

MONTEREY COUNTY REGIONAL TAXI AUTHORITY MINUTES

October 28, 2013

10:00 a.m.

One Ryan Ranch Road, Monterey

Present:	Fernando Armenta	County of Monterey
	Tony Barrera	City of Salinas (10:0
	Victoria Beach	City of Carmel-by-the-Sea (10:02)
	Kristin Clark	City of Del Rey Oaks
	Libby Downey	City of Monterey
	Alvin Edwards	City of Seaside
	Mary Ann Leffel	Monterey Peninsula Airport District
	David Pendergrass	City of Sand City
Absent:	Alan Cohen	City of Pacific Grove
Staff:	Hunter Harvath	Asst. General Manager/Finance & Administration
	Carl Sedoryk	General Manager/CEO
	Michael Hernandez	Asst. General Manager/COO
	Beronica Carriedo	Mobility Trainer
	Dave Laredo	De Lay & Laredo
Public:	Karen Furot	MPD
	Roy Graham	TAC Representative
	Kathi Krystal	TAC Representative/Associated Taxi
	Michael Cardinalli	Salinas Yellow Cab
	Tom Mancini	TAC Representative
	Duane Gida	Central Coast Cab Co.
	Nidal Zaro	Serra Yellow Cab
	Ken Griggs	Monterey Peninsula Airport District
	Mike Cardinalli	Monterey Peninsula Checker Cab
	Luis Lomelli	Green Cab
	Jerome Sindano	Cab Company Applicant

1. CALL TO ORDER

1-1. Roll call.

1-2. Pledge of Allegiance.

Chair Downey called the meeting to order at 10:00 a.m. and Roll Call followed. Director Edwards led the Pledge of Allegiance.

2. CONSENT AGENDA

- 2-1. Review highlights of Agenda.
- 2-2. Informational minutes from regular meeting of July 22, 2013.
- 2-3. Receive July - September 2013 Financial Statements.
- 2-4. Technical Advisory Committee (TAC) Appointments.
- 2-5. RTA Board Calendar and Committee Roster for 2014.

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

3. SPECIAL PRESENTATIONS

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Kathi Krystal, TAC member and taxicab driver, stated that she has previously reported a cab operating in the Carmel area without company affiliation, RTA permit, or other required vehicle identification. The driver is still operating his cab illegally and she has submitted a video of the driver to Hunter Harvath for follow up. She believes it is unfair to all cab drivers that this individual is allowed to continue operating.

Mr. Harvath stated that he did forward the information provided to the Police Chief of Carmel. Director Beach will follow up on the matter with the Chief of Police.

Director Downey requested that Mr. Harvath continue to follow up on incidents with the appropriate police departments if they are not resolved.

5. COMMITTEE REPORTS AND PRESENTATIONS

- 5-1. Receive update from RTA staff.

Mr. Harvath summarized the activities of RTA staff over the last quarter. All company permit fees have been received, although two companies were 60 days late and the process for the late-paying companies was a bit challenging .

Mr. Harvath provided an update on the RTA start up cost repayment and reimbursement of initial start up costs:

- The Cities of Salinas and Sand City have paid outstanding RTA start up costs and will not request reimbursement for initial start up costs;
- The County of Monterey has authorized payment in full and will not request reimbursement;

- The City of Del Rey Oaks has paid their outstanding balance and has requested reimbursement;
- The City of Seaside has paid the first of three payments and has requested reimbursement;
- The City of Monterey has paid the first of three payments and will not request reimbursement; and
- The Cities of Pacific Grove and Carmel have not yet responded.

One new Taxicab Company application has been received, but their financial information was received just prior to the board meeting. The Board will review this application for approval at their next regular meeting.

Mr. Barrera asked why the process for remitting permit fees is a contentious one and asked if RTA staff has learned anything from the process.

Mr. Sedoryk stated that the process is not one he wishes to repeat. He suggested that the Finance Committee meet to discuss administrative issues surrounding the annual permit process, including penalties or other measures to remedy the situation. He also suggested a meeting of the Technical Advisory Committee (TAC) be scheduled for their additional input on compliance issues that have been raised by taxi drivers and companies over the last quarter including: administrative issues surrounding the annual cab company permit process; the request to establish a maximum number of cabs operated by any one RTA cab company (see Agenda # 12-1); and the issue of private cab companies recently authorized by the Public Utilities Commission (PUC) (see Agenda # 12-2).

Director Beach suggested that incentives for early payment. Director Armenta suggested a Study Session instead of a meeting of the Finance Committee. Director Leffel cautioned against too many meetings as they will increase staff and legal costs. She suggested sending invoices 60-90 days in advance.

Director Downey made a motion to schedule separate meetings of the Finance Committee and TAC before the next RTA Board meeting and was seconded by Director Pendergrass.

Public Comment

Jerome Sindano stated that he has applied for a company permit and believes his services will fill a need of the community. He requested a speedier permit approval process, preferably before the next RTA Board meeting.

Roy Graham stated that he does not think the RTA understands the taxi industry and feels an educational Study Session is preferable to a TAC meeting.

Kathi Krystal stated that the taxi company permit fees are due at the slowest time of the year for taxi business.

Close Public Comment

Director Clark asked if the two bodies, the Finance Committee and the TAC, could meet jointly. Alex Lorca, RTA Legal Counsel, advised that the committees meet separately to meet Brown Act requirements. Director Edwards stated that the next time the Board hears the matter there should be clear direction from the committees.

Director Downey revised her motion to request staff to schedule separate meetings of the Finance Committee and TAC before the next RTA Board meeting; if no resolution is reached a Study Session should be scheduled before the matters are brought back for Board consideration. Director Pendergrass seconded the revised motion. The motion carried unanimously.

5-2. Receive Ad Hoc Nominating Committee minutes from July 22, 2013.

6. BIDS/PROPOSALS

7. PUBLIC HEARINGS

8. UNFINISHED BUSINESS

9. NEW BUSINESS

10. REPORTS & INFORMATION ITEMS

10-1. Receive July – September 2013 report from RTA Administrator.

Public Comment

Roy Graham asked that taxi information be updated on the RTA website.

Close Public Comment

11. COMMENTS BY BOARD MEMBERS

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

11-2. Board Member Comments and Announcements.

Director Leffel stated that there have been complaints that an unpermitted “Black and Yellow” cab has been operating out of the Portola Plaza Hotel and Hyatt in Monterey. He has also been picking up fares at the Monterey Airport and describes himself as a private driver.

Mr. Sedoryk stated that he saw this individual operating at the Monterey Jazz Festival and asked the driver if he was a taxicab driver. The driver confirmed and Mr. Sedoryk took a photo of the driver and vehicle and forwarded the information to the Monterey Police Department. The police department caught up with the driver that same day and the driver applied for a business license, but was denied and told to apply with the RTA. The PUC recently authorized licensing "Transportation Network Companies" as private operators and the issue is being contested by the taxi industry.

At the request of Chair Downey, Karen Faurot provided an update on the Black and Yellow cab status. The driver was pulled over by a police officer, but the driver stated he only takes donations for fares and most of his revenue is donated to charitable causes. He was provided information on properly applying with the Public Utilities Commission to register as a Transportation Network Company which permits the dispatching of rides to individuals who operate private automobiles for hire. She informed him of his options, including applying with the RTA or PUC, and informed him that he risks being cited and fined if he remains in non-compliance. To date, he has not applied with either entity.

Director Edwards stated that the RTA Board needs to understand the PUC ruling and regulations. Ms. Faurot stated that it is very expensive to register with the PUC and that she would send the information along to RTA staff. Unfortunately, in order to issue a citation, he must be caught taking a fare, upon which time the police could issue a citation for operating without proper licenses and permits.

Director Armenta stated that the RTA needs to research the matter and find out how to stop this activity.

Director Leffel requested that the RTA provide a class informing the taxicab companies of proper insurance requirements and opportunities. Mr. Sedoryk stated that an update was provided, but cab companies did not express a desire to follow through with the requirements. Staff will review the minutes and resend information to cab company owners.

Public Comment

Roy Graham does not remember receiving the insurance information.

Close Public Comment

11-3. Board Member Referrals to TAC or future agendas.

Director Beach will follow up with the Carmel Chief of Police on the matter of an unpermitted cab driver operating within the City of Carmel.

Director Downey requested that Mr. Harvath and RTA staff continue to follow up with the appropriate police departments on unresolved taxi incidents.

Per the motion by Director Downey, RTA staff will schedule separate meetings of the Finance Committee and TAC before the next RTA Board meeting. If no resolution is reached, a Study Session will be scheduled before the matters are brought back for Board consideration.

RTA staff will continue communications with the Monterey Police Department regarding the black and yellow cab driver operating without proper permits, and will provide information on the recent PUC ruling and their Transportation Network Company Regulations.

12. CORRESPONDENCE

12-1. Transportation, Safety, Logistic and Insurance Services – Roy Graham, Outsource.

12-2. PUC Adopts Rules for RIDES Services – SFGate Article.

Public Comment

Mr. Mancini stated that while attending the opera in San Francisco his granddaughter used one of the private transportation operators to get home. He thought the service was efficient and safe.

Close Public Comment

13. CLOSED SESSION

14. RETURN TO OPEN SESSION

15. ADJOURN

There being no further business, Chair Downey adjourned the meeting at 11:06 a.m.

Prepared by:


Deanna Smith, Deputy Secretary