

MONTEREY REGIONAL TAXI AUTHORITY
TECHNICAL ADVISORY COMMITTEE
REGULAR MEETING
April 19, 2011

2:00 p.m.

Monterey Conference Center – Ferrante Room
One Portola Plaza

TAC Members:

Steve Cardinali	Taxi/Company Owner
Christine Erickson	Education
Roy G. Graham	Taxi/Independent
Tom Greer	Airport
Kathy Krystal	Taxi/Driver (alt)
John Narigi	Hospitality/Lodging
Phil Penko	Law Enforcement
Chris Sommers	Hospitality/Resort

Absent:

Alma Almanza	Disability
COL Darcy Brewer	Military
Theresa Canepa	Seniors
Eddie Estrada	Hospitality/Restaurant

RTA Staff:

Hunter Harvath	Assistant General Manager for Finance & Admin
Sonia Bannister	Deputy Secretary to the RTA Board

Public:

Beronica Carriedo	MST
Dave Laredo	De Lay & Laredo
Alex Lorca	De Lay & Laredo
Scott Phillips	Citizen

Chair Penko called the meeting to order at 2:05 p.m.

Apology is made for any misspelling of a name.

2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

David Laredo advised members of the Technical Advisory Committee and interested members of the public to attend the Ethics Training Session on Monday, May 2, 2011, from 1:00PM-3:00PM, in MST Conference Room C. The training is a requirement of members of the committee. Two other options are available for those who cannot attend this training session.

Mr. Cardinalli stated that he had questions regarding a previous request for an accounting of monies spent by the RTA and MST. He stated that drivers are left out of the process by withholding this information as an attorney-client privilege. Mr. Laredo responded that the actual dollars spent are not privileged, but the specific matters discussed among RTA and MST are not required to be made public and do come under attorney-client privilege.

Mr. Cardinalli requested information on the status of Mr. Greg Yancey. Mr. Cardinalli heard that Mr. Yancey's original contract as administrator had been terminated, and that a new contract had been issued. Mr. Laredo requested that staff bring back information to clarify this request.

Mr. Phillips stated that he requested information from Mr. Sedoryk regarding Mr. Yancey's status, as he was told that he was no longer under contract. He believes Mr. Yancey is in fact still operating as the administrator of the RTA. Mr. Phillips also stated that he sent a letter on February 22, 2011, requesting a breakdown of costs associated with the program, but that he has not received the information. Mr. Phillips stated that he has not been provided with a copy of the vehicle inspection sheet that he requested from Mr. Yancey.

Mr. Phillips also requested information on the issuance of permits to new taxi companies. Mr. Harvath replied that there have been no permits issued to date because they have not received the Department of Justice approval to perform criminal background checks.

3. NEW BUSINESS

3-1 Review of Taxi Administration Program Regulations.

Mr. Harvath requested members of the TAC committee to provide comments on regulations (Attachment 2). All comments will be submitted to the RTA for consideration.

Section 4: Ms. Krystal believes the 24 hour service requirement is unreasonable, particularly for small taxi companies. Mr. Cardinalli believes the 24 hour service requirement is reasonable to require companies to provide appropriate service to the public.

Section 5.2: Ms. Krystal believes that temporary permits should be issued to drivers because it takes a long time to receive the permits. Mr. Cardinalli believes it is a risk to issue permits before a driver has been permitted.

Section 6.3: Ms. Krystal believes the Hold Harmless requirement is unfair to taxi companies. Mr. Laredo stated that it is typical for a licensing agency to seek Hold Harmless indemnification. Mr. Graham stated that it is ridiculous to require drivers to purchase insurance for RTA Board members.

Section 7.4: Ms. Krystal stated that providing flat rates in some instances has always been typical for taxi drivers. Mr. Harvath stated that flat rates could be allowed, but that rates could not be in excess of the base rate schedule. Mr. Cardinalli stated that there are several options including fixed rate, flat rate options, and a combination of both. **Recommendation: Request the RTA board to revise the rates and consider including flat rate options in the rate schedule.**

Section 8: Ms. Krystal questioned who would determine the standard of “unsanitary” for taxi vehicles.

Section 9: Ms. Krystal stated that the required information will not fit on the permits that go in the back of the taxis. Mr. Cardinalli stated that only the state requirements for information should be required. **Recommendation: Direct staff to provide state requirements to the RTA Board for consideration.**

Section 12.5: Ms. Krystal questioned who would determine the standard of “unsanitary” for taxi vehicles.

Section 12.3: Mr. Cardinalli stated that a valid taxi and driver permit should be added as required documentation.

Section 16.1: Ms. Krystal questioned who would determine what is indecent and profane language, and what constitutes indecent and profane. Mr. Harvath stated that MST regularly has to deal with this issue, and the public often reports misconduct that allows incidents to be investigated.

Section 13.1: Mr. Cardinalli asked whether drivers are allowed to solicit at taxistands and at various event locations, staging areas, etc. Mr. Harvath stated that he believed Section 13.1 would be struck from the regulations as the cities will remain in control of taxistands. **Recommendation: Request the RTA to work with the cities to regulate special event taxistand locations.**

Section 20.2: Mr. Cardinalli suggested that the requirements for returning found property be determined by individual taxi companies.

Section 21.1: Ms. Krystal suggested that there are other incidents that might determine whether a driver refuses service. It was confirmed that there is some discretion allowed in the regulations for drivers to determine their tolerance level.

Section 22.1.2. Ms. Krystal questioned the requirement for owner permits for multiple vehicles Mr. Harvath stated that this was a mistake and the section would be revised.

Recommendation: Request the RTA to revise Section 22.1.2.

Tom Greer, Airport District, arrived at 3:00 p.m.

Section 22.2.8: Ms. Krystal requested clarification of the requirement to provide information. **Recommendation: Request the RTA to add the term “as applicable” to clarify the requirement.**

Section 23.1.2: Mr. Cardinalli questioned why this section had been redacted, and who would retain records for the RTA. Mr. Laredo confirmed that this will be decided by the RTA.

Section 23.2: Mr. Cardinalli questioned why all of the permit application requirements have been redacted, and how permits will be issued and suspended. **Recommendation: Request the RTA to restore 23.2.1.**

Section 23.3: Mr. Cardinalli requested that the issue of application fees is important and should be reinstated.

Section 23.4: Mr. Cardinalli questioned why 23.4.1 had been redacted and stated that the requirements are necessary. The committee discussed various requirements to eliminate redundancy. Ms. Krystal stated that 23.4.1.4 should be revised to allow rehabilitation of past issues. **Recommendation: Request the RTA to redact Section 23.4.1.4 and add “reckless driving” to Section 23.4.1.12. Recommendation: Request the RTA to decide whether to change the language in 23.4.1.5 from “two or more violations” to “three or more violations.”**

Section 23.5: **Recommendation: Restore section to regulations.**

Section 23.7: **Recommendation: Restore section to regulations.**

Section 23.8: **Recommendation: Restore section to regulations.**

Section 23.9: **Recommendation: Restore section to regulations with the exception of 23.9.3.**

Section 23.10: **Recommendation: Restore section to regulations, raising “five years” to “seven years.”**

Section 23.10.1: Ms. Krystal is concerned that a driver’s license can be suspended before they are found guilty of a crime.

Section 23.11: **Recommendation: Restore section to regulations, raising “five years” to “seven years.”**

Section 23.12: **Recommendation: Restore section to regulations.**

Section 23.12.1: **Recommendation: Restore section to regulations.**

Section 25: Mr. Harvath confirmed that records retention issues will be discussed by the RTA.

Public Comment

Scott Phillips provided brief comments regarding the Taxi Administration Program Regulations.

Mr. Harvath mentioned that additional comments can be made by email or phone before Monday.

15. ADJOURN

Due to time constraints, Chairperson Penko adjourned the meeting at 3:45 p.m.

Prepared by: _____
Deanna Smith, Deputy Secretary