



**PUBLIC WORKS COMMISSION**  
CITY AND COUNTY OF SAN FRANCISCO

**London N. Breed, Mayor**

***Correspondence Log***

***September 10, 2023, through September 29, 2023***

<b>Date Received</b>	<b>From</b>	<b>Subject</b>
9-13-2023	Mitchell Miglis	DPW Public Hearing's Process Hearing Order 208543

**From:** [Mitchell Miglis](#)  
**To:** [Steinberg, David \(DPW\)](#); [DPW-Public Works Commission](#)  
**Cc:** [MelgarStaff \(BOS\)](#); [brandon\\_joe](#); [Fuller, Bob \(DPW\)](#)  
**Subject:** Re: DPW Public Hearing's Process Hearing Order 208543.  
**Date:** Monday, September 18, 2023 11:02:32 AM

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Thank you, Mr., Steinberg for this explanation. I think it's imperative that this language is conveyed before the meeting. I was tasked with presenting our neighborhood's counter argument on this issue, and prepared a statement with several illustrative slides beforehand. I was not told of the 3-minute limit until the meeting began. Who can present a cogent, informed rebuttal to a complicated zoning issue in 3 minutes? The DPW inspector spent about 10 minutes (some off-topic), and I got the impression he could have gone on as long as he wished. If you create a system biased against public comment from the beginning, they should at least be informed of the restrictions ahead of time.

Sincerely,

Mitch

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**From:** Steinberg, David (DPW) <david.steinberg@sfdpw.org>  
**Sent:** Monday, September 18, 2023 10:18 AM  
**To:** DPW-Public Works Commission <publicworks.commission@sfdpw.org>; Mitchell Miglis <[REDACTED]>  
**Cc:** MelgarStaff (BOS) <melgarstaff@sfgov.org>; brandon\_joe <[REDACTED]>; Fuller, Bob (DPW) <bob.fuller@sfdpw.org>  
**Subject:** RE: DPW Public Hearing's Process Hearing Order 208543.

Thank you, Bob.

Mr. Miglis,

The format of Public Works hearings is standard and applied across all types of hearings. As I'm sure the hearing officer explained at the beginning of the hearing, each party to the proceeding is allowed three minutes to speak. In addition, any other members of the public who wish to speak on the matter may also have three minutes to provide comments. From what I know, setting such a time limit is standard for City boards, commissions and hearings, and the amount of time isn't necessarily included in meeting instructions. For example, the Board of Supervisors provides the following language on its agenda related to speakers: *Each member of the public will be allotted the same maximum number of minutes to speak as set by the President or Chair at the beginning of each item or public comment, excluding City representatives.*

The hearing officer also includes the following information: "If you cannot finish your comments within the allotted time, you may submit written testimony to me by the end of this hearing." Assuming you submitted your comments or presentation to the hearing officer, that information was

taken into account by the hearing officer in making his or her recommendation to the Public Works director.

I hope that explanation helps.

Regards,



David A. Steinberg (he/him/his)  
Custodian of Records & Executive Assistant to the Director  
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[sfpublicworks.org](http://sfpublicworks.org) · [twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

For public records requests, please go to [sfpublicworks.org/records](http://sfpublicworks.org/records).

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**From:** DPW-Public Works Commission <[publicworks.commission@sfdpw.org](mailto:publicworks.commission@sfdpw.org)>  
**Sent:** Friday, September 15, 2023 3:19 PM  
**To:** Mitchell Miglis <[REDACTED]>; DPW-Public Works Commission <[publicworks.commission@sfdpw.org](mailto:publicworks.commission@sfdpw.org)>  
**Cc:** MelgarStaff (BOS) <[melgarstaff@sfgov.org](mailto:melgarstaff@sfgov.org)>; brandon joe <[REDACTED]>; Fuller, Bob (DPW) <[bob.fuller@sfdpw.org](mailto:bob.fuller@sfdpw.org)>  
**Subject:** RE: DPW Public Hearing's Process Hearing Order 208543.

Mr. Miglis,  
Thank you for writing. The Public Works Commission does not directly manage the administrative hearings, but I can share your concern with the Department staff who do.  
All the best,  
Bob Fuller – Commission Affairs Manager

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**From:** Mitchell Miglis <[REDACTED]>  
**Sent:** Wednesday, September 13, 2023 1:42 PM  
**To:** DPW-Public Works Commission <[publicworks.commission@sfdpw.org](mailto:publicworks.commission@sfdpw.org)>  
**Cc:** MelgarStaff (BOS) <[melgarstaff@sfgov.org](mailto:melgarstaff@sfgov.org)>; brandon joe <[REDACTED]>  
**Subject:** DPW Public Hearing's Process Hearing Order 208543.

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Dear Public Works,

We participated in a Public Works hearing today (Hearing Order 208543: to consider notice to repair #1233148) as homeowners rebutting a DPW denial to repair a fence in our

neighborhood. The DPW inspector spoke for 15 minutes presenting his opinion, and as homeowners, we were given 3 minutes to present our rebuttal.

This is the email language we received from DPW prior to the hearing:

*See attached for a revised public hearing notice. It is still held on the same date/time as before just had an error on the language. Besides the hearing officer, there will be a clerk who assists the hearing officer, and various Public Works staff who have items on the agenda. You can find other items that will be heard on your hearing date on our website [www.sfpublicworks.org](http://www.sfpublicworks.org). This is a public hearing so any member of the public is welcome to join. When your item is called, the Hearing Officer will ask the Department to provide background information, then you as the Property Owner will be given an opportunity to speak, followed by public comment.*

There is no mention of a 3-minute time limit. This limit is egregious and deleterious to public discourse, and far from a balanced democratic process. We had a full presentation including prepared slides but were not able to complete our statements because of this imposed limit, which was not pre stated in any DPW language. We would like this time limit clearly noted for future SF residents who might experience this discriminatory system, and appeal for a longer time limit to allow fair and balanced rebuttals from SF citizens.

thank you,

Mitchell Miglis

Homeowner, [REDACTED].

Brandon Joe

Homeowner, [REDACTED].