File No. 120341

Committee Item No. 21
Board Item No. 24

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Date 4/19/12

Board of Supervisors Meeting Date 5/1/12

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: L.W. Date 4/24/12

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 Mayor's 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 Mayor's reappointment of Malcolm Heinicke to the Board of Directors of
21 the 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
BY

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

954309.4

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 (Business or Agency Address Recommended - Public Document) STREET	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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☐ $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
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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: _____

FPPC Form 700 (2011/2012) Sch. C
FPPC Toll-Free Helpline: 866/275-3772 www.fppc.ca.gov

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.

"R Board Description" (Screen Print)

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

"R Board Description" (Screen Print)

File #120341
Received in Committee

Brad Newsham
4426 Pleasant Valley Ct.
Oakland, CA 94611
415-305-8294
newsham@mac.com

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR 19 PM 1:18

April 19, 2012

Dear Committee members,

For far too long, Malcolm Heinicke has been crippling the San Francisco taxicab industry. I am just one of thousands of taxi drivers who vigorously oppose his re-nomination to the SFMTA Board, and who feel personally terrorized by him.

When the cab industry was first placed under the "regulatory umbrella" of the MTA, Heinicke wasted no time suggesting that taxicab medallions should be stripped from their holders, many of whom, including me, worked between one and two decades to obtain these medallions. Furthermore, Heinicke is now leading the charge on an MTA proposal that would draw a clear, bright, very wide dividing line right down the middle of the 10,000 workers under MTA jurisdiction. Half of the MTA's workers – we the City's 5,000 taxicab drivers – would be ineligible for vacation pay, sick pay, HEALTH CARE, and retirement plans. The MTA's "other" 5,000 workers receive all of these benefits, plus city-guaranteed paychecks. (Starting pay for Muni drivers is $28/hr plus full benefits, and the average Muni driver earns $82,000/yr; typical pay for a cab driver is estimated at between $20,000 and $50,000/yr.) And now, shockingly, the MTA, with Heinicke leading the charge, is insisting that, every year, roughly $15-20 million of the money generated by the labor of we 5,000 cab drivers should be used to pay for these other MTA workers' benefits – and their City-guaranteed paychecks. That comes to approximately $4,000 per year per cab driver (remember: we are all MTA workers with zero benefits and no paychecks), and will be used to fund the full benefits and City-guaranteed paychecks of the MTA's other 5,000 workers.

If a similar practice were proposed by a governing body in Darfur, or South Africa, or China, or Mexico, or Arizona, or Sanford, Florida, the San Francisco Board of Supervisors would immediately pass a unanimous resolution condemning it. As would the United Nations.

That Heinicke is a former head of the San Francisco Human Rights Commission degrades the very concept of human rights, makes a cartoon joke out of it. If you go to the website of the law firm where Heinicke is a partner, you will see ugly boasting about all the innovative ways that Heinicke has been able to undermine blue-collar workers employed by major corporations – earning millions of dollars for these corporations, for his law firm, and probably for himself. It was probably predictable, given Heinicke's history, that at his first chance he would immediately go after the weakest, least-powerful workers in the city. But this does not have to be allowed to continue.

Please take the time to confirm or reject for yourself what I have said here. I would recommend that you start by speaking off the record with members of the MTA staff – you will, I predict, find them as terrorized by Heinicke as workers in the cab industry feel. And certainly please check with some cab drivers beside me.

Please do not confirm Malcolm Heinicke's re-nomination to the MTA board.

Sincerely,

Brad Newsham

File #120301 - Received in Committee 4/19/12

By taxi driver, Saam Aryan, PO BOX 426742, San Francisco, CA 94142. Cell: 415-626-TAXI (8294). 4/19/12

If I am correct, in deciding whether to reelect **Mr. Malcolm Heinicke** to MTA board, your decision is based on his qualification; not just on what the Mayer wants. Please make sure that **Mr. Malcolm Heinicke, a lawyer and taxi industry expert of MTA Board,** knows these very simple basics. Because, you do not want to appoint a Math teacher that does not know 1 + 1 = 2.

To form an educated decision, let us get confirmation about these facts and then learn about his stand and voting records.

Facts:

1. **Mr. Malcolm Heinicke** is a lawyer and taxi industry expert in the MTA board.
2. It has been his intention, since he was in Taxi Commission Board, to get taxicab medallions back and sell/rent them; and he still does.
3. He agreed to selling medallions for $250,000 to taxi drivers (those that did not have medallion).
4. He knows that taxi drivers are not unionized, and are self-employed independent contractors.
5. He knows that taxi drivers do not receive benefits (such as sick leave, retirement, paid vacation, etc.) from the City.
6. He knows that only around 1,530 of the entire taxi drivers (around 7,000 of them) have taxicab medallion (medallion holders).
7. He knows that medallion holders make close to $1,800/month, gross, more than the other taxicab drivers do.
8. He knows that City issues permits to taxi industry, and **so many other businesses** in San Francisco. He also knows that every business is under, at least, one Governmental regulatory body.
9. He knows that he himself, as a lawyer, is under, at least, one Governmental regulatory body.
10. As a lawyer, he knows that United States Constitution and California Constitution apply to all of those working in City of San Francisco.
11. He knows that when MTA sets a rule/requirement MTA should be followed for as long as it is not changed. MTA Res. 09-077.
12. He knows that when MTA sets a rule/requirement it cannot Willy-nilly break it. It must follow the proper procedure; have hearing, voting, etc.
13. He knows that majority of cab drivers are immigrants with English language barrier.
14. He knows that most immigrant cab drivers have not had a Democratic government. Thus, at the minimum, they fear persecution for opposing Government. Many of them, when in their country of origin, feared disappearance for descent.
15. He knows that people are not guilty unless they are proven guilty.
16. He knows that government cannot punish the entire neighborhood for one criminal being among them. Group punishment is not allowed.

17. He knows that MUNI drivers, on average, make more money than cab drivers do (counting the cost to government for providing them with benefits such as, retirement, vacation, medical, sick leave, etc.)
18. He knows that there are people making over a million dollar/year from their profession, such as being a lawyer, software developer, real estate broker, etc. Further, he knows that cannot be said about cab drivers.
19. He knows that Taxi Division of MTA operates under MTA's supervision. For example, MTA board can decide to demote Ms. Hayashi for Directorship to Deputy Directorship. Ms. Hayashi cannot vote to demote an MTA board member. This means Taxi Division cannot execute rules/regulations without MTA board voting for it.
20. For the first time ever in San Francisco, around 600 cab drivers circled the City Hall and honked in protest; protesting MTA's policies.
21. According to MTA TAXI DIVISION, increasing number of cab drivers have been caught driving town cars as illegal taxis.

Questions for Mr. Malcolm Heinicke:

Facts above resulted in cab drivers, fearing Government, showed their frustration from MTA board decision by circling the City Hall in mass; when MTA board did not responded to their demand, having family to feed, they started driving town cars as illegal cabs. Is there any truth to that?

Given you wanted cab drivers buy medallions and then pay for it; how would they pay off these $250,000 loan (with interest), if they give their medallion to a qualified cab company and then drive as gas-and-gate? Isn't it true that not wanting cab drivers to run their small business (buy their cab, get their insurance, hire drivers, etc) is being anti-competition and anti-small business?

What is the justification for getting $250,000 from cab drivers, to allow them to operate a taxi cab medallion permit (this is not counting thousands of dollars that they have to pay every year for other fees; as a consequence), while those making over a Million/year pay only a small fraction of it for operating their permit? By the way, there are over 200,000, in America that make over one Million Dollars/year.

Mr. **Malcolm Heinicke's stand/voting record:**

Mr. **Malcolm Heinicke** agreed to MTA selling around 200 medallions; and collecting around $30 Millions from taxi industry. My comment: This is equivalent to collecting 5 Billion dollars from San Francisco population. According to Article XIII-C, Section 2 of California Constitution, 2/3 of the voters must agree to that before it being implemented.

Mr. **Malcolm Heinicke** agreed to MTA GPS monitoring of cab drivers; which are self-employed independent contractors. My comment: In the name of collecting data and improving service, no other governmental regulatory body has done that to the businesses they regulate. Fourth Amendment of United States Constitution has given us protection against government abuses.

Mr. **Malcolm Heinicke** wants cab drivers work as gas-and-gate; no more running their own business as a small business owner. My comment: This is anti-completion, and anti business and not good for the consumers. Anti-monopoly, anti-trust laws were implemented to protect small business and prevent monopoly for the good of consumers. This Mr. **Malcolm Heinicke** knows; yet he ignored it.

Questions for Supervisors:

Given that in the past, Government showed green light to abuse. As a result, hair and skin was taken from men, women, and children of American Indian descent to profit. Should authorities draw a line and prevent abuse of power?

Should Board of Supervisors prevent an unqualified person from reelection? Mr. **Malcolm Heinicke** is a lawyer and taxi industry expert in MTA board. There is no justification for repeated abuse of power.