

# Monterey County Regional Tax 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*

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## Monterey County Regional Tax Authority MINUTES

October 26, 2015  
10:00 a.m.

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