

MONTEREY REGIONAL TAXI AUTHORITY  
TECHNICAL ADVISORY COMMITTEE  
MINUTES OF REGULAR MEETING  
August 23, 2011  
2:00 p.m.

TAMC  
55-B Plaza Circle, Salinas, 93901

TAC Members:

Chris Sommers	Hospitality/Resort
Andy Klingelhofer (alt)	Education
Gary Cursio (alt)	Hospitality/Lodging
Kathi Krystal	Taxi/Driver
Tom Greer	Airport (arrived at 2:29 p.m.)
Steve Cardinalli	Taxi/Company Owner
Phil Penko	Law Enforcement
Roy G. Graham	Taxi/Independent
Tom Hicks	Public Transit
Tom Mancini	Seniors

Absent:	Alma Almanza	Disability
	Eddie Estrada	Hospitality/Restaurant

RTA Staff:

Deanna Smith	Deputy Secretary to the Board
Hunter Harvath	Assistant General Manager for Finance & Admin
Beronica Carriedo	Mobility Trainer

Public:	Dave Laredo	De Lay & Laredo
	Lance Atencio	MVT
	Ken Griggs	Monterey Airport District
	Sam Martinez	Yellow Cab Operator

Chair Penko called the meeting to order at 2:06 p.m.

*Apology is made for any misspelling of a name.*

## 2. PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Sam Martinez of Yellow Cab stated that two (2) members of the TAC have abused their authority by showing favoritism among Taxicab Companies. He requested that John Narigi, Hospitality/Lodging Representative, and Chris Sommers, Hospitality/Resort Representative, be removed from the committee for violation of ethics.

### 3. CONSENT AGENDA

**Tom Mancini motioned to approve the minutes of July 19, 2011 and was seconded by Roy Graham. Chair Penko abstained. The motion so carried.**

Mr. Cardinalli arrived at 2:09 p.m.

### 4. OLD BUSINESS

4-1 Continue discussion on “long-distance deadhead” and weekend special fare proposals and provide comment to the Board.

Mr. Harvath referred the committee to four specific (4) items for discussion on page 7 of the agenda regarding long-distance deadhead fares.

Chair Penko asked if the maximum fare structure had been adopted by the RTA. Mr. Harvath confirmed that the fares had been adopted, but that at the last TAC meeting special fares for special events or weekends had been suggested, and Mr. Cardinalli had stated that more than one fare could be programmed in the taximeters.

Mr. Cardinalli stated that he was being sarcastic about the weekend fares because the hotels price-gouge the public on the weekends. He stated he was amazed that the RTA Board was interested in setting higher fares.

Chair Penko asked that the discussion return to the deadhead fares.

The committee discussed the problem with deadhead fares and considered options to fairly compensate taxi drivers when they had to drive long distances to pick up a fare that did not cover the fuel expense or travel time of the driver. Several drivers also stated that often passengers call multiple companies and take the first taxi to arrive, resulting in lost fares for other drivers who respond to the call.

Ms. Krystal suggested a mileage charge to get to the fare if the total fare did not cover costs.

Mr. Cardinalli stated that he did not believe a taxi company should be required to take a fare that would result in lost fares. Ms. Krystal and Mr. Graham agreed.

Mr. Graham suggested allowing cab companies to negotiate the fare on a per call basis.

Mr. Hicks suggested using the already established wait time fare of \$35.00 per hour for travel time to get to the long-distance deadhead fare.

Mr. Harvath suggested that the TAC could also look at defining zip codes outside of the incorporated areas and apply a specific surcharge to travel to these areas.

Public Comment

Mr. Martinez asked Chair Penko if Mr. Harvath had the authority to advise or direct the committee. Mr. Penko stated that he could not direct the committee. Mr. Martinez asked that Mr. Harvath's suggestion be stricken from the record. Mr. Penko clarified that staff was authorized to make suggestions and provide recommendations, so the recommendation should not be stricken. Mr. Martinez suggested that taxi drivers run their meter as if they had picked up the fare, then add one-third (1/3) of the resulting deadhead fare to total fare.

#### Close Public Comment

Chair Penko asked if the Senior Voucher program could be used as a model for the deadhead fares. Mr. Harvath stated that many jurisdictions do not participate so it would not be the best model.

Mr. Harvath suggested that one advantage of defining surcharges by zip code is that they can be definitively provided to the public. All fares and fare structures, including surcharges must be displayed in the taxicab and available to the public.

Mr. Laredo, legal counsel, stated that the discussion contains two elements: 1) should there be areas or zones in which mandated service is not required; and 2) should there be a negotiated rate allowed in the areas beyond mandated service. Based on this scenario, he stated that if a request for service is within the non-mandated service area, companies be allowed to refuse service or negotiate a fare.

**Mr. Graham made a motion that a long-distance deadhead fare surcharge not be established, and that each company be allowed to negotiate the fare on a per call basis. Mr. Mancini seconded the motion.**

Mr. Penko opened the motion for discussion and asked whether a maximum negotiated rate be established. Ms. Krystal stated that it would depend on the length of the deadhead trip. Mr. Graham stated that this issue is an over-regulation of the taxi companies. Mr. Sommers stated concern over allowing negotiated rates. There was considerable discussion about the unintended consequences of negotiated rates, including price-gouging.

Mr. Hicks suggested that the item be tabled and asked if staff could come back with a map of the RTA jurisdiction to discuss defining zones based on distances.

**Mr. Mancini made a substitute motion to continue the discussion until the next meeting, at which time staff can provide an analysis on geographic distances within RTA jurisdiction and was seconded by Mr. Cardinalli. Mr. Graham agreed to withdraw his motion. The motion so carried.**

Mr. Harvath stated that special weekend fares needed to be discussed. The consensus of the committee was to not establish special weekend fares.

4-2 Continue discussion on the Monterey County Regional Taxi Authority (RTA) Equipment, Safety, Security, and Operational Policy (ESSOP) and provide comment to the Board.

Mr. Harvath passed out a strike-out version for the TAC to review so unresolved issues were easily legible. He reminded everyone that the committee had made some suggestions at a former meeting, but it had never been completely reviewed.

The following suggestions were made:

Item 2k: Change language to “vehicle does not have either operable left side and rear view mirrors or both left and right side mirrors.

Item 3m: Change the last sentence to “The upholstery shall be in relatively good repair.”

Item 3p: Add “as defined by the California Vehicle Code” to the end of the last sentence.

Item 4a: Change “business” to “company.”

Item 4b: Add “in compliance with County Weights and Measures regulations” to the end of the sentence.

Item 5a: Strike “each passenger” and “the permit number.”

Item 5b: Change the first sentence to read “All immediate disputes to fare shall be determined by a peace officer; anyone reporting after the fact shall be referred to an RTA staff member.”

Item 5e and 5d: Combine items.

Item 5g: Change “shall” to “should” in last sentence.

There was considerable discussion and disagreement on Items 3b and 5o. Mr. Cardinalli stated that he felt MST should not be involved in regulating the RTA because they allowed Coastal Yellow Cab to submit an application without alerting the TAC of their application and that their color scheme and name were similar to Yellow Cab. Ms. Krystal agreed that when the committee first discussed competing color schemes, MST should have alerted TAC of the conflict with the new company.

Mr. Laredo, legal counsel for the RTA, suggested that three (3) options were before the TAC regarding Item 3b: 1) do not regulate the color scheme at all; 2) establish a restriction on competing color schemes from this day forward; or 3) establish guidelines to require existing companies with competing color schemes to change their taxicab color, although he was not sure this was possible. Disagreements arose and no recommendation was provided.

A disagreement arose between Mr. Cardinalli and Mr. Sommers regarding a refusal of service by Yellow Cab and several hotels in the area. The committee was unable to resolve the issue of refusal of service. Mr. Laredo suggested that more information was needed before discussion on this Item continued. It was recommended that Item 5o be referred back to staff to provide a rationale for the item.

## **5. NEW BUSINESS**

5-1 Consider Administrative Penalty Fines and provide comment to the Board.

There was no discussion on this item.

## **6. CORRESPONDENCE**

None.

There being no further comments, Chair Penko adjourned the meeting at 4:28 p.m.

Prepared by: \_\_\_\_\_  
Deanna Smith, Deputy Secretary