

MONTEREY REGIONAL TAXI AUTHORITY  
TECHNICAL ADVISORY COMMITTEE  
REGULAR MEETING  
May 17, 2011

2:00 p.m.

Portola Hotel-Cottonwood Room  
2 Portola Plaza

TAC Members:

Alma Almanza	Disability
Chris Sommers	Hospitality/Resort
John Narigi	Hospitality/Lodging (arrived at 3:00 p.m.)
Kathy Krystal	Taxi/Driver
Phil Penko	Law Enforcement
Steve Cardinalli	Taxi/Company Owner
Tom Hicks	Public Transit
Tom Mancini	Seniors

Absent:

Christine Erickson	Education
COL Darcy Brewer	Military
Eddie Estrada	Hospitality/Restaurant
Roy G. Graham	Taxi/Independent
Tom Greer	Airport

RTA Staff:

Deanna Smith	Deputy Secretary to the RTA Board
Beronica Carriedo	MST
Hunter Harvath	Assistant General Manager for Finance & Admin
Sonia Bannister	Office Administrator

Public:

Alex Lorca	De Lay & Laredo
Lance Atengo	MVT
Michael Cardinalli	Yellow Cab
Scott Phillips	Citizen
Vince Daniels	Intercontinental

Chair Penko called the meeting to order at 2:05 p.m.

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

## **2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Kathi Krystal submitted a letter from the Monterey County Cab Drivers, dated April 23, 2011 and asked that it be delivered to all parties associated with the RTA. Chair Penko requested staff to email it in PDF form to all TAC, RTA, and MST Board members as soon as possible.

Scott Phillips stated that he felt the RTA program was going backwards. He stated that \$40,000 had been spent on the program to date without one permit being issued. He believes that MST and the RTA boards rubber stamp whatever is presented to them. He requested to be informed of the status of Mr. Greg Yancey. He also requested disclosure on the RTA's financials.

Mr. Cardinali stated that he still cannot find a reference in the American with Disabilities Act that supports use of grant monies for the Senior Scrip Program and requested a copy of the grant. He asked if, as a TAC Member, he is reduced to submitting his request per the requirements of the Freedom of Information Act and appeals that the grant be made public. He requested that the Monterey Peninsula Airport and the Sheriff's Department submit a budget for the administration of the RTA along with the Cities of Salinas and Monterey. He stated that there is an unfair competition that exists because the Monterey Airport has not given up its authority to regulate their curbs.

Chair Penko requested that staff submit all requested information to the TAC Committee.

## **3. CONSENT AGENDA**

None.

## **4. NEW BUSINESS**

4-1 Review Draft Equipment, Safety, Security and Operational Policy and provide comment.

Mr. Harvath stated that staff has provided a clean version of the draft policy for further recommendations by the committee. A revised version to include comments will be taken back to the RTA Board for approval. He suggested that the committee go through the draft policy item by item.

Mr. Harvath confirmed that the comments in the sidebar of Attachment 2 came from RTA counsel input.

The following recommendations were made:

Item 2-K: Chair Penko requested that staff change language to conform to Code Requirements requiring only one side mirror and rearview mirror be operational.

Item 3-A: Kathi Krystal recommends that item 3-A be stricken from the policy as wheel covers and hubcaps are not a safety issue.

Item 3-C: Kathi Krystal was concerned about who would govern the color schemes chosen by new companies. The committee discussed at length the problem that exists with current taxi companies operating with similar color themes. This causes confusion among customers and creates a problem with branding issues. There was consensus that new companies should not be allowed to duplicate color schemes already established by current companies. There was no consensus on how to deal with the current confusion caused by similar color schemes among currently operating taxi companies once the jurisdictions were open to all RTA permitted operators.

Chair Penko allowed Mr. Phillips to make a comment on Item 3-C. Mr. Phillips stated that there are currently six (6) White Cab companies in Monterey County; when the RTA is formed and they are able to operate in all jurisdictions, this will cause a problem. Chair Penko suggested that this issue needs to be evaluated further by the RTA and staff to determine the best way to deal with current company color schemes.

Item 3-O: Kathi Krystal recommended that the personal space allotment for taxi drivers be increased to 2 cubic feet.

Item 3-P: Kathi Krystal asked for clarification on the definition of “emergency signaling device.” Chair Penko recommended that Item 3-P be stricken from the policy, and “hazard lights” or “emergency lights” be added to Item 3-E after “signal lights.”

Item 3-Q: Kathi Krystal stated that many taxi cabs are purchased with window tinting. Chair Penko confirmed that after-market tinting is illegal, but that Item 3-Q clearly states that tinting cannot interfere with a clear view of the cab interior from the outside. No changes were recommended.

Item 3-R through 3-V: Chair Penko recommended that the entire section be stricken from the policy with the exception of the first line, “The rates of fare charges for for-hire vehicles shall be clearly displayed in the passenger compartment.”

Item 4: Kathi Krystal recommended that “taxi vehicle permit and a driver permit” in line 2 be changed to “taxi vehicle permit and taxi driver permit.” She also recommended that “license” in line 3 be changed to “taxi permit.”

Item 5-A: Kathi Krystal recommended that “offer” be changed to “provide” and “upon payment of the fare” be changed to “upon request” in line 1. This saves time because many customers do not actually want a receipt.

Item 5-H: There was a discussion about the issue of offensive odors in cabs. It was recommended to keep the first line of 5-H and to strike rest of item. Alma Almanza asked for consideration of heavy colognes and perfumes that may cause problems for individuals with scent-sensitivity issues. Chair Penko requested that staff research other best practices and options for maintaining an acceptable policy for cab odors; particularly regarding dealing with offensive odors such as cologne, etc.

Item 5-K: Tom Mancini recommended adding “unless directed otherwise” to the end of the sentence.

Item 5-L: Kathi Krystal stated that the RTA cannot require a taxi driver to carry a passenger with a service animal if the taxi driver is allergic to animals. Mr. Harvath indicated that this may be an ADA law and drivers must provide accommodation to disabled passengers. Alma Almanza stated that persons using service animals would not want to ride in a taxicab with a driver who was having an allergic reactions because it would not be safe for anyone. Chair Penko requested that staff research ADA laws and acceptable reasonable accommodations for taxi drivers that are allergic to animals.

Item 5-L: Kathi Krystal requested clarification of the definition of a “reasonable person” and who makes this determination. Chair Penko stated that case law determines the definition of a reasonable person. Mr. Hicks requested whether the TAC body held the authority to regulate this issue. Chair Penko that the TAC could be the first body to hear any issue relating to taxi driver behavior, and could then make a recommendation to the RTA.

Item 5-N: Mr. Harvath stated that counsel questioned striking Item N in its entirety. It was recommended that the restriction on drivers be changed to reference refusing service based on “shortness of trip” and not “length of trip.”

Item 5-Q: There was discussion about taxi drivers leaving their vehicles to use the restroom at airports and using the opportunity to solicit customers. It was recommended to leave Item 5-Q as-is.

Item 5-S: There was discussion regarding whether the item referred to passengers or taxi drivers. It was decided that all passengers are paying passengers and that the item referred to taxi drivers not carrying friends or family members while transporting a passenger. It was recommended to add “taxi company trainers” after “RTA” in line 1.

## Public Comment

Mike Cardinalli stated that there was a problem with customers wanting to go through drive-through restaurants and grocery stores on their way home from the bars between the hours of 12:00 a.m. and 3:00 a.m. This causes taxi drivers to lose fares that would have been received by making more runs during “high peak” or “bar rush” hours. The taxi drivers do not make as much in fares when they are idle and waiting for customers. He suggested that language be included in the policy that allowed drivers to limit customers to “direct routes” only during these hours.

Scott Phillips agreed with Mike Cardinalli and suggested inclusion of language that allowed drivers to limit customers to “direct routes” only during the hours of 12:00 a.m. to 3:00 a.m.

In response to Public Comment by Mike Cardinalli, Chair Penko requested that a recommendation be made to add an item specifically addressing “peak hours” from 12:00 a.m. to 3:00 a.m., allowing a driver to limit trips to direct routes only.

Scott Phillips requested to be informed of the basis of the Equipment, Safety, Security and Operational Policy. He stated that he has visited the Bus Stop Shop, requested the vehicle inspection sheet, and alleged that Mr. Yancey told him that there was not an inspection sheet and requested to record the conversation. He would like a copy of the inspection sheet being used. Mr. Phillips stated that most taxi drivers will take service dogs in their vehicles, but that if a driver is allergic, another taxi is called and usually arrives within five (5) to ten (10) minutes. Mr. Phillips stated that Item 2-J should reflect that older vehicles are not required to have seatbelts. Mr. Phillips stated that a maximum allowable fare must be included in the policy. He stated that right now some companies are able to charge more and they need to be regulated.

Mr. Harvath stated that the inspection sheet is available at the Bus Stop Shop and it is an interim checklist. He stated that the checklist might change based on the decisions made by the RTA regarding the policy being discussed.

Scott Phillips stated that he has gone to the Bus Stop Shop and was told it was not available.

John Narigi stated that Mr. Phillips has asked for the vehicle checklist many times and requested staff get it to him right away.

In response to Public Comment, Chair Penko confirmed that Mr. Phillips has requested the inspection sheet numerous times and requested that staff provide the inspection sheet right away.

Chair Penko stated that the projected Monterey budget for RTA administrative fees is forthcoming.

Steve Cardinalli requested that the Monterey Airport and the Sheriff’s Department provide their estimates as well.

Chair Penko asked the committee if they wanted to continue with the agenda items or continue New Business to the June meeting.

It was decided to continue the agenda to the June meeting.

There being no further comments, Chair Penko adjourned the meeting at 4:00 p.m.

Prepared by: \_\_\_\_\_  
Deanna Smith, Deputy Secretary