

Monterey County Regional Taxi Authority

*City of Carmel-by-the-Sea • City of Del Rey Oaks • City of Marina • City of Monterey
City of Pacific Grove • City of Salinas • City of Sand City • City of Seaside
Monterey Peninsula Airport District • County of Monterey*

Board of Directors Regular Meeting January 25, 2016 10:00 a.m.

MST Conference Room
One Ryan Ranch Road, Monterey, CA 93940

1. CALL TO ORDER

- 1-1. Roll Call.
- 1-2. Pledge of Allegiance.
- 1-3. Review highlights of the agenda. (Carl Sedoryk)

2. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Members of the public may address the Board on any matter related to the jurisdiction of The Monterey County Regional Taxi Authority but not on the agenda. There is a time limit of not more than three minutes for each speaker. The Board will not take action or respond immediately to any public comments presented, but may choose to follow-up at a later time, either individually, through staff, or on a subsequent agenda.

3. CONSENT AGENDA

These items will be approved by a single motion. Anyone may request that an item be discussed and considered separately.

- 3-1. Minutes of the regular meeting of October 26, 2015. (Deanna Smith) (pg. 5)
- 3-2. Receive October – December 2015 Financial Statements. (Angela Dawson) (pg. 11)
- 3-3. Receive update on RTA procurement of General Liability and Directors and Officers insurance. (Kelly Halcon) (pg.15)

End of Consent Agenda

4. REPORTS & PRESENTATIONS

No action is required unless specifically noted.

- 4-1. Receive update from RTA staff and the July 2015 – December 2015 Report from RTA Administrator. (Hunter Harvath) (pg. 17)

5. BIDS/PROPOSALS

6. PUBLIC HEARINGS

- 6-1. Hold public hearing to consider revocation of taxicab dispatching company permit for MC & Sons, LLC, d/b/a DGTC Taxi. (Hunter Harvath) (pg. 25)

7. UNFINISHED BUSINESS

8. NEW BUSINESS

9. COMMENTS BY BOARD MEMBERS

- 9-1. Reports on meetings attended by board members at RTA expense. (AB1234).
- 9-2. Board member Comments and Announcements.
- 9-3. Board member Referrals to TAC or future RTA agendas.

10. CORRESPONDENCE & INFORMATION ITEMS

11. CLOSED SESSION

As permitted by Government Code §64956 et seq. of the State of California, the Board of Directors may adjourn to Closed Session to consider specific matters dealing with personnel and/or pending possible litigation and/or conferring with the Board's Meyers-Milias-Brown Act representative.

12. RETURN TO OPEN SESSION

- 12-1. Report on action taken during Closed Session.

13. ADJOURN

NEXT MEETING DATE: April 25, 2016 at 10:00 am

LOCATION: Monterey-Salinas Transit, 1 Ryan Ranch Rd. Monterey, CA 93940

NEXT AGENDA DEADLINE: April 12, 2016

Materials related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available for public inspection at the Monterey-Salinas Transit Administration office at 1 Ryan Ranch Road, Monterey, CA during normal business hours.

Upon request, the Monterey County Regional Taxi Authority will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please send a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service at least three working days prior to the meeting. Requests should be sent to Monterey County Regional Taxi Authority/MST – c/o Clerk to the Board, 1 Ryan Ranch Road, Monterey, CA 93940 or clerk@mryrta.org. Taxi-related materials and information are available on www.mryrta.org.

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**Monterey County Regional Taxi Authority
MINUTES**

October 26, 2015
10:00 a.m.

Present:	Fernando Armenta	County of Monterey
	Tony Barrera	City of Salinas
	Carrie Theis	City of Carmel-by-the-Sea (alt)
	Kristin Clark	City of Del Rey Oaks
	Libby Downey	City of Monterey
	Mary Ann Leffel	Monterey Peninsula Airport District
	Dan Miller	City of Pacific Grove
	Frank O'Connell	City of Marina
	David Pendergrass	City of Sand City
Absent:	David Pacheco	City of Seaside
Staff:	Carl Sedoryk	General Manager/CEO
	Hunter Harvath	Asst. GM of Finance & Administration
	Mike Hernandez	Asst. GM/COO
	Deanna Smith	Executive Assistant/Clerk to the Board
	Alex Lorca	De Lay & Laredo
Public:	Kathi Krystal	Associated Taxi
	Ben Miller	Pebble Beach Company
	Ken Griggs	Monterey Regional Airport
	Michael LaPier	Monterey Regional Airport
	John Cardinalli	Salinas Yellow Cab
	Alec Stefan	Salinas Yellow Cab

Apology is made for any misspelling of a name.

1. CALL TO ORDER

Chairperson Leffel called the meeting to order at 10:02 a.m. Roll call was taken and the Pledge of Allegiance followed.

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

1-3. Review highlights of the agenda.

Mr. Sedoryk reviewed the highlights of the agenda.

2. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Alec Stefan of Salinas Yellow Cab provided stated that Uber is operating in Monterey without a business license. He handed out the city's regulations on business license requirements. He has contacted the Public Utilities Commission and the person who oversees transportation network companies informed him that they do not oversee business licenses as it is a function of local municipalities.

3. CONSENT AGENDA

3-1. Minutes of the RTA board meeting – July 27, 2015.

3-2. Minutes of the Finance Committee – July 27, 2015.

3-3. Minutes of the ad hoc Nominating Committee – July 27, 2015.

3-4. Minutes of the ad hoc TNC Review Committee – August 17, 2015.

3-5. Receive RTA board meeting schedule for CY 2016.

3-6. Receive July – September 2015 Financial Statements.

Director Pendergrass made a motion to approve the Consent Agenda and Director Armenta seconded. Director O'Connell abstained as he is attending his first board meeting since the City of Marina joined the RTA.

4. REPORTS & PRESENTATIONS

4-1. Receive update from RTA staff and the July – September 2015 Report from RTA Administrator.

Mr. Harvath gave an update on annual taxicab company permits. The newest RTA taxicab company, DGTC Taxi, has not dispatched any vehicles since being permitted. If they do not dispatch vehicles by the end of the year, staff will hold a public hearing to initiate the process to revoke their RTA company license.

The RTA revoked a driver's taxi permit in October. The driver was convicted of domestic violence, which is a violation of RTA regulations and requires permit revocation.

Mr. Harvath stated that the City of Marina has not yet submitted their fees for joining the RTA. Director O'Connell stated that he would follow up with city staff.

5. BIDS/PROPOSALS

6. PUBLIC HEARINGS

7. UNFINISHED BUSINESS

- 7-1. Hold a second reading of Ordinance 2016-01 requiring taxicab drivers to accept credit/debit cards and adopt Ordinance to take effect on November 25, 2015.

Mr. Harvath presented the Ordinance for a second review and requested adoption by the board.

Director Armenta asked if the credit card processing applications allow the taxi drivers or companies to access an individual's credit card information. It was confirmed by other board members and RTA staff that only the credit card companies have this information.

Public Comment

Alec Stefan stated that refunds are processed very quickly with Square, a credit card processing application.

Kathi Krystal stated that the average time for processing a credit card transaction is two minutes, and there are many "cell phone holes" within the county that, on occasion, make it impossible to process a credit card transaction. When this occurs, her company takes down the credit card information and processes them manually at their office at the end of each shift. She stated that this is a privacy concern and asked what taxicab drivers are supposed to do in these situations.

Close Public Comment

Director Armenta made a motion to approve Ordinance 2016-01 requiring taxicab drivers to accept credit/debit cards as of November 25, 2015. The motion was seconded by Director Clark.

Director Theis stated that she is concerned about the 60-second requirement for credit card processing, as she agrees with Kathi Krystal that this is not always possible.

General Counsel confirmed that there was a discrepancy within the memo and the actual ordinance. The minutes of the last RTA meeting confirms that the 60-second requirement was removed. The ordinance is correct and does not contain that requirement. It can, therefore, be approved as published.

Chairperson Leffel requested a roll call vote. The motion passed unanimously by roll call.

8. NEW BUSINESS

- 8-1. Adopt a \$250 non-refundable fee to process new RTA Taxicab Company Permit applications.

Mr. Harvath summarized the recommendation from the Technical Advisory Committee to implement the non-refundable fee as a way of discouraging those individuals who do not meet the requirements from applying, as well as ensuring that RTA staff does not spend hours processing applications that do not get approved. Mr. Harvath stated that if he was able to determine that the applicant could not qualify early on, he would refund the fee.

Director Barrera doesn't like the idea of having a flexible refund policy. Chairperson Leffel also discouraged a flexible refund policy. Director Downey liked the idea of giving staff flexibility.

Public Comment

John Cardinalli of Salinas Yellow Cab thinks the application fee should be non-refundable.

Kathi Krystal agrees that Mr. Harvath should have the discretion to refund if he does not spend a lot of time on the application.

Close Public Comment

Alex Lorca, RTA General Counsel, confirmed that administrative fees are assessed with consideration to the general amount of time spent on any administrative activity; therefore, if some applications do not require staff to spend \$250 of actual time, others may go over. There is no concern that fees must be reimbursed according to actual time spent per application.

Chairperson Leffel recommended adding "complete formal application" to the recommendation to process new RTA Taxicab Company permit application. If it is obvious that the applicant will not qualify after a brief discussion, there would be no need to apply a fee.

Director Clark made a motion to recommend that the board adopt "A \$250 non-refundable fee to process new and complete formal RTA taxicab company

Permit applications.” The motion was seconded by Director Theis and passed unanimously.

9. COMMENTS BY BOARD MEMBERS

9-1. Reports on meetings attended by board members at RTA expense (AB1234).

9-2. Board member Comments and Announcements.

Director Downey attended the Salvation Army Safari fundraiser and applauded Salinas Yellow Cab for providing complimentary taxi service for those requiring a ride home.

9-3. Board member Referrals to TAC or future RTA agendas.

Director Armenta would like the board to consider reviewing the RTA Ordinance to consider adding a prohibition against taxicab drivers doing mechanical work on their taxis in their residential driveways.

Public Comment

John Cardinalli opposed the request as he believes it is a code enforcement issue.

Kathi Krystal opposed the request as many taxicab drivers are qualified to work on their taxis without a license.

Close Public Comment

Seeing no interest from board members, Mr. Armenta withdrew his request.

10. CORRESPONDENCE & INFORMATION ITEMS

10-1. Uber Airport Service at Monterey Peninsula Airport.

Director Leffel asked Mr. LaPier, Monterey Peninsula Airport’s new executive director, to provide information on the airport’s recent agreement with Uber to provide service. Mr. LaPier explained the agreement that was agreed upon with Uber’s San Francisco corporate and regional directors, noting that Uber vehicles may not stage at the airport like the taxis, but they can pick up and drop off pre-arranged trips. Individual taxicab drivers do not have to pay the \$250 medallion fee, but they must pay the \$3.00 pick-up and drop-off fee. Uber corporate pays \$1,000 per year for service, which is the identical pricing the airport charges TPCs such as limousines.

Public Comment

Alec Stefan had a number of questions for Mr. LaPier. Chairperson Leffel stated that Public Comment is not designed for questioning board or staff, and Mr. LaPier will discuss his questions with him after the meeting.

Close Public Comment

Director Downey would like RTA staff to send all board members the Taxi/TNC Comparison sheet and requested that it be posted to the RTA website and sent to the City of Monterey.

- 11. CLOSED SESSION**
- 12. RETURN TO OPEN SESSION**
- 13. ADJOURN**

There being no further business, Chairperson Leffel adjourned the meeting at 11:35 a.m.

Prepared by:



Deanna Smith, Deputy Secretary

To: Board of Directors
From: H. Harvath, Deputy Treasurer
Subject: Quarterly Financial Report: July – December 2015

RECOMMENDATION:

Receive and accept the quarterly financial report of the Monterey County Regional Taxi Authority.

DISCUSSION:

The current (2nd Quarter of FY 2016) financial report of the Monterey County Regional Taxi Authority (RTA) is attached for your review.

Prepared by:


Angeja Dawson

Reviewed by:


Hunter Harvath

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Monterey County Regional Taxi Authority
Budget vs. Actual
July 2015 through December 2015

	QUARTER 1			QUARTER 2			TOTAL		
	Actual	Budget	\$ Over Budget	Actual	Budget	\$ Over Budget	Actual	Budget	\$ Over Budget
Operating Revenues									
Permit Fee Income	60,100	55,000	5,100	(1,200)	-	(1,200)	58,900	55,000	3,900
Permitting Revenue Mtry PD	-	-	-	-	-	-	-	-	-
Violation Fine Income	-	-	-	-	-	-	-	-	-
Total Operating Revenues	60,100	55,000	5,100	(1,200)	-	(1,200)	58,900	55,000	3,900
Operating Expenses									
Administrative Expenses	3,450	3,450	-	3,400	3,450	(50)	6,850	6,900	(50)
Bank Service Charges	-	-	-	-	-	-	-	-	-
Board of Directors Meetings	28	-	28	25	-	25	52	-	52
Decals	-	-	-	703	-	703	703	-	703
Legal Services	1,252	3,750	(2,498)	1,765	3,750	(1,985)	3,018	7,500	(4,482)
Liability Insurance Expense	2,725	2,750	(25)	2,725	2,750	(25)	5,450	5,500	(50)
Payroll Expenses	1,917	1,500	417	1,436	1,500	(64)	3,353	3,000	353
Postage	31	-	31	15	-	15	46	-	46
Travel and Meetings	-	-	-	-	-	-	-	-	-
Total Operating Expenses	9,402	11,450	(2,048)	10,068	11,450	(1,382)	19,471	22,900	(3,429)
Net Operating Surplus/(Deficit)	50,698	43,550	7,148	(11,268)	(11,450)	182	39,429	32,100	7,329
Non-Operating Revenues									
Member contributions	10,598	-	10,598	-	-	-	10,598	-	10,598
Total Non-Operating Revenues	10,598	-	10,598	-	-	-	10,598	-	10,598
Net Surplus/(Deficit)	61,296	43,550	17,746	(11,268)	(11,450)	182	50,027	32,100	17,927

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To: Board of Directors
From: K. Halcon, Director of Human Resources/Risk Management
Subject: Directors and Officers Insurance

RECOMMENDATION:

Receive update on the renewal and procurement of General Liability and Directors and Officers insurance.

FISCAL IMPACT:

Not to exceed \$9,500.00 for one year of coverage. The revenue generated from licensing fees will cover this expense.

POLICY IMPLICATIONS:

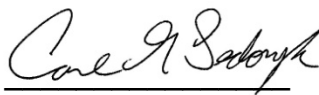
Staff has been working with an outside brokerage firm to renew and procure General Liability and Directors and Officers insurance for the Regional Taxi Authority.

DISCUSSION:

The current Joint Powers Agreement allows the RTA to contract with MST for the provision of all of insurance as the RTA Board of Directors deems necessary and appropriate. General Liability, Director and Officers insurances will be carried for the benefit of the RTA and those parties designated to do business in the name of the RTA Board. The RTA currently has this policy and MST staff has renewed the current policy for the next plan year.

Monterey-Salinas Transit has contacted NFP Property & Casualty to act as the broker in this transaction and to acquire the best price for the above mentioned insurances. The current cost quote is for General Liability and Directors and Officers insurance with coverage up to \$1 million dollars. Total premium cost to the RTA is \$9,486.00 per year, which will be covered by the money collected from licensing fees. This is a decrease of \$1,414.00 from the previous year due to aggressive negotiations with the underwriters of the Directors and Officers Insurance Market.

Prepared by: 
Kelly Halcon

Reviewed by: 
Carl Sedoryk

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To: Board of Directors
From: H. Harvath, Deputy Treasurer
Subject: RTA Administrator Report, July – December 2015

RECOMMENDATION:

Receive and accept the RTA Administrator Report for the months of July through December 2015.

DISCUSSION:

The current RTA Administrator Report for the Monterey County Regional Tax Authority (RTA) is attached for your review.

ATTACHMENT 1: RTA Administrator Report


ATTACHMENT 2: RTA Administrator Incident Detail

PREPARED BY:



Hunter Harvath

REVIEWED BY:



Carl G. Sedoryk

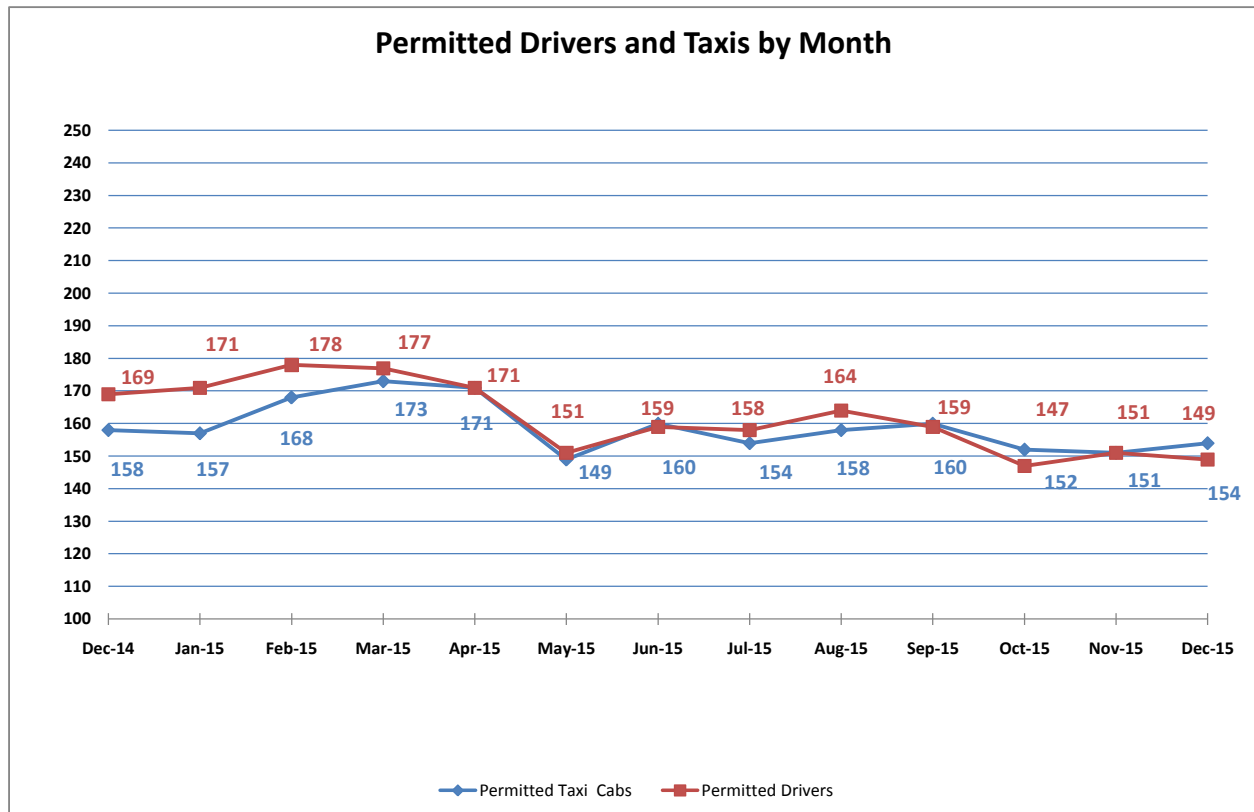
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FY 2016 RTA Administrator Report
July 2015 - December 2015

	July 2015	Aug 2015	Sept 2015	Oct 2015	Nov 2015	Dec 2015	FY 2016 YTD	FY 2015 Total	FY 2014 Total	FY 2013 Total
New Company Permits	0	0	0	0	0	0	0	0	0	0
New Driver Permits	0	1	1	0	1	0	3	17	17	64
Driver Renewals	10	7	13	8	12	4	54	154	138	134
Driver Transfers	3	0	1	1	0	0	5	7	7	n/a
Vehicle Permits	18	6	11	15	12	11	73	152	153	227
Incidents Logged	1	1	5	2	2	2	13	26	34	39
Appointments	41	16	26	33	31	14	161	424	525	786
Random Inspections	2	3	0	0	0	3	8	39	4	39
Driver Permit Suspension	0	0	0	0	0	0	0	0	1	1
Driver Permit Denial	0	1	0	0	1	0	2	3	0	13
Driver Permit Revocation	0	0	1	0	0	0	1	0	0	0
Appeals Hearing	0	0	0	0	0	0	0	1	1	6
Administrative Hearing	0	0	0	1	0	0	1	2	0	6
Administrative Action	0	0	0	1	0	0	1	1	0	6
Customer Comment Card	23	8	1	0	0	0	32	26	n/a	n/a

154 Permitted Taxis as of December 31, 2015

149 Permitted Drivers as of December 31, 2015



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Monterey County Regional Taxi Authority

INCIDENT LOG - FY 2016

December 2015

Incident 1: On December 30, 2015, a Salinas Yellow Cab employee said that there are two Salinas Yellow Cabs, #4 and #8, driving around Salinas and Monterey with expired RTA stickers.

Incident Update – RTA staff informed the Salinas PD of this potential violation.

November 2015

Incident 1: On November 4, 2015, a Salinas Yellow Cab employee said that currently there is a Salinas Yellow Cab driving around Salinas without an RTA Sticker. The vehicle's license plate is 60815R1, CAB #4. The cab usually can be found at the Natividad Hospital in the mornings around 9 am.

Incident Update – RTA staff informed the Salinas PD of this potential violation.

Incident 2: On November 16, 2015, passenger was picked up at her home in Seaside by "Central Coast Yellow Cab #16" and was driven to Forest Hill in Pacific Grove. The meter read \$21 at the end of her trip. The passenger was charged for the full price of the trip in addition to her senior voucher, which was obtained from the City of Seaside. She should have been charged a total of \$7 (the \$3 voucher co-pay plus \$4 to cover the difference between the \$17 maximum allowable trip cost and the \$21 meter reading). The passenger requested a follow up.

Incident Update – RTA staff initiated the investigation of this complaint and found that the company in questions was in fact Salinas Yellow Cab, not "Central Coast Yellow Cab" as indicated by the customer service report. In that regard, Salinas Yellow Cab was contacted via e-mail on 11/23/15, and again by phone on both 12/7/15 and 12/10/15. Michael Cardinalli responded on 12/10/15 and said the taxi in question was not #16 but was #61. The driver of this cab is a 10 year veteran, and understands how the program works. The driver maintains that Ms. Escalante was charged \$7.00 (\$3.00 co-pay plus \$4.00) and a Senior Taxi Voucher for the \$21.00 trip. The passenger was contacted on 12/10/15 and again re-iterated that Ms. Escalante was charged \$21.00 and a voucher. Michael Cardinalli has agreed to cut Ms. Escalante a check for \$21.00 because she is a long-time customer and they appreciate her business.

October 2015

Incident 1: On October 8, a Salinas Yellow Cab employee said that there is a Central Coast van driving around town without an RTA sticker on the back of the vehicle. The number of the van is either 310 or 301.

Incident Update – This information was forwarded to Monterey Police Department for clarification and investigation. MPD responded that a permit was issued to the van in error as the van was not painted the appropriate color for Central Coast vehicles. MPD staff would be taking steps to rectify the situation and reported that as of October 28th, the permit sticker was removed due to the color scheme compliance issue.

Incident 2: On October 8, a Salinas Yellow Cab employee said that he saw Duane Gida, owner of Central Coast Cab, driving a taxi van around town. The employee was uncertain whether or not Mr. Gida was operating a taxi service using the van.

Incident Update – While Mr. Guida’s RTA driver permit has been revoked, he still maintains a valid RTA company owner permit. As such, he is still permitted to drive around in a marked Central Coast vehicle to oversee the operations of his taxi dispatching company business. However, he cannot pick up passengers and operate as a taxi driver in service.

September 2015

Incident 1: On September 1, a Monterey Police Officer, while on patrol, spotted Salinas Yellow cab #75 with an expired permit of August 31, 2015. The cab driver was driving all over the roadway as if he was under the influence of alcohol and drugs.

Incident Update – The driver was pulled over and was not DUI, but was on his mobile dispatch device. The Monterey Police Officer gave him a verbal warning. The officer also advised the taxi driver not to work any longer because of his expiration or else he will be cited.

Incident 2: On September 4, a complaint was submitted by an individual stating that on September 3, at approximately 5:11 p.m., a Marina taxi, travelling at a high rate of speed, crossed over the center divider to illegally pass another vehicle. The individual was stationary awaiting traffic to clear to make a left hand turn onto Portola from Reservation Rd. The taxi was heading straight toward the driver at a high rate of speed, and the individual flashed his headlights and “laid on” the horn. The taxi driver returned to his lane, laid on his horn, and flipped off the individual. The taxi was going so fast the individual could not see the taxi number. It was a white Marina Cab.

Incident Update – RTA staff sent Marina Taxi a certified letter informing them of the need to obtain permits from both the RTA and City of Marina. Staff will follow up via phone call to ensure they become fully compliant. Staff also alerted the Marina City Manager about the complaint, which he forwarded to Marina PD. If Marina Taxi does not obtain company, taxi, and driver permits within two weeks after phone call, the RTA will take enforcement measures. Subsequently, staff has met with the owners of Marina Taxi, who have also met with the Marina representative on the RTA Board of Directors in order to find a way to come into compliance with RTA regulations. Staff continues to work with Marina Taxi owners in their attempts to secure driver, vehicle and company permits.

Incident 3: On September 11, Kathi Krystal of Associated Taxi reported a verbal complaint that a gray van, license number unknown and possessing a taxi dome light, is operating as a taxi. No other signage is displayed on the van except a phone number on back. Both Robert Buswell, owner of Associated taxi, and Ms. Krystal have seen the van. The van seems to be operating late in the afternoon on and nights on weeknights.

Incident Update – Staff has forwarded this information to Monterey Police Department so that they can be on the lookout for this vehicle.

Incident 4: On September 30, RTA staff received an email complaint asking why those who call to request a taxi using a senior taxi voucher are required to inform the dispatcher that they intend to use a voucher. The rider stated this seems to put them at the bottom of the list. The rider detailed having to call three times to request a cab for a senior voucher ride, each time being told the cab would arrive in ten to fifteen minutes. The cab never arrived, and only after the rider became angry did the dispatcher send a cab, which then arrived in 4 minutes.

Incident Update – RTA staff has followed up on the matter and is waiting on a response from Salinas Yellow Cab. Staff informed the rider that customers are only required to inform the cab driver they are using a senior voucher; they are not required to inform the dispatcher.

Incident 5: A Salinas Yellow Cab driver complained that Uber drivers are picking up passenger from the Airport without authorization. Uber vehicle license plate # 7LPM854.

Incident Update – As of October 1, 2015, Uber drivers are now permitted to pick up at the Monterey Regional Airport under an official contractual arrangement between Uber and the Airport.

August 2015

Incident 1: A Taxi Cab driver is complaining about a Salinas Yellow Cab driver (cab #53) driving without an MCRTA sticker on the back. He also mentioned that Orange cab #4 is driving without a sticker. The vehicle plate # is 60815R1.

Incident Update – Hunter Harvath notified the owners of Salinas Yellow Cab and requested information on whether this cab was currently in their service. He was told that the driver had moved to Uber. As no records on Orange Cab #4 can be found in the vehicle roster, RTA staff has sent the information about Orange Cab #4 to Salinas Police Department and is working with Monterey Police Department to identify the owner of this vehicle through the license plate number. Once identified, staff will send a certified letter to the owner of the vehicle and the owner of Orange Cab informing them of the potential fines for operating a taxi vehicle without a permit.

Incident Update – Hunter Harvath attempted to investigate Orange Cab #4, but could find no current records of the cab. Staff did trace records back to 2013 and found Orange Cab #4 with a different license plate number permitted by a driver named Ricardo Fernandez Zamora, which

has expired. Staff sent a letter to the owners of Orange Cab asking them to make sure the vehicle is permitted to avoid fines, or to request that Mr. Zamora remove the RTA sticker from the vehicle.

July 2015

Incident 1: On July 27, the Monterey Police Department informed the RTA that a Salinas Yellow Cab #82 was operating as an unlicensed taxi cab company. The vehicle was also observed with an expired vehicle tag.

Incident Update – The incident was corroborated by the owner of Salinas Yellow Cab, who confirmed the driver had previously operated cab #82 while in their employ. RTA staff sent driver Gerald Locke a letter informing him of his violations of RTA regulation and administrative fines the RTA was authorized to levy for the violations. The letter confirmed fines in the amount of \$2,940 for three violations, and was told to cease operations immediately. Staff has since spoken to Mr. Locke, who assured that he was not operating as a taxi. Staff instructed him to remove the expired RTA sticker from the back windshield as well as the #82 from the exterior of the vehicle to avoid any confusion. In addition, Mr. Locke was informed that the Monterey County Sheriff's Department has been alerted to be on the lookout for his vehicle in Carmel Valley to observe whether he is picking up passengers and operating as an illegal taxicab. Unless there is some direct observation of illegal activity by public safety officers, the fine will not be collected.

To: Board of Directors
From: Hunter Harvath, Deputy Treasurer
Subject: Public Hearing – Revoke Taxicab Company Owner Permit Application – MC & SONS, LLC d/b/a DGTC Taxi.

RECOMMENDATION:

1. Conduct public hearing regarding the proposed permit revocation of MC & SONS, LLC d/b/a DGTC TAXI to provide taxi services in the Monterey County Regional Taxi Authority (RTA) jurisdictions.
2. Approve revocation of RTA permit of MC & SONS, LLC as a taxi dispatching company.

FISCAL IMPACT:

Potential company permit fee revenue lost by the RTA in the amount of \$1,000 for the first cab dispatched, \$300 for each additional cab dispatched.

POLICY IMPLICATIONS:

Your Board holds public hearings for and approves revocations of Taxicab Company Owner permits.

DISCUSSION:

In February of 2014, staff received an application for a new taxicab company permit from MC & SONS, LLC d/b/a DGTC TAXI. The company owners, Chanchal M. Singh and Manjeet Kaur, submitted substantial documentation as required by the Monterey County Regional Taxi Authority Regulations, passed the Department of Justice criminal background check, and provided proof of the \$1 million insurance that is required by the RTA regulations. In that regard, staff recommended – and your Board approved – a new taxi dispatching company permit for DGTC Taxi at its July 28, 2014, meeting. Subsequently, a permit fee check in the amount of \$1,000 was received by the RTA in early August 2014.

Since that time, no taxi vehicle or driver permit applications for DGTC Taxi have been submitted to the Monterey Police Department. As such, no taxis have ever been put into service under this permit. After a number of telephone conversations with the

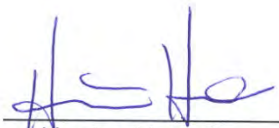
owners of DGTC Taxi regarding their delays in commencing taxi dispatching operations, staff sent a certified letter on September 24, 2015, informing them that their FY 2015-2016 permit fees were due. After not receiving payment of the dues for several weeks, staff followed up with another certified letter (Attachment) delivered on November 4, 2015, notifying DGTC Taxi owners that their permit fees were past due and that they were in violation of Section 4 of the RTA Regulations, which states:

4. CONTINUED OPERATION OF AUTHORIZED BUSINESS REQUIRED.

Every person holding an owner's permit under the provisions of these Regulations shall regularly and daily operate the taxicab business within the Regional Taxi Authority Area to the extent reasonably necessary to meet public demand for such service on a 24-hour-a-day basis. Failure to comply with this provision shall constitute abandonment of service and the RTA, after a noticed public hearing, may revoke the owner's permit if a violation of this section is demonstrated. The RTA Board of Directors, under its sole discretion, may elect to grant an exception to the 24-hour-a-day requirement.

To date, no payment or communication has been received in response to these certified letters. In that regard, staff recommends that your Board hold a public hearing in accordance with Section 22.7 of the RTA Regulations to revoke this taxicab company owner permit. After holding the public hearing, your Board may elect to revoke this permit. If it does, DGTC Taxi owners have the right to appeal this action under Sections 22.8 and 24 of the RTA Regulations. In accordance with these sections of the regulations, your Board has established administrative hearing rules and procedures which will be followed if the owners of DGTC Taxi wish to appeal the proposed revocation of this permit. The results of any appeals hearing that may be held in association with this matter would be reported to your Board at a subsequent meeting.

Attachment: October 30, 2015 certified letter to Chanchal M. Singh, DGTC Taxi.

PREPARED BY: 
Hunter Harvath

REVIEWED BY: 
Carl G. Sedoryk

Monterey County Regional Taxi Authority

City of Carmel-by-the-Sea • City of Del Rey Oaks • City of Marina • City of Monterey
 City of Pacific Grove • City of Salinas • City of Sand City • City of Seaside
 Monterey Peninsula Airport District • County of Monterey

October 30, 2015

Mr. Chanchal M. Singh
 DGTC Taxi
 442 Tudor Way
 Salinas, CA 93906

Dear Mr. Singh:

The 2015-2016 Monterey County Regional Taxi Authority (RTA) permit invoices were sent out to all taxi dispatching companies via certified mail on September 18, 2015. Certified proof of delivery and pickup by you or a DGTC Taxi representative was received by the RTA postmarked September 24, 2015. The attached letter and invoice sent to you stated that payment was due by October 20, 2015. As of today, October 30, 2015, your permit fees have not been submitted to the RTA. Your payment must be received within 5 business days of the delivery and pick up of this letter being delivered by certified mail.

At the July 28, 2014, meeting of the RTA Board of Directors, you were granted a permit to operate a taxi dispatching company within the jurisdictions of the RTA. It is now over a year later and you have yet to secure driver or vehicle permits and commence operations, which constitutes a violation of Section 4 of the RTA Regulations:

4. CONTINUED OPERATION OF AUTHORIZED BUSINESS REQUIRED.

Every person holding an owner's permit under the provisions of these Regulations shall regularly and daily operate the taxicab business within the Regional Taxi Authority Area to the extent reasonably necessary to meet public demand for such service on a 24-hour-a-day basis. Failure to comply with this provision shall constitute abandonment of service and the RTA, after a noticed public hearing, may revoke the owner's permit if a violation of this section is demonstrated. The RTA Board of Directors, under its sole discretion, may elect to grant an exception to the 24-hour-a-day requirement.

If you do not pay your permit fees promptly and begin operating taxi service, a public hearing will be scheduled for the next RTA Board of Directors meeting, currently set for Monday, January 25, 2016, to seek revocation of your taxi dispatching company permit.

Please make your check (personal or cashiers check, please – do not send cash) payable to Monterey County Regional Taxi Authority, and send c/o Monterey-Salinas Transit, One Ryan

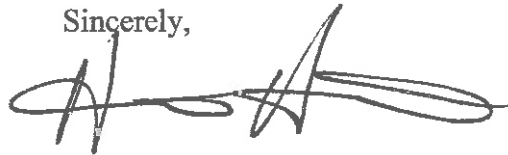
Letter to C. Singh

October 30, 2015

Page 2 of 2

Ranch Road, Monterey, CA 93940. If you have any questions, please contact me at (831) 393-8129 as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hunter Harvath', with a stylized flourish at the end.

Hunter Harvath, AICP

Deputy Treasurer

Monterey County Regional Taxi Authority

Attachments

Monterey County Regional Taxi Authority

City of Carmel-by-the-Sea • City of Del Rey Oaks • City of Marina • City of Monterey
 City of Pacific Grove • City of Salinas • City of Sand City • City of Seaside
 Monterey Peninsula Airport District • County of Monterey

September 18, 2015

Chanchal Singh
 DGTC Taxi
 442 Tudor Way
 Salinas, CA 93906

Y100

Dear Monterey County Taxi Dispatch Company Owner:

The Monterey County Regional Taxi Authority (RTA) was convened in August of 2010 and was empowered with oversight, administration and enforcement of all taxi regulations within the municipalities of Carmel-by-the-Sea, Del Rey Oaks, Monterey, Pacific Grove, Salinas, Sand City, Seaside, and unincorporated Monterey County. On July 27, 2015, the RTA Board of Directors adopted its Fiscal Year 2016 (July 1, 2015 through June 30, 2016) Operating Budget, which included **no increases** to the annual Taxi Dispatching Company Permit fee of \$1,000 for the first taxi vehicle dispatched and \$300 for each additional vehicle dispatched.

In that regard, your FY 2016 annual taxi dispatching permit fee in the amount noted below covering the period July 1, 2015, through June 30, 2016, is now due and must be paid in full by the date indicated to be in compliance with the rules and regulations of the RTA. Your taxi dispatching company annual fee is calculated based on the number of taxi meters inspected and registered by the Monterey County Agricultural Commission Department of Weights & Measures as of March 31, 2015 (Agricultural Commission inspection spreadsheet attached). Failure to pay the annual permit fee by October 20, 2015, will result in a fine of \$1,800 per incident cited of dispatching a taxicab within the RTA jurisdictions without a valid taxi company permit.

TAXI DISPATCHING COMPANY NAME:	DGTC Taxi
# OF TAXIMETERS INSPECTED (as of March 31, 2015)	1
TAXI DISPATCHING COMPANY PERMIT FEE (Includes 1 st vehicle)	\$1,000
ADDITIONAL VEHICLES DISPATCHED (1 @ \$300 EACH)	\$ 0
<u>FY 2016 TAXI DISPATCHING COMPANY PERMIT FEE DUE:</u>	<u>\$1,000</u>
PAYMENT MUST BE RECEIVED BY:	October 20, 2015

Please note that additional RTA requirements include the purchase of a minimum combined single limit of one million dollars (\$1,000,000) for the injury or death of one or more persons in the same accident. Please ensure that proof of the renewal of this insurance is submitted to the RTA office on or before its expiration date. Once payment for the permit fees has been received by the RTA, your FY 2016 Taxi Dispatching Company Permit will be issued to you.

Invoice

Monterey County Regional Taxi Authority

One Ryan Ranch Road
 Monterey, CA 93940
 Phone # 831-393-8129 HHarvath@mst.org

Date	Invoice #
9/18/2015	122

Bill To
DGTC Taxi East Market Shell 442 Tudor Way Salinas, CA 93906

P.O. No.	Due Date
	10/20/2015

Description	Quantity	Amount
Permit Fee - 1st Vehicle		1,000.00
PAST DUE		
Please remit payment to: Monterey-Salinas Transit One Ryan Ranch Road Monterey, CA 93940 831.393.8129 HHarvath@mst.org		
Total		\$1,000.00