

Monterey County Regional Taxi Authority MINUTES

July 27, 2015
1 Ryan Ranch Rd. Monterey, CA

Present:	Fernando Armenta	County of Monterey
	Tony Barrera	City of Salinas
	Carrie Theis	City of Carmel-by-the-Sea (alt)
	Pat Lintell	City of Del Rey Oaks (alt)
	Libby Downey	City of Monterey
	Mary Ann Leffel	Monterey Peninsula Airport District
	Dan Miller	City of Pacific Grove
	David Pacheco	City of Seaside
	David Pendergrass	City of Sand City
Absent:	None	
Staff:	Carl Sedoryk	General Manager/CEO
	Hunter Harvath	Asst. GM of Finance & Administration
	Andrea Williams	General Accounting & Budget Manager
	Lisa Rheinheimer	Director of Planning & Development
	Tom Hicks	CTSA Manager
	Mike Hernandez	Asst. GM/COO
	Deanna Smith	Executive Assistant/Clerk to the Board
	Dave Laredo	De Lay & Laredo
Public:	Ben Miller	Pebble Beach Company
	Karen Faurot	MPD/RTA Administrator
	Eddie Rodriguez	City of Marina
	Ken Riggs	Monterey Regional Airport
	Michael LaPier	Monterey Regional Airport
	John Cardinali	Salinas Yellow Cab
	Alex 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 10:03 a.m. and roll call was taken. Director Pendergrass led the Pledge of Allegiance.

- 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

No public comment.

3. CONSENT AGENDA

3-1. Minutes of the regular meeting of April 27, 2015.

3-2. Receive April – June 2015 Financial Statements.

Director Pendergrass made a motion to approve the Consent Agenda and was seconded by Director Pacheco. The motion passed unanimously.

4. REPORTS & PRESENTATIONS

4-1. Receive update from RTA staff and the April – June 2015 Report from RTA Administrator.

Mr. Harvath referred the Board to page 17 of the agenda for a summary of RTA activities and incidents. The RTA “comment card” has been created and distributed to RTA taxicab companies. As of the end of the fiscal year, 26 comment cards were received with all but one reporting excellent service.

There has been a reduction in the number of permitted taxicabs over the past year, and staff attributes much of this reduction to the influx of Uber drivers in the county.

Alec Stefan from Salinas Yellow Cab stated that Uber is breaking the law by picking up fares on the street. Uber is only allowed to pick up a fare that has been requested through their cell phone app. In February of 2015, the City of Los Angeles initiated a sting operation to catch Uber breaking this law, and Mr. Stefan encourages the RTA to crack down on this practice.

4-2. Comparison of Monterey County RTA and TNC Regulations.

Carl Sedoryk reviewed page 28 of the agenda which provided a comparison of the regulatory differences between the taxi industry and Transportation Network Companies (TNC). With a different set of rules governing the taxi industry, TNCs like Uber and Lyft are operating with an unfair competitive advantage, although taxi regulators like the RTA are basically powerless to challenge them.

Public Comment

Alec Stefan of Salinas Yellow Cab stated that when an illegal hail or fare is accepted and the Uber driver accepts payment, their vehicle insurance is null and void. Additionally, street hails are an untraceable transaction, which affects the safety of the passenger.

Close Public Comment

Director Downey liked the comparison document Mr. Sedoryk created and would like to see something similar advertised publicly to help promote RTA taxicab companies. She asked MST legal counsel, Dave Laredo, to comment on whether this would be advisable.

Mr. Laredo stated that the RTA has the authority to provide public information. He advised that there would be a cost for advertising and any public information should be reviewed by legal counsel prior to publication.

Director Pendergrass urged caution as TNCs are legal and disparaging comments could lead to litigation. Director Leffel suggested that the information was perfect to be used by taxicab companies as a way of promoting their service.

Mr. Sedoryk stated that he will research the issue further and contact peer agencies to find out if other taxi authorities have used any type of promotional ad to compare taxis to TNCs.

Director Barrera stated that at a recent APTA conference, Uber was the “buzzword” out there. He thinks the Uber issue will eventually be addressed at the Congressional level.

Director Leffel stated that TNCs are global and have recently contracted to deliver Starbucks, prescriptions drugs, and groceries. She believes they are simply too integrated for a small agency to challenge. The airport has not been made whole by their participation in the RTA and much of this is because of taxi business lost to TNCs. Prior to the formation of the RTA, the airport had an exclusive contract with a local cab company who paid \$3,000 per month for the right to pick up fares at the airport. Upon the formation of the RTA, the airport also invested in new technology to monitor RTA cab companies who purchased permits to pick up fares. They have never been able to match the \$3,000 monthly income nor have they been able to recoup their investment.

Alternate for the City of Carmel, Carrie Theis, asked Salinas Yellow Cab if they have tried to implement an app to compete with Uber. John Cardinalli stated that they have implemented the app, but the public is simply too connected with Uber for their app to compete.

Chairperson Leffel requested the formation of a new Ad Hoc Committee to explore solutions to the impact Uber and other TNCs are having on the local taxi industry. Director Downey, Karen Faurot of the Monterey Police Department

volunteered. Salinas Yellow Cab will also assign someone to serve on the committee and Chairperson Leffel will contact Salinas City Councilmember Kimbley Craig to participate. Dave Laredo will coordinate a meeting with the General Counsel for the Monterey Board of Supervisors. Chairperson Leffel will assist in requesting or appointing other members to the committee as appropriate.

5. BIDS/PROPOSALS

6. PUBLIC HEARINGS

7. UNFINISHED BUSINESS

7-1. Adopt FY 2016 Operating Budget.

Hunter Harvath reviewed the proposed FY 2016 budget and stated that the Finance Committee had met prior to the meeting and recommended the budget be approved as presented.

Public Comment – none.

Director Barrera made a motion to approve the Fiscal Year 2016 RTA Budget and was seconded by Director Downey. The motion passed unanimously.

8. NEW BUSINESS

8-1. Conduct Election of Officers.

Director Pendergrass stated that the Nominating Committee had met prior to the board meeting and recommended Mary Ann Leffel to serve as Chairperson, and Fernando Armenta to serve as Vice-Chair, of the RTA Board for Fiscal Year 2016.

Director Barrera made a motion to appoint Mary Ann Leffel to serve as Chairperson, and Fernando Armenta to serve as Vice-Chair, of the RTA Board for Fiscal Year 2016. Director Pendergrass seconded and the motion passed unanimously.

8-2. Introduce and hold a first reading of an Ordinance requiring taxicab drivers to accept credit/debit cards and direct staff to publish the ordinance in the local newspapers of record.

Hunter Harvath introduced Ordinance 2016-01 requiring RTA taxicab drivers to accept credit and debit cards as payment for trip fares. Staff is requesting direction to publish the ordinance in local newspapers of record and to authorize a public hearing and second reading of the Ordinance at the October 26 meeting of the RTA Board. Upon approval, Section 2 7.5 Credit/Debit Card Payments will be added to the RTA

Regulations and taxicab drivers will be required to begin accepting credit/debit card payments in January 2016.

Staff is recommending this schedule to align with new credit card "chip" requirements that will be implemented in October of 2015.

Chairperson Leffel requested a change to the language of Section 2 7.5 (b) to include either written or electronic receipts.

Public Comment

John Cardinalli of Salinas Yellow Cab stated that some credit card processing companies charge an additional fee for printing written receipts.

Close Public Comment

Dave Laredo confirmed that he will update the language of Section 2 7.5 Credit/Debit Card Payments to read:

"All drivers must be capable of providing credit card swiping, reading and verification of card, authorization of payment, and written or electronically transmitted customer receipt upon being swiped."

Director Theis made a motion to direct staff to publish Ordinance 2016-01 in the local newspapers of record and to hold a second reading of the Ordinance at a public hearing at the next regularly scheduled meeting of the RTA Board of Directors. Director Downy seconded and the motion passed unanimously.

8-3. Approve request from City of Marina to join the RTA.

Hunter Harvath introduced City Councilmember Frank O'Connell of the City of Marina and Police Chief Eddie Rodriguez who are present to answer any questions from the Board or public. The City of Marina opted not to join the RTA upon its formation, but has since requested to participate as a represented jurisdiction. The RTA Joint Powers Agreement (JPA) requires all new participating jurisdictions to receive unanimous approval from all nine of its RTA board members before acceptance into the RTA.

Public Comment

Councilmember Frank O'Connell thanked the Board for its consideration and requested the required unanimous approval.

Close Public Comment

Director Downey made a motion to approve the City of Marina's request to join the RTA and was seconded by Director Pacheco. The vote was taken by roll call and passed unanimously 9-0.

Chairperson Leffel welcomed the City of Marina and believes their addition will strengthen the RTA and the community.

9. COMMENTS BY BOARD MEMBERS

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

Director Downey stated that at a recent APTA meeting, she noticed that many airports were adding shuttle service to local downtowns instead of only local hotels. Director Pendergrass concurred that more public transportation is needed as he has noticed an increase in traffic going to and from airports.

9-2. Board member Comments and Announcements.

Director Downey welcomed alternates Carrie Theis and Pat Lintell and thanked them for attending in place of their peers Directors Beach and Clark

Director Armenta announced that the Board of Supervisors would be on recess the first three weeks in August.

Carl Sedoryk announced that the August MST Board meeting may be cancelled. MST typically does not hold an August meeting. Official notice will go out by August 5 in the event an issue arises which may require a meeting to be held.

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

10. CORRESPONDENCE & INFORMATION ITEMS

10-1. Compliance Order – Operating without a permit.

11. CLOSED SESSION

12. RETURN TO OPEN SESSION

13. ADJOURN

There being no further business, Chairperson Leffel adjourned the meeting at 11:10 a.m.

Prepared by:


Deanna Smith, Deputy Secretary