

**Minutes of July 28, 2010 General Meeting of the SFDCCC
455 Golden Gate Avenue - Milton Marks Auditorium**

1. Swearing in of Members by the Hon. Tom Ammiano

The swearing in occurred at 7:14 p.m. and was conducted by Assembly member Tom Ammiano.

2. Roll call started at 7:16 p.m.

Aaron Peskin asked for roll call. Before the roll call started, Scott Wiener raised an appeal. Arlo Hale Smith made a motion to grant temporary credentials for the nominees for Attorney General (District Attorney Kamala Harris) and Lieutenant Governor (Mayor Gavin Newsom). Carole Migden asked to substitute this with a roll call to establish a quorum.

Peskin stated that without objection, we should continue with calling the roll.

Mary Jung called the roll and the following were present: John Avalos, Michael Bornstein, David Campos, David Chiu, Bill Fazio (excused absence - Mary Jung was named as his proxy), Sandra Fewer, Michael Goldstein, Gabriel Haaland, Tom Hsieh, Mary Jung, Leslie Katz, Rafael Mandelman, Eric Mar, Milton Marks, Carole Migden, Jane Morrison, Melanie Nutter, Connie O'Connor, Aaron Peskin, Eric Quezada, Alix Rosenthal, Arlo Hale Smith, Debra Walker, Scott Wiener, Dianne Feinstein, Nancy Pelosi, Jackie Speier

Peskin interrupted and stated he spoke to the DCCC attorney, Lance Olson, and that Kamala Harris and Gavin Newsom should not be included yet.

Jung continued with roll call. Leland Yee was not present. The following were present: Mark Leno, Fiona Ma and Tom Ammiano.

Peskin noted that the following were the proxies for the following elected ex-officios: George Broder for Feinstein, Nicole Rivera for Pelosi, Brian Perkins for Speier, Julius Turman for Leno, Jason Wong for Ma, and Sheryl Davis for Ammiano.

Smith stated that if there was going to be a vote on credentials, he would withdraw his motion.

3. Elections of Temporary Chair and Temporary Secretary

Peskin asked for nominations for temporary chair. Gabriel Haaland nominated Peskin for temporary chair; seconded by Debra Walker. Smith nominated David Chiu. Chiu declined the nomination. There was no second.

Moved by Leslie Katz that this vote be by acclamation; seconded by Haaland. The vote was unanimous. Smith and Wiener announced they abstained from the vote.

Peskin stated there needed to be a temporary recording secretary. He nominated Mary Jung; seconded by Walker. There was no discussion. Moved by Katz that this vote be by acclamation; seconded by Alix Rosenthal. Without objection, this passed unanimously.

Peskin announced he was appointing Evelyn Wilson as temporary parliamentarian, explaining that the DCCC's governing documents allow nonmembers to be parliamentarian.

4. Adoption of Temporary Rules, attached

Peskin reported he received a letter from the Democratic Lieutenant Governor (Lt. Gov.) nominee, Gavin Newsom, asserting his right to a seat on the DCCC according to Elections Code Sections 7206 and 7207. Peskin stated he asked the DCCC's attorney, Lance Olson for his opinion and Olson opined that the government code was not operative because of two court decisions. Olson further opined that the DCCC bylaws as currently written would not allow Newsom to serve. Peskin explained the DCCC could amend the by-laws to allow Newsom to serve thereby ensuring Party unity. Peskin referred the members to the memorandum prepared by Olson and directed the members to review page 2, which explains that in order to accommodate Newsom the by-laws would need to be amended according to add a new subsection under Article II, Section 3(g) as follows "In the case of Democratic nominees for statewide office who reside in San Francisco, such nominee shall be members of the SFDCCC and continue to serve if elected to office until their term of office is over. In the event there is a current statewide incumbent serving as a member of the SFDCCC, both the incumbent and nominee shall serve concurrently until such time as the incumbent leaves office." Moved by Peskin to adopt the temporary rules; seconded by Katz.

Wiener made a motion to amend Peskin's motion. He thanked Peskin for willing to work through this, stating Olson was correct except for four words, and that the words "if elected to office" needed to be

deleted. This was seconded by Smith.

Migden spoke against Wiener's amendment. Wiener replied that if we look at the by-laws, current congressional democratic nominees can stay on the DCCC, even if they lose the general election. Migden clarified that Section 2 treats state electeds differently.

David Campos stated he read all the e-mails and found the arguments compelling and his preference was to allow the Lt. Gov. and Attorney General (Atty. Gen.) nominees to serve. He said the Mayor is on record as saying that local electeds should not serve on the DCCC and found this inconsistent with what the membership is being asked to do. He directed his question to John Shanley (who was representing Newsom). Shanley replied that the request is that the DCCC conform to State law and that under this, the Atty. Gen., Lt. Gov., etc. could serve. Campos stated Newsom's request is not consistent and does not address the question of public policy. Peskin said that given Newsom's desire that local electeds not serve on the DCCC, Campos was asking about the irony or hypocrisy of the request. Campos replied he didn't say that and that he thought Newsom and Harris should serve, but didn't want to take a position that was inconsistent with Newsom's policy and asked Shanley to address this. Shanley replied he was an appointment of the Lt. Gov. nominee.

Migden stated she wanted to know more about the Mayor's ballot initiative and opined it didn't sound constitutional. She further stated she thought the Mayor was picking a fight and didn't want to seat a member who will strip other members of their right to service. She thought this was disrespectful and it would affect her vote.

Chiu said the Mayor has submitted a ballot initiative that disallows those elected Mayor or to the Board of Supervisors from serving on the DCCC. He said the Mayor could still pull this off the November ballot.

Katz responded that she recognized the issue being raised and thought the members should take a step back and look at the general policy, not the policy as it relates to an individual. An inquiry to the individual can be made at a later time. In regards to Olsen's language, she believed that Wiener's remarks and interpretation are correct and that to do otherwise would be against Code 7206 and 7207.

Michael Bornstein relayed that in this experience with the DCCC, the DCCC recognizes our ability to organize under rules we create and Olson confirms we have that power. He asked that we put off

arguments for today and have a subcommittee make a final recommendation.

Peskin reminded everyone that there is an amendment to a motion that is on the floor. He asked for a straw vote. Moved by Wiener that the body commence with a regular vote; seconded by Smith.

A vote was taken, and the amendment made by Wiener to Peskin's motion failed by a vote of 17 no, 13 yes.

No: Avalos, Bornstein, Campos, Chiu, Fewer, Goldstein, Haaland, Mandelman, Mar, Marks, Migden, Morrison, Peskin, Quezada, Rosenthal, Walker, Ammiano

Yes: Fazio, Hsieh, Jung, Katz, Nutter, O'Connor, Smith, Wiener, Feinstein, Pelosi, Speier, Leno, Ma

Peskin went back to his original motion which passed unanimously. Peskin then offered another amendment to the temporary by-laws to remove Article II, Section 3(f) which provides a seat to a CDP Regional Director if they reside in San Francisco. He reminded everyone that the Region 4 Director did not have a vote until 2007. Peskin noted that there are many differences among Democrats and that the Regional Director serves as a liaison between the different factions and that when the Regional Director has a vote, their ability to do their job is harder because of the strain it puts on relationships. He opined there would be better relationships with the CDP if we could use the Regional Director fully. He said he spoke to State Senator Mark Leno and Assemblymember Ammiano about this and they both agreed. By removing Subsection (f), Subsection (g) will become the new (f). The Region 4 Director can continue to be an Associate Member similar to Club Presidents, where they can engage in dialogue, but not vote.

Moved by Peskin to remove Subsection (f), thereby eliminating the Region 4 Director from having a full seat on the body; seconded by Melanie Nutter. It was passed without objection. Smith stated he votes no on this matter.

Moved by John Avalos to adopt temporary rules; seconded by Nutter.

Wiener made a point of order and asked when the body would approve the Lt. Gov. and Atty. Gen. seats and said he thought we shouldn't have temporary rules for very long and that the DCCC typically makes

the by-laws permanent by the end of the meeting. Once the rules are made permanent, it will take a 2/3 vote to change them. Temporary rules can be changed with a simple majority.

Peskin replied the agenda would need to be changed by a 2/3 vote to add voting on permanent by-laws to the agenda. Without objection, Voting on Permanent By-Laws was added to the agenda.

Peskin then called for a vote on the temporary by-laws, and without objection, the temporary by-laws were adopted.

5. Approval of Agenda

Moved by Wiener to add adoption of permanent by-laws to the agenda; seconded by Walker. There was no objection.

Tom Hsieh made a motion to adopt the temporary by-laws as permanent; seconded by Fiona Ma's proxy, Jason Wong. Smith thought we should address reapportionment now before the by-laws became permanent. Bornstein said that now is a good time to look the by-laws over and keep them permanent until the next meeting. Bornstein said he would vote 'no'. Peskin said that two years ago, a by-laws committee was convened and they met for four months and nothing was changed. He noted the DCCC made more changes in the last hour than we have in the last two years.

Hsieh remarked that these by-laws have served the DCCC well for the last 10 years as have the Policies and Procedures Manual and that we could conduct our business with permanent by-laws; but in the meantime, there was voter registration and GOTV to focus on.

A vote was taken to make the temporary by-laws permanent and it passed 29 yes, 3 no. Peskin formally welcomed Newsom and Harris to the DCCC.

Yes: Campos, Chiu, Fazio, Fewer, Goldstein, Haaland, Hsieh, Jung, Katz, Mandelman, Mar, Marks, Migden, Morrison, Nutter, O'Connor, Peskin, Quezada, Rosenthal, Walker, Wiener, Feinstein, Pelosi, Speier, Newsom, Harris, Leno, Ma, Ammiano

No: Avalos, Bornstein, Smith

6. Public Comment

Michael Nava, DCCC endorsed candidate for Superior Court Judge, thanked the DCCC for its support.

Greg Kamin stated he thought the DCCC should do something about ex-officio's serving on the DCCC and made disparaging comments about Newsom.

Joe Wilson spoke on behalf of Margaret Brodtkin, who is a candidate for School Board.

Ace Washington, from Community News Service, addressed the African American Out-Migration Report.

Shirley Hansen, Richmond District Democratic Club, announced their meeting of July 29th regarding Pension Reform. Peskin acknowledged the hard work Shirley and her husband, Richard, do with voter registration on behalf of the Party.

Keith Choy, with the State of the Schools Coalition, spoke in support of Margaret Brodtkin's candidacy for School Board.

Laurel Kloowok spoke on behalf of Margaret Brodtkin's candidacy for School Board.

Tracy Brown advocated on behalf of Margaret Brodtkin's candidacy for School Board.

Peter Wong, with San Francisco 4 Democracy, spoke in support of the ENDA resolution.

Margaret Brodtkin announced she is running for School Board and asked for our support.

Hene Kelly, of CARA, announced an event to celebrate the 75th Anniversary of Social Security on August 14th. She also asked the DCCC members to vote for the Alcohol Mitigation Fee.

Gilbert Gallelo, from the Axis of Love, asked the members to support the ENDA resolution.

Charles Spencer, President of the African American Democratic Club, asked the DCCC to work with them to increase the number of blacks elected to the DCCC.

Terrie Frye, Harvey Milk LGBT Democratic Club, spoke on behalf of passing the ENDA resolution.

Michael Nulty, Central City Democrats, announced their candidates

meeting on August 9th and their August 10th Safety Forum.

Bruce Livingston, from the Marin Institute, spoke in favor of the Alcohol Mitigation Fee.

Denise D'Anne, from the Harvey Milk LGBT Democratic Club, spoke in support of the ENDA resolution and the Alcohol Mitigation Fee.

Kim-Shree Maufas, member of the Board of Education and a member of the Marin Institute Board of Directors, spoke on behalf of the Alcohol Mitigation Fee. She also said she was running for re-election to the School Board.

Christopher Cook, of the Budget Justice Coalition, spoke on behalf of the Alcohol Mitigation Fee and the Hotel Fairness and Real Estate Taxes.

7. Election of Chair

Moved by Jane Morrison re-elect Aaron Peskin as Chair; seconded by Walker.

Moved by Hsieh that this vote be done by acclamation; seconded by Katz.

The motions passed, with Smith and Wiener abstaining.

8. Election of Vice Chairs

Moved by Peskin that there be the following four Vice Chairs:

- 1st Vice Chair - Melanie Nutter
- 2nd Vice Chair - Eric Quezada
- 3rd Vice Chair - Sandra Fewer
- 4th Vice Chair - Michael Goldstein

This was seconded by Bornstein.

Shanley asked that this vote be by acclamation. There was unanimous approval.

9. Election of Recording Secretary

Peskin nominated Mary Jung for Recording Secretary; seconded by David Chiu. This was approved by acclamation with no objection.

10. Election of Treasurer

Goldstein nominated Rosenthal for Treasurer; seconded by Gabriel Haaland. It passed by acclamation.

11. Election of Corresponding Secretary

Peskin nominated Gabriel Haaland for Corresponding Secretary; seconded by Rosenthal. This passed by acclamation.

12. Chair Committee Appointments

Peskin announced the following Committees and Committee Chairs:

Fundraising - Melanie Nutter

Issues - Eric Quezada

Party Building - Sandra Fewer and Jane Morrison (Co-Chairs)

Clubs - Michael Goldstein

13. Approval of Minutes from May 26, 2010, DCCC meeting, attached.

Other than changing the date on the draft minutes, moved by Goldstein to approve the minutes; seconded by Chiu. The following abstained since they were not members at the time or were not present at that meeting: Shanley, Harris, Quezada, Fewer, Rosenthal, Avalos, Newsom, Speier, Pelosi, Marks. Other than the abstentions, the minutes were approved unanimously with the one date correction.

14. Resolutions

a. Resolution Urging the SF Chamber of Commerce to renounce the Republican National Committee Platform (Mandelman), attached

Rafael Mandelman stated he put this resolution to encourage the Chamber of Commerce to oppose the Republican agenda. He said he had heard they had invited Michael Steele, the chair of the Republican Party, to address their group, and also invited John Burton, Chair of the State Democratic Party to do the same.

Smith said the Chamber has supported the LGBT community on same sex marriage. It sounded like the Chamber was just trying to hear both sides and thought they didn't do anything wrong. He was voting 'no'.

Peskin announced that at 8:37 p.m., Migden gave her proxy to Mandelman and at 8:45 p.m., Eric Mar gave his proxy to Sandra Fewer.

A vote was taken and the resolution passed 23 yes, 1 no, 5 abstain.

Yes: Avalos, Bornstein, Campos, Chiu, Fewer, Goldstein, Haaland, Katz, Mandelman, Mar, Marks, Migden, Morrison, Nutter, Peskin, Quezada, Rosenthal, Walker, Wiener, Newsom, Kamala, Leno, Ammiano

No: Smith

Abstain: Fazio, Jung, Pelosi, Speier, Ma
(During the vote Jung stated she was originally going to vote yes, but changed her mind on hearing Smith's information)

b. Resolution to Support a "Charge for Harm" Alcohol Mitigation Fee Program (Avalos), attached

John Avalos reported that alcohol misuse costs the City a lot and that this fee would help recover the costs. The additional fees are at the distributor and wholesale level - not the retail level - and ends up being about 5 cents a drink.

Walker said she supported this because treatment on demand has been cut and the lines are long for those who need treatment.

Wiener responded that he was voting against this because the 5 cents ends up being absorbed by the small business - that a \$3 drink does not become \$3.05. He didn't believe this was the right way to proceed.

Smith said he was voting 'no' and that this is another fee that will hurt Districts 10 and 11.

Goldstein stated he read this three times and appreciated the intent, but was concerned about the increased costs and that if drink prices were increased, it would decrease the amount of tips that the servers would receive. He also thought that when prices are raised incrementally (50 cents vs. \$1), more mistakes are made and this also affects the servers. He thought the MOU should be looked at and said he would abstain on this vote.

Haaland said SEIU did a poll and found that 70% of those polled support a 5 cents a drink increase. He thought that the rest of the nondrinking public is subsidizing the alcohol industry and thought this was a novel, groundbreaking idea.

Morrison said it is clear we need money to treat people.

Eric Quezada, also Executive Director of the Dolores Street Community Center, said he supported the measure and thought it was a long time coming.

Rosenthal, describing herself as a strong advocate of a vibrant night life and culture, said she would support the measure. As a Deputy City Attorney in Oakland, she sees how catastrophic budget deficits are and that this is a creative way to raise revenue.

Mandelman opined the measure makes sense.

Chiu said that with a \$700 million deficit, it is difficult to determine what services to cut and what should be taxed instead.

Goldstein responded he thought the Board of Supervisors needed to figure this out and he is not ready to vote on this. He does not make \$93,000 a year to figure out what to cut.

Avalos thanked everyone for their comments of support. He noted that mobile assistance and sheriff's staff don't make \$93,000 a year.

A vote was taken and the resolution passed 21 yes, 2 no, 6 abstain.

Yes: Avalos, Bornstein, Campos, Chiu, Fewer, Haaland, Katz, Mandelman, Mar, Marks, Migden, Morrison, Nutter, Peskin, Quezada, Rosenthal, Walker, Speier, Harris, Leno, Ammiano

No: Smith, Wiener

Abstain: Fazio, Goldstein, Jung (who was going to vote yes, but changed her mind after hearing Goldstein explain his issues with the fee), Pelosi, Newsom, Ma

c. Resolution urging passage of Employment Non-Discrimination Act (ENDA), attached

Haaland stated that as a transgender person he was tired of waiting for the passage of this civil rights legislation. He said that if it is not adopted now we don't have a chance at this again for five years. He asked the DCCC for their support.

Chiu said he agrees with Haaland and moved that the DCCC pass this

resolution by acclamation; seconded by Katz.

Brian Perkins, Congresswoman Speier's proxy, stated Speier supports ending ENDA and supports this resolution.

The resolution was passed by acclamation.

15. Chair's Report

Peskin thanked the committee for re-electing him Chair and vowed to work with all of the members and the clubs. He promised there would be a robust GOTV effort and that it is what we do best. He stated the endorsement process is right around the corner and that questionnaires have been sent out by Hene Kelly. She and our Executive Director, Emily Lowe are scheduling the candidates and the ballot propositions' supporters and opponents. The date of the endorsement meeting is August 7th at Local 2 on Golden Gate Avenue, starting at 10 a.m. It will be followed by a Special Meeting on Wednesday, August 11th, where the DCCC will vote on all races and ballot measures except the School Board races since the School Board has a different deadline for candidates.

Peskin also reported that on the Superior Court #15 race, where Michael Nava received the DCCC endorsement in April with a vote of 24 yes, he will still be on the November ballot since he did not win outright. He was the highest vote getter. Several new members of the DCCC asked Peskin to put this on the August 11th agenda so this can be considered again.

Peskin reported the RFP for the slate card will go out later. The DCCC will also consider Proposition 19, the legalization of marijuana, since the State Party did not take a position.

16. Executive Director's Report

Emily Lowe, the Executive Director for the DCCC, reported she is in the process of hiring new bounty workers for a voter registration drive. She also said that Jerry Brown's Gubernatorial campaign is looking for volunteer community liaisons and that if anyone is interested, Emily will provide them with the information.

17. Treasurer's Report

Debra Walker reported there is \$85,000 cash on hand and most of it is in the State Account. She said we need to pay attention to the Federal account.

18. Fundraising Report

Peskin reported the DCCC will host the annual fundraising dinner in late October and that Nutter will provide the report at a future meeting. Monies raised will also help fund the slate card effort.

19. Party-Building Report - Presentation by Susan Pfeifer

Peskin recognized Alec Bash and Susan Pfeifer for their extraordinary work leading up to President Obama's election. They came to the DCCC at the end of the last term and asked the DCCC to consider a program for national and statewide work. The DCCC asked them to come back with a plan. Pfeifer will provide a brief overview of the plan and it will be discussed more at a future meeting.

Pfeifer challenged the DCCC to step up on national issues and ask the clubs to do more on voter registration. She suggested the DCCC create a National Affairs Vice Chair who could coordinate with Organizing for America, which is part of the DNC. She also suggested that there be competition among clubs where their work can be tracked and they can win awards - such as the "Jane Morrison" award. Pfeifer reported that there have already been Democratic Headquarters openings in San Mateo and Palo Alto and noted the DCCC is behind.

20. New Business

Haaland said at the August 11th meeting we will be considering the Adachi Pension Reform measure. He said it is a health issue and takes health care away from children, while Adachi exempts himself from pension reform and health care. An employee who makes only \$35,000 a year won't be able to pay for health care for her children and will end up at SF General Hospital. The Adachi measure is a flat tax on all city employees, including the school district and community colleges. Adachi makes \$197,000.

Quezada stated that a Federal Judge struck down SB 1070 and the DCCC should support that decision.

21. Adjournment

Peskin thanked Evelyn Wilson for her service as parliamentarian.

The meeting was adjourned at 9:35 p.m. in honor of Tom Edwards, who recently passed away.