

# MONTEREY COUNTY REGIONAL TAXI AUTHORITY MINUTES

October 20, 2014  
10:00 a.m.  
One Ryan Ranch Road, Monterey

<b>Present:</b>	Fernando Armenta	County of Monterey
	Tony Barrera	City of Salinas
	Victoria Beach	City of Carmel-by-the-Sea (arrived 10:01 a.m.)
	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
<b>Absent:</b>	Alan Cohen	City of Pacific Grove
<b>Staff:</b>	Carl Sedoryk	General Manager/CEO
	Hunter Harvath	Asst. General Manager/Finance & Administration
	Michael Hernandez	Asst. General Manager/COO
	Kelly Halcon	Director of Human Resources/Risk Management
	Tom Hicks	CTSA Manager
	Deanna Smith	Executive Assistant/Clerk to the Board
	Alex Lorca	De Lay & Laredo
<b>Public:</b>	Michael Nehme	MPD/RTA Administrator
	Ken Griggs	MPAD
	Jerome Sindano	Yellow Cab/Applicant
	Michael Cardinalli	Salinas Yellow Cab
	John Cardinalli	Salinas Yellow Cab
	Tom Mancini	TAC Representative
	Karen Elherz	Trapeze

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

## 1. CALL TO ORDER

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

Chair Leffel called the meeting to order at 10:00 a.m. and the Pledge of Allegiance followed.

## 2. CONSENT AGENDA

- 2-1. Review highlights of the agenda.

Mr. Sedoryk provided the highlights of the agenda.

2-2. Minutes of the regular meeting of July 28, 2014.

2-3. Receive July – September 2014 Financial Statements.

**Director Barrera made a motion to approve the Consent Agenda and was seconded by Director Armenta. The motion passed unanimously.**

**3. SPECIAL PRESENTATIONS**

**4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

No public comment.

**5. COMMITTEE REPORTS AND PRESENTATIONS**

5-1. Receive update from RTA staff.

Mr. Harvath referred to page 39 of the agenda, stating that the RTA Administrative Report should reflect that one new RTA taxicab company was in fact approved in July 2014. The report will be corrected for the final record. Total permitted taxicabs and drivers are increasing and reflect more closely last year's numbers. Seven of nine taxi companies have submitted their permit renewals and payments. Invoices were sent out in August and were due in September. Salinas White Cab and Green Cab are still outstanding. The Salinas Police Department has been informed about complaints of unpermitted cabs in Salinas. RTA startup fees are being paid back in a timely fashion.

Director Downey would like the RTA administrator to request more detail from those submitting complaints. Mr. Harvath stated that staff would make an effort to request more detail; however, complaints are frequently anonymous. All incidents are forwarded to police departments, but the RTA does not always receive closure on complaints. Director Downey would also like to see random inspections increased.

Director Edwards requested that staff follow protocol for late payments and enforce the process uniformly. Chair Leffel requested that the Monterey Airport and the Monterey County Hospitality Association be informed of all unpermitted taxicab companies.

Public Comment

Mr. Mancini requested information on whether unpermitted taxicab companies can still pick up seniors on the voucher program.

Close Public Comment

5-2. Minutes of the Ad Hoc Bylaw Review Committee.

Mr. Sedoyrk stated that the committee recommended requested changes to the RTA Bylaws and the status of the Technical Advisory Committee (TAC), which will be discussed during agenda items 8-2 and 8-3.

**6. BIDS/PROPOSALS**

**7. UNFINISHED BUSINESS**

**8. NEW BUSINESS**

8-1. Maintain financial requirements for taxicab owner permit process.

Mr. Sedoryk stated that he consulted with other similar taxi authorities and found that the authorities requiring financial capacity do so to help ensure both the company's success and the public's safety. Staff recommends maintaining the financial requirement.

Director Barrera asked if RTA companies are continually monitored for financial capacity. Mr. Sedoryk stated that the RTA does not monitor financial capacity once they are approved.

Public Comment

John Cardinalli asked if the RTA will just accept a company permit request simply because they have money. He does not believe the recently approved company was able to prove a public need for additional taxi service in the RTA jurisdiction. Mr. Sedoryk stated that there are four criteria that a new company must meet to be considered for approval by the RTA board.

Jerome Sindado asked the board to focus on public safety and service rather than financial capacity when approving an RTA company permit.

Chair Leffel reminded everyone that when staff has to track down late permit payments, this costs the RTA money is staff time.

Close Public Comment

**Director Pendergrass made a motion to maintain the current financial requirements for new RTA company permit applications and was seconded by Director Clark. The motion passed unanimously.**

8-2. Receive and adopt recommended changes to RTA bylaws.

Mr. Sedoryk stated that the RTA Bylaw Review Committee recommended the following changes to the RTA bylaws:

*“At no time may the RTA Chair or Vice-Chair simultaneously serve as an officer of the MST Board of Directors.”*

The committee also recommended changing the TAC from a standing committee to an ad hoc committee.

**Director Barrera made a motion to approve the recommended changes to the RTA bylaws and to change the status of the TAC from a standing committee to an ad hoc committee. Director Clark seconded and the motion passed unanimously.**

8-3. Receive and adopt Technical Advisory Committee Guidelines.

Mr. Sedoryk referred to page 29 of the agenda stating that per the board's approval of changing the status of the TAC, staff recommends adopting the following TAC Guidelines to replace the former TAC bylaws. The Guidelines are more appropriately suited to the ad hoc nature of the new TAC, while maintaining transparency through adherence to public notice requirements. It is the intent of RTA staff to maintain the same diverse committee representation as was required in the bylaws.

Director Leffel requested that all TAC members be informed of the changes and confirm continued participation as TAC members.

Public Comment

Tom Mancini believes the new change will be positive.

Close Public Comment

**Director Edwards made a motion to adopt the new TAC Guidelines and was seconded by Director Clark. The motion passed unanimously.**

## **9. PUBLIC HEARINGS**

9-1. Conduct public hearing regarding the application of Jerome B. Sindano of Monterey County d/b/a THE OTTERS and consider approval of the application.

Mr. Harvath stated that Mr. Sindano has provided his 2012 and 2013 tax returns, but has not been able to establish sufficient financial capacity for staff to recommend approval of his application. Mr. Sindano was encouraged to seek a line of credit to provide a cash flow to offset unexpected business expenses during his first year, but did not do so.

Public Comment

Mr. Sindano asked the board to consider that he has been a taxi driver in Monterey for three years and has experience in the industry. He asked the board to allow him to succeed as he is confident in his abilities and his understanding of his budget. He believes he can improve taxi service in Monterey County.

## Close Public Comment

Director Barrera feels it is difficult to have approved retaining financial requirements; therefore he did not feel he could deny staff's recommendation.

**Director Barrera made a motion to approve staff's recommendation and deny Mr. Sindano's application for an RTA taxicab owner permit.**

The board discussed various business consulting options and encouraged Mr. Sindano to seek out these services, as well as to try to obtain a small business loan or line of credit. Director Downey asked Mr. Sindano if he had tried to speak with any of the recommended business consultants. Mr. Sindano stated that he did not visit SCORE at the Monterey Peninsula Chamber of Commerce, but he did visit the CSUMB small business resource. He does not want to take out a loan at this time.

**Director Edwards seconded Director Barrera's motion.**

Director Downey encouraged Mr. Sindano to continue to obtain a line of credit and reapply when he was able to meet the RTA requirements.

**Chair Leffel requested a roll call vote. Directors Downey, Armenta, Barrera, Beach, Clark, Edwards, Leffel, Pendergrass voted to support the motion. The motion passed unanimously 8-0.**

## 10. REPORTS & INFORMATION ITEMS

*The Board will receive and file these reports, which do not require action by the Board.*

10-1. Receive July – September 2014 Report from RTA Administrator.

Mr. Sedoryk stated that the report will be corrected to reflect one new RTA company permit approval in July.

Director Barrera is concerned with the hit-and-run incident reported in the Incident Report. Mr. Harvath stated that staff is waiting on a response from the police department regarding conviction. The RTA will then be able to enforce action allowed in the RTA Regulations. Director Barrera and other board members asked Mr. Sedoryk to keep them informed when action is needed from city officials or police departments as they can assist in requesting timely responses.

Mr. Lorca stated that Section 23.9.1 of the RTA Regulations allow for a suspension authority if a driver is arrested, charged, or cited for a violation of the vehicle code. Staff will review the regulations to ensure compliance.

Public Comment – none.

10-2. Transportation Network Company insurance requirements.

Staff has been following the California Public Utilities Commission regarding their legislation of Transportation Network Companies (TNC). The RTA currently has no statutory authority to regulate TNCs. Many associations, including APTA, are working on policy recommendations within the industry.

#### Public Comment

Ken Griggs stated that the San Francisco Airport (SFO) has recently allowed four of six Uber lines to pick up and drop off fares. His colleagues at SFO are still trying to evaluate whether protocols are being complied with. Uber has approximately 10 lobbyists for every one lobbyist representing taxi and airport concerns.

### **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.
- 11-3. Board member Referrals to TAC or future agendas.

Director Leffel requested RTA staff to send a letter to all RTA companies informing them of all credit card payment options available to them. She believes this could improve sales and customer service and also allow RTA taxicab drivers and companies to remain competitive with TNCs.

Director Edwards requested that this issue first be discussed by the TAC.

Director Beach also requested the TAC to consider phasing in a credit card payment requirement.

Director Beach requested an update on the current status of the Senior Voucher program. Mr. Hicks provided details, including measures taken to avoid “hoarding” of vouchers.

### **12. CORRESPONDENCE**

### **13. CLOSED SESSION**

### **14. RETURN TO OPEN SESSION**

- 14-1. Report on Closed Session and possible action.

### **15. ADJOURN**

**There being no further business, Chair Leffel adjourned the meeting at 11:41 a.m.**

Prepared by:

  
Deanna Smith, Deputy Secretary