

# Monterey County Regional Taxi Authority

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

Board of Directors Regular Meeting

**January 31, 2011**

**10:00 am**

MST Conference Room  
One Ryan Ranch Road, Monterey

TRANSPORTATION: Ride Line 8 Ryan Ranch-Edgewater to MST Office

## **1. CALL TO ORDER**

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

## **2. CONSENT AGENDA**

- 2-1. Review highlights of Agenda. (Carl Sedoryk)

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

- 2-2. Minutes from the regular meeting of December 20, 2010. (Theodore Kosub) (p.1)
- 2-3. Taxi Fee and Permit Update. (Carl Sedoryk) (p.7)
- 2-4. Adopt schedule of TAC meetings. (Theodore Kosub) (p.9)

End of Consent Agenda

## **3. SPECIAL PRESENTATIONS**

## **4. 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.*

**5. COMMITTEE REPORTS AND PRESENTATIONS**

*No action required unless specifically noted.*

5-1. Receive presentation from RTA Administrator. (Greg Yancey)

**6. BIDS/PROPOSALS**

**7. PUBLIC HEARINGS**

**8. UNFINISHED BUSINESS**

8-1. Appoint alternates to the TAC. (Theodore Kosub) (p.11)

**9. NEW BUSINESS**

9-1. Direct staff to prepare ordinance. (Theodore Kosub) (p.13)

**10. REPORTS & INFORMATION ITEMS**

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

10-1. Letter to MST Board of Directors re: Taxi administration program requirements (p.15)

**11. COMMENTS BY BOARD MEMBERS**

11-1. Reports on meetings attended by Board members at RTA expense. (AB1234)

**12. ANNOUNCEMENTS**

**13. 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.*

**14. RETURN TO OPEN SESSION**

**15. ADJOURN**

**NEXT MEETING DATE:** February 28, 2011 in MST Conference Room.

**NEXT AGENDA DEADLINE:** February 17, 2011

*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, 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 5 days before the meeting. Requests should be sent to Monterey County Regional Taxi Authority – c/o Theodore Kosub, MST, One Ryan Ranch Road, Monterey, CA 93940 or [tkosub@mst.org](mailto:tkosub@mst.org)*

MONTEREY REGIONAL TAXI AUTHORITY  
BOARD OF DIRECTORS  
REGULAR MEETING  
December 20, 2010

One Ryan Ranch Road, Monterey

**1. CALL TO ORDER**

Chairman Sanchez called the meeting to order at 3:00 pm. in the MST Conference Room. A roll call was conducted and The Pledge of Allegiance followed.

Present:	Karen Sharp	City of Carmel-By-The-Sea
	Libby Downey	City of Monterey
	Alan Cohen	City of Pacific Grove
	David Pendergrass	City of Sand City
	Sergio Sanchez	City of Salinas
	Mary Ann Leffel	Monterey Peninsula Airport District (3:21)
Absent:	Kristin Clark	City of Del Rey Oaks
	Ian Oglesby	City of Seaside
Staff:	Angela Dawson	Accountant
	Hunter Harvath	Asst. General Manager/Finance & Administration
	Tom Hicks	CTSA Manager
	Theodore Kosub	Executive Asst. to the General Manager/CEO
	Carl Sedoryk	General Manager/CEO
	Kathy Williams	General Accounting Manager
Others:	John Cardinalli	Yellow Cab
	Steve Cardinalli	Yellow Cab
	Andy Cook	TAMC
	Roy Graham	Citizen
	Kathi Krystal	Associated Taxi
	David C. Laredo	De Lay & Laredo
	Phil Penko	Monterey Police Department
	J. Scott Philips	Citizen

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

**2-1. – 2-2. Consent Agenda**

The consent agenda items consisted of the following:

2-2. Minutes of the regular meeting of November 14, 2010.

## 2-3. Adopt Schedule of Meetings

Director Downey suggested the RTA meeting in July be corrected to read July 25, 2011, a Monday.

## 2-4.

Scott Phillips thought an approval of the resolution allowing the RTA administrator to conduct background checks was premature. Specifically, he was concerned with the fees.

Greg Yancey, RTA Administrator, stated that the background check resolution was required to get the permitting process moving.

## 2-5.

Scott Phillips thought the Taxi Administration Program Regulations were problematic and unworkable.

Carl Sedoryk stated that the Program Regulations were an effort to combine all RTA adopted ordinances into a single document, so that numbering was uniform and easy to reference.

Director Sanchez asked Mr. Phillips to cite a specific paragraph in the regulations that was problematic.

Director Pendergrass commented that Mr. Phillips should be able to cite a specific chapter and verse if he objected to anything in the Program Regulations.

Mr. Sedoryk stated that Program Regulations could be modified as necessary going forward, but adoption of the Taxi Administration Program Regulations was essential to get RTA moving forward.

Director Cohen asked about the insurance requirements contained in the Taxi Administration Program Regulations.

**Director Pendergrass moved to approve the items on the consent agenda. The motion allows the Technical Advisory Committee to make minor corrections and adjustments to the Taxi Program Administration Regulations. The motion was seconded by Director Sharp and carried unanimously.**

## 3. SPECIAL PRESENTATIONS

### 4. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

John Cardinalli expressed the opinion that the RTA Board members were arrogant and unprofessional. He thought the RTA Board did not take the process seriously and were acting ridiculous.

Roy Graham suggested the RTA and the Taxi industry work together to help secure contracts that benefit taxi business. He thought a positive attitude was required for the process to work effectively.

Scott Philips wanted clarification on how Orange County information was mixed into the RTA.

## 5. COMMITTEE REPORTS

5-1.

Minutes of the TAC subcommittee meetings of November 23, 2010 and December 7, 2010.

5-2.

Mr. Yancey gave a presentation on his recent activities and provided Board Members with an informational packet.

Mr. Phillips thought the document provided by Mr. Yancey did not meet requirements, was unclear and did not add up.

Tom Mancini was concerned about the inspection of taxicab vehicles. He thought an on-sight inspection was inadequate and asked Mr. Yancey for clarification.

Mr. Yancey clarified that the on-sight inspections were not mechanical, but were visual to make sure that all vehicles had meet requirements outlined by the JPA. Further, he clarified that mechanical inspections would have to be completed before his visual inspection and documentation of the mechanical inspection would be required.

## **6. BIDS / PROPOSALS**

## **7. PUBLIC HEARINGS**

## **8. UNFINISHED BUSINESS**

8-1. Appoint alternates to the TAC Board.

Mr. Sedoryk stated the TAC had requested the RTA Board allow alternates with voting powers.

David Laredo, General Counsel, clarified that without alternate voting power, obtaining a voting quorum would be difficult.

Director Cohen asked if alternate applications had been received and inquired if alternates were required to fill out the form 700.

Carl Sedoryk commented that applications would be solicited from potential TAC alternates.

Director Downey asked how many form 700s had been received and asked if alternates were required to take AB1234 training.

The General Counsel commented that his office would provide the training and that 700 forms were due in April.

**Director Downey provided a motion continuing the item at the next RTA meeting. Applications will be considered at the next meeting and a subcommittee will recommend alternate appointments to the RTA Board. The motion was seconded by Director Cohen and passed unanimously.**

8-2. Appoint remaining members to the TAC.

Chairman Sanchez spoke to the importance of adequate representation for the Salinas area on the TAC.

**Director Sharp provided a motion that appointed applicants to vacant positions on the TAC. Gerardo Alejo is the appointee for Taxi Driver slot with Kathi Krystal as an alternate. Eddie Estrada is the appointee for hospitality-restaurant slot. The motion was seconded by Director Downey and carried unanimously.**

## 9. NEW BUSINESS

### 9-1. Adopt Taxi Permit and Fee Program

Mr. Yancey gave an overview of the proposed permit fees.

Mr. Sedoryk commented the fee structure was a starting point and that the TAC could evaluate the fee structure and recommend changes to the RTA Board.

Director Sanchez inquired as to the status of airport fees.

Director Leffel suggested support of approving the proposed fees with the caveat that the airport may come back with additional fees after it determines which option works best. She suggested a disclaimer stating that there will be additional airport fees.

Director Sanchez asked if other jurisdictions had been studied for a comparison of proposed fees.

Mr. Sedoryk stated that Orange County had been studied as a model and the proposed fees were comparable.

### Public Comment

Scott Phillips thought the fees were too high and asked for a vehicle inspection sheet.

Steve Cardinalli thought the fee structure was misleading and excessive. He also thought the Orange County model was bad and suggested the fee schedule would lower the total amount of cabs in Monterey County.

John Cardinali said the RTA was ruining the Taxi industry. He thought prices would rise, with MST as the ultimate winner.

Roy Graham suggested keeping fees at a minimal level so that drivers were not priced out of the industry.

Mr. Sedoryk commented the RTA had start-up costs and jurisdictions had joined the RTA in an effort to relieve themselves of the administrative burden. Administrative costs formerly passed to participating RTA jurisdictions are now being passed on the RTA. As such, the administrative costs must be raised through the proposed fees.

Director Sanchez asked for a breakdown of the 160,000 in RTA program costs at the next meeting. Furthermore, he asked for a breakdown of the taxicab inspection fee.

David Laredo clarified the RTA is not allowed to make a profit, but was allowed to have a small reserve fund.

Director Pendergrass inquired about existing permits and wondered how they fit into the permitting scenario.

Director Downey asked if Phil Penko could clarify the City of Monterey's current permitting situation. Mr. Penko commented that due to ordinance changes, the city was no longer able to issue taxi permits.

**Director Downey moved to adopt the schedule of permit fees with the stipulation that the TAC may suggest amending the schedule of fees. The motion calls for any changes to be suggested no later than the February 28 RTA meeting. If changes are not suggested by February 28, the fees will remain as approved. Director Sharp seconded the motion and it carried unanimously.**

9-2.

Director Pendergrass asked how staff had come up with senior scrip program costs. Mr. Sedoryk replied that cities had been contacted and provided MST with cost information.

**Director Pendergrass provided a motion that directed staff to contract with jurisdictions interested in establishing and funding an RTA senior scrip program. The motion requires RTA permitted taxicabs to accept senior scrips. The motion was seconded by Director Leffel and carried unanimously.**

## **10. REPORTS & INFORMATION ITEMS**

10-1.

Mr. Laredo gave an overview of a letter his office provided regarding an EIR.

10-2.

Mr. Sedoryk pointed out the RTA's response letter to the Public Information Act (PRA) request.

## **11. COMMENTS BY BOARD MEMBERS**

Director Downey suggested adding several items to the TAC meeting agenda: EIR CEQA, scrip program, Scott Philips RFQ concern and a time schedule that gives the RTA Board pertinent information in a timely manner.

## **12. ANNOUNCEMENTS**

## **13. CLOSED SESSION**

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

## **15. ADJOURN**

There being no further business, Chairman Sanchez adjourned the meeting at 5:10 p.m.

Prepared by: \_\_\_\_\_  
Theodore Kosub, Deputy Secretary

To: Board of Directors  
From: C. Sedoryk, General Manager/CEO, Monterey-Salinas Transit  
Subject: Receive Information on Taxi Permit and Fee Program

**RECOMMENDATION:**

Receive information regarding estimates of revenue and expenses related to ongoing Taxi Administration.

**FISCAL IMPACT:**

None.

**POLICY IMPLICATIONS:**

At your December 20, 2010 meeting your Board adopted a taxi fees and permit program. Staff estimated that the fees collected would generate approximately \$160,000 of annual revenue. With the adoption of the fee you requested staff to identify how the estimated fee revenue was calculated.

**DISCUSSION:**

Using the TAMC Taxi Study as a starting point, staff estimates that revenue from permitting and licensing of taxi companies, taxi drivers, and taxi vehicles will generate revenue of approximately \$159,360.

Fees & Charges	159,360
Other Income	0
<b>Total Revenue Categories</b>	<b>159,360</b>

Salary & Wages	48,000
Fringe Benefits	5,904
Materials & Supplies	500
Administrative Services	41,700
Travel	0
Other Expenses	1,440
Capital Outlays	0
<b>Total Expense Categories</b>	<b>\$97,544</b>

**Reserves for Extraordinary Expenses \$61,816**

Actual revenues and expenses may vary from the budget and is dependent upon the demand for permits and licenses experienced and the actual expenses incurred during the administration process. Extraordinary expenses related to the start up of the RTA are currently being incurred and paid by Monterey-Salinas Transit. It is anticipated that a portion of reserves realized during the first year, if any, will be utilized to repay MST for its actual expenses related to the start up effort.

Staff anticipates that revenue and expense projections will be forecast with greater confidence once the RTA actually begins receiving permit applications and determines the actual demand for permits and licenses, and the actual expenses required for their processing. Future permit fees and administrative expenses may be adjusted to reflect actual experience and future reserves will be set as appropriate by your Board.

MST staff is currently negotiating a contract with Greg Yancey Investigations (GYI) for ongoing administrative services to better define the services required to be provided by taxi administrator and to ensure anticipated expenses from RTA operations do not exceed projected revenue.

PREPARED BY: \_\_\_\_\_  
Carl Sedoryk

To: Board of Directors  
From: T. Kosub, Executive Assistant to General Manager/CEO  
Subject: 2011 Meeting Schedule

**RECOMMENDATIONS:**

Adopt the attached Technical Advisory Committee meeting schedule for 2011.

**FISCAL IMPACT:**

None

**POLICY IMPLICATIONS:**

None

**DISCUSSION:**

TAC meetings are scheduled for the last Tuesday of the month. Certain meetings deviate from the normal schedule in order to avoid holidays and conflicts with staff schedules.

Attachment: 2011 TAC Meeting Schedule

PREPARED BY: \_\_\_\_\_ REVIEWED BY: \_\_\_\_\_  
Theodore Kosub Carl G. Sedoryk

## **Proposed Technical Advisory Committee Meeting Dates**

TAC meetings occur on the last Tuesday of every month, except in December

January 28, 2011

February 22, 2011

March 29, 2011

April 26, 2011

May 31, 2011

June 28, 2011

July 26, 2011

August 30, 2011

September 27, 2011

October 25, 2011

November 29, 2011

December 20, 2011

To: Board of Directors  
From: T. Kosub, Executive Assistant to General Manager/CEO  
Subject: Proposed Technical Advisory Committee Alternates

**RECOMMENDATION:**

Receive and approve proposed TAC member alternates.

**FISCAL IMPACT:**

None

**POLICY IMPLICATIONS:**

Appointments to the TAC require approval of The Monterey County Regional Taxi Authority (RTA) Board.

**DISCUSSION:**

At the RTA meeting on December 20, 2010, staff was directed to solicit alternate applications. TAC members have suggested the following as alternates:

<u>TAC Member</u>	<u>Suggested Alternate</u>
Gerardo Alejos	
Alma Almanza	
COL Darcy Brewer	CAPT Gerral K. David, USN
Theresa Canepa	Tom Mancini
Steve Cardinalli	Mike Cardinalli
Eddie Estrada	
Christine Erickson	Andy Klingelhoefner
Roy G. Graham	
Tom Greer	Ken Griggs
Hunter Harvath	Tom Hicks
John Narigi	Gary Curiso
Phil Penko	Michael Klein
Chris Sommers	Vince Daniels

PREPARED BY: \_\_\_\_\_ REVIEWED BY: \_\_\_\_\_  
Theodore Kosub Carl G. Sedoryk

To: Board of Directors  
From: T. Kosub, Executive Assistant to General Manager/CEO  
Subject: RTA Program Regulations Ordinance

**RECOMMENDATIONS:**

With your direction, staff will prepare the appropriate RTA regulations and enforcement ordinance.

**FISCAL IMPACT:**

None

**POLICY IMPLICATIONS:**

None

**DISCUSSION:**

At the RTA meeting of December 20, 2010, your Board approved the Monterey County Regional Taxi Authority Taxi Administration Program Regulations. However, enactment of an ordinance requires a first and second reading, with publication of the ordinance occurring between the first and second reading. Staff proposes a first reading of the ordinance at the regular meeting of February 28, a second reading of the ordinance on March 28 and adoption on April 25. The formality is designed to help the RTA in the event of a challenge to or enforcement of the program regulations.

PREPARED BY: \_\_\_\_\_ REVIEWED BY: \_\_\_\_\_  
Theodore Kosub Carl G. Sedoryk

