

**Monterey County Regional Taxi Authority
Board of Directors**

MINUTES

January 28, 2013

1 Ryan Ranch Rd., Monterey, CA 93940

1. CALL TO ORDER

| | | |
|-----------------|---|---|
| Present: | Fernando Armenta Victoria Beach Alan Cohen Libby Downey Kristin Clark Alvin Edwards MaryAnn Leffel David Pendergrass Tony Barrera | County of Monterey City of Carmel-by-the-Sea City of Pacific Grove City of Monterey City of Del Rey Oaks City of Seaside Monterey Peninsula Airport City of Sand City City of Salinas |
| Absent: | None. | |
| Staff: | Kelly Halcon Hunter Harvath Tom Hicks Carl Sedoryk Deanna Smith Alex Lorca | Director Human Resources & Risk Management AGM/Finance & Administration Mobility Manager General Manager/CEO Deputy Secretary De Lay & Laredo, RTA Counsel |
| Others: | Kathi Krystal Karen Fautot Michael P. Cardinalli Roy Graham Ken Griggs Mike Cardinalli Tom Mancini Luis Lomeli John M. Cardinalli | Associated Taxi Monterey Police Department Salinas Yellow Cab TAC Member Monterey Regional Airport District Yellow Cab Monterey County TAC Member Green Cab Salinas Yellow Cab |

Apology is made for any misspelling of a name.

1. CALL TO ORDER

- 1-1. Roll call.
- 1-2. Pledge of Allegiance.

Director Downey called the meeting to order at 10:00 a.m. Roll call was conducted and Director Pendergrass led the Pledge of Allegiance.

2. CONSENT AGENDA

- 2-1. Review highlights of Agenda.
- 2-2. Informational minutes from regular meeting of October 22, 2012.
- 2-3. Receive October - December 2012 Financial Statements.
- 2-4. Renewal of General Liability and Directors and Officers Insurance – information only.
- 2-5. Adopt Resolution of Appreciation 2013-01 recognizing Sergio Sanchez.
- 2-6. Approve applications for Administrative Hearing Panel.

Public Comment – none.

Director Barrera made a motion to approve the Consent Agenda and was seconded by Director Edwards. The motion carried unanimously.

3. SPECIAL PRESENTATIONS – none.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA – none.

5. COMMITTEE REPORTS AND PRESENTATIONS

- 5-1. Receive update from RTA staff.

Hunter provided an update on RTA activities. The RTA has denied a taxicab driver's appeal of a permit denial. The infraction on record was substantial enough to warrant denial, although RTA staff has provided the individual with information for a Pro Bono attorney who can help the driver attempt to have his record expunged. Once the infraction has been expunged, he may reapply for an RTA permit.

To date, all taxicab company permit fees have been collected with the exception of \$300, which was an underpayment of taxicab vehicles fees by one company. The outstanding amount is expected to be paid soon.

The City of Pacific Grove is now taking part in the Senior Voucher Program.

MST has awarded all seven (7) available accessible taxicabs per the procurement process. Pending insurance verification, all seven (7) applicants will receive one (1) vehicle each.

There have been some questions regarding the Monterey Peninsula Airport reimbursement for Senior Voucher fees, and staff is working to clarify the issue.

Director Leffel requested that an update from the Monterey Airport be agendaized for the next RTA Board meeting in April.

Public Comment

Kathi Krystal provided staff with a photo of a self-owned and unlicensed taxicab, operating without top lights, and appearing to be a former Salinas Yellow Cab vehicle.

Close Public Comment

5-2. Resolution of Appreciation - Sergio Sanchez, Board Member.

Director Sanchez was not present.

6. BIDS/PROPOSALS – none.

7. PUBLIC HEARINGS – none.

8. UNFINISHED BUSINESS

8-1 Adopt Final FY 2013 Operating Budget.

Mr. Harvath directed the Board to the Interim FY 2013 Operating Budget as approved at the meeting of December 31, 2012. Staff has attempted to minimize staff and legal expenses and revenue collection is near 100% to date. To date, legal fees are approximately one-half of budgeted amount. Staff is also requesting approval to send invoices to participating RTA jurisdictions for start-up costs based on the repayment scenario provided in memo #8-1.

Director Downey requested that the MST Board consider forgiving a portion of the total start-up costs because of their lack of experience administering the RTA, and to reduce budgeted legal fees before the budget is approved. She also requested that an RFQ for legal services be prepared to reduce overall legal fees.

The Board discussed whether it was appropriate to wait for all jurisdictions to respond to the letter sent by MST requesting a forgiveness of a portion of the total start-up costs before sending invoices.

Director Clark stated that she did not believe MST should forgive any of the outstanding start-up costs incurred.

Public Comment

Kathi Krystal does not believe it is wise to reduce budgeted legal fees as she has heard of several taxicab companies who are planning lawsuits against the RTA. She believes the budget should maintain a buffer to pay for unplanned legal expenses.

Roy Graham stated that legal fees were high early in the formation of the RTA and that taxicab companies and drivers should not have to bear this burden.

Close Public Comment

Director Edwards made a motion to request MST staff to agendize that the MST Board consider forgiving a portion of the RTA start-up costs, and that staff obtain a response from all participating RTA jurisdictions regarding forgiving a portion of the RTA start-up costs. The motion was seconded by Director Cohen. The motion passed 8-1 with Director Leffel opposed.

Director Clark made a motion to approve the FY 2013 Operating Budget as presented and was seconded by Director Leffel. The motion carried unanimously.

8-2 Receive update on RTA Administrator Performance Evaluation.

Kelly Halcon presented the Board with RTA Administrator Performance Evaluation results.

Public Comment – none.

Director Clark made a motion to move the item to Closed Session and was seconded by Director Edwards. The motion carried unanimously.

8-3 Receive update on Board Referrals from the meeting of October 22, 2012.

Mr. Sedoryk provided an update on the progress of all Board referrals from the meeting of December 31, 2012.

Public Comment – none.

9. NEW BUSINESS

9-1 Conduct Election of Officers.

Dave Laredo announced that the Ad Hoc Nominating Committee met prior to the Board meeting and has nominated Alan Cohen for consideration to serve as Vice-Chair for the remainder of the Fiscal Year 2013 term.

Public Comment – none.

Director Armenta made a motion to approve the Nominating Committee's recommendation to appoint Alan Cohen as Vice-Chair of the RTA for the remainder of the Fiscal Year 2013 term. The motion was seconded by Director Clark and passed unanimously.

10. REPORTS & INFORMATION ITEMS

10-1 Receive October – December 2012 report from RTA Administrator.

Mr. Harvath had nothing further to report.

Public Comment – none.

11. COMMENTS BY BOARD MEMBERS

11-1 Reports on meetings attended by Board members at RTA expense (AB1234).

11-2 Board Member Comments.

Director Clark expressed her thanks for Director Sanchez's service on the RTA Board.

11-3 Board Member Announcements.

11-4 Board Member Referrals to TAC or future agendas.

The following referrals were requested for future RTA agendas:

Director Leffel requested that an update from the Monterey Airport be agendized for the next RTA Board meeting in April.

Director Edwards made a motion to request MST staff to agendize that the MST Board consider forgiving a portion of the RTA start-up costs, and that staff obtain a response from all participating RTA jurisdictions regarding forgiving a portion of the RTA start-up costs.

13. CORRESPONDENCE – none.

14. CLOSED SESSION

The Board moved to Closed Session at 11:39 a.m. to discuss the RTA Administrator's Performance Evaluation.

15. RETURN TO OPEN SESSION

No reportable action was taken.

16. ADJOURN

There being no further business, Chair Downey adjourned the meeting at 11:54 a.m.

Prepared by:


Deanna Smith, Deputy Secretary