestnut St. SF, CA 94123-2600

BUSINESS ACTIVITY, IF ANY, OF SOURCE
Wine

YOUR BUSINESS POSITION
Salesperson

GROSS INCOME RECEIVED
☐ $500 - $1,000 ☐ $1,001 - $10,000
☒ $10,001 - $100,000 ☐ OVER $100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED
☐ Salary ☒ Spouse's or registered domestic partner's income
☐ Loan repayment ☐ Partnership
☐ Sale of _____ *(Real property, car, boat, etc.)*
☐ Commission or ☐ Rental Income, *list each source of $10,000 or more*
☐ Other _____ *(Describe)*

2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD

* You are not required to report loans from commercial lending institutions, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER*
_____

ADDRESS *(Business Address Acceptable)*
_____

BUSINESS ACTIVITY, IF ANY, OF LENDER
_____

HIGHEST BALANCE DURING REPORTING PERIOD
☐ $500 - $1,000
☐ $1,001 - $10,000
☐ $10,001 - $100,000
☐ OVER $100,000

INTEREST RATE
_____% ☐ None

TERM (Months/Years)
_____

SECURITY FOR LOAN
☐ None ☐ Personal residence
☐ Real Property _____ *Street address*
_____ *City*
☐ Guarantor _____
☐ Other _____ *(Describe)*

Comments: _____

San Francisco
BOARD OF SUPERVISORS

Date Printed: April 10, 2012 Date Established: March 1, 2000

Active

MUNICIPAL TRANSPORTATION AGENCY BOARD OF DIRECTORS

Contact and Address:

Roberta Boomer Secretary
Municipal Transportation Agency
1 So. Van Ness Ave, 7th Floor
San Francisco, CA 94103

Phone: (415) 701-4505
Fax: (415) 701-4502
Email: roberta.boomer@sfmta.com

Authority:

Charter Section 8A.100 - 115

Board Qualifications:

The Municipal Transportation Agency Board of Directors shall be governed by a Board of seven Directors appointed by the Mayor and confirmed after public hearing by the Board of Supervisors.

The composition of the MTA shall be as follows: At least four of the Directors must be regular riders of the Municipal Railway and must continue to be regular riders during their terms. The directors must possess significant knowledge of, or professional experience in, one or more of the fields of government, finance or labor relations. At least two of the directors must possess significant knowledge of or professional experience in, the field of public transportation. During their terms, all directors shall be required to ride the Municipal Railway on the average once a week. No person may serve more than three terms as a director.

The Municipal Transportation Agency shall include the Municipal Railway and the Department of Parking and Traffic. The goals of the Agency shall be: 1) to strengthen the MTA's authority to manage its employees; 2) to establish efficient and economical work rules and work practices to meet the public's needs; 3) to protect the Railway's right to select, train, discipline and layoff employees; 4) to ensure that transit vehicles move through City streets safely and efficiently; 5) to value and protect pedestrians and bicyclists; 6) to reduce congestion and air pollution through efficient use of the streets; and 7) to protect the City's economic health by giving priority to commercial deliveries and access to local business.

San Francisco
BOARD OF SUPERVISORS

Directors shall serve four-year terms, provided, however, that two of the initial appointees shall serve for terms ending March 1, 2004; two for terms ending March 1, 2003, two for terms ending March 1, 2002, and one for a term ending March 1, 2001. Initial terms shall be designated by the Mayor. No person may serve more than three terms as a director.

Reports: The agency shall adopt achievement measurements and goals by July 1st of each year and shall regularly publish reports on its attainment of the achievement of its goals. In addition, on a biannual basis an independent quality review of performance shall be conducted by an outside consulting firm and submitted to the Mayor, the Board of Supervisors, the Agency and the Citizen's Advisory Council who shall each hold a public hearing on the report.

Sunset Clause: None