

San Diego Metropolitan Transit System
Taxicab Advisory Committee Meeting

June 15, 2016

10:00 a.m.

James R. Mills Building
Board Meeting Room, 10th Floor
1255 Imperial Avenue, San Diego, CA 92101

MINUTES

1. Roll Call

Lorie Zapf, Chair of the Committee, called the Taxicab Advisory Committee meeting to order at 10:08 a.m. A roll call sheet listing Taxicab Advisory Committee member attendance is attached.

2. Approval of Meeting Minutes – March 2, 2016

Mr. Majid moved for approval of the minutes of the March 2, 2016, Taxicab Advisory Committee (TAC) meeting. Mr. Hueso seconded the motion, and the vote was 15 to 0 in favor with Mr. Boenitz absent.

3. Non-Agenda Public Comment

Abdul – Provided an overview of the United Taxi Workers of San Diego (UTWSD) citing a letter he provided to the Taxicab Advisory Committee (TAC) written by Mr. Mikail Hussein, the president of the UTWSD. In his letter, Mr. Hussein asked the TAC to consider allowing UTWSD a seat on the committee in place of the San Diego Tourism Authority (SDTA).

Michel Anderson – This public comment was taken after Agenda Item 8 and the unanimous vote to remove the San Diego Tourism Authority (SDTA). Mr. Anderson proposed the idea of Transportation Network Companies (TNC's) including Uber and Lyft to be regulated like taxicabs. Chairperson Zapf asked for specific recommendations.

Mr. Kellerman noted TNC's are regulated by the state and in the past he has inquired about local level regulation enforcement. Mr. Kellerman reminded the committee that the mission of the San Diego Metropolitan Transit System (MTS) is to focus on the regulated parties; taxicabs, jitneys, non-emergency medical, and to address wildcatters. It is not the responsibility of MTS to enforce state regulations. Mr. Kellerman mentioned a request had been made to the City Attorney's Office regarding giving MTS the ability to impose some regulations on the TNC drivers, but the City Attorney does not feel it is appropriate or legal to impose additional or redundant regulations on drivers who are already regulated by the state. Chairperson Zapf suggested this issue may be better addressed as a subcommittee and asked for solid recommendations that are actionable. Mr. Anderson suggested an actionable item would be to have the City enforce business licenses. Chairperson Zapf agreed and will look into the business license item. Mr. Palmeri suggested asking the City to lower the amount of insurance required. Chairperson Zapf believes it is a good idea to

compile a list of actionable items to address issues like business licenses and insurance. Mr. Majid inquired about forming a committee for these types of items. Mr. Kellerman proposed a discussion at the Workshop On Regulatory Matters (WORM) subcommittee meeting or possibly creating an ad hoc committee just for enforcement of TNC's. Mr. Majid recommended scheduling two meetings back-to-back, one for ordinance issues and one for the other concerns. Ms. Rains noted there would have to be a large outcry to the City Attorney and perhaps the Board of Supervisors to create a local ordinance that would regulate these companies. She noted the Sheriff's Department does not have any enforcement or authority locally. Ms. Cooney asked Chairperson Zapf to adjourn the meeting.

4. Management and Committee Member Communications

- a) Chairperson Lorie Zapf to introduce Ryan Chasteen of the Marriot Marquis San Diego Marina as new committee member

Chairperson Zapf welcomed new committee member Ryan Chasteen from the Marriott Marquis San Diego, representing the hotel industry and replacing Mike Staples of the Catamaran Resort.

- b) Ordinance No. 5 & Ordinance No. 11 revisions

Mr. Kellerman highlighted some of the changes made to Ordinance No. 5 and Ordinance No. 11 adopted by the MTS Board last month. Mr. Kellerman indicated the complete details are available in the May MTS Board meeting agenda item materials. Mr. Kellerman mentioned one of the highlights of the revision is the regulatory inspectors will have more authority to address expired registration tags. This change will help to ensure cabs do not get pulled over by a police officer when they have a fare. Mr. Kellerman noted another change to Ordinance No. 11 is the hearing officer selection procedure. MTS will no longer be selecting the hearing officer for formal hearings. MTS will be consulting with the state and the state will provide an administrative law judge to promote objectivity in the hearing process. Mr. Kellerman stated Ordinance No. 11 will now allow drivers working at the airport to charge either the maximum published airport rate or less than the maximum. This change will allow the drivers to make accommodations for their passengers. Mr. Kellerman mentioned this item may be going to the Airport's Board in September to reflect the same change. Ms. Tanguay expressed she was happy to see this change in legalizing the current practice and stated it gives the drivers a chance to be competitive. Mr. Kellerman reiterated this just gives the drivers an opportunity to charge less than the posted rates of fare. After some discussion, Chairperson Zapf clarified that this may already be in practice at the Airport but with the ordinance update it is now legal.

- c) New San Diego taxi permitting status

Mr. Kellerman reported on the progress of the new permitting structure that started July of 2015. The MTS Taxi Administration received over 1200 interest forms, requesting over 1500 new taxicab permits. The Taxi Administration staff have completed 1200 orientations, and to date 225 new permits have been issued. The application process will open up again July 1, 2016. Mr. Kellerman commended the staff for their hard work on processing the interest forms and finishing ahead of the proposed schedule.

d) Announcement of Leonardo Fewell's promotion and new hires

Mr. Kellerman addressed the staff adjustment; promoting Leonardo Fewell to the regulatory enforcement supervisory position. Mr. Kellerman noted MTS has an interview scheduled in the anticipation of hiring another Regulatory Inspector.

e) Solicit Workshop On Regulatory Matters (WORM) Subcommittee volunteers

Mr. Kellerman solicited the Taxicab Advisory Committee (TAC) members for the Workshop On Regulatory Matters (WORM) subcommittee. Ms. Tanguay and Messrs. Abraham, Afifi, Banks, Hueso, Majid, Palmeri, Seifu, and Weldegiorgis volunteered as subcommittee members. Mr. Kellerman described the Workshop On Regulatory Matters (WORM) for the new TAC members; noting when considering a change to Ordinance No. 11, the item may be brought to the WORM subcommittee before bringing it to the TAC.

f) Solicit Finance Subcommittee volunteers

Mr. Kellerman solicited the Taxicab Advisory Committee (TAC) members for the Finance subcommittee. The Finance subcommittee will review the budget each year before it goes to the TAC and ultimately to the MTS Board. MTS Finance will present the budget; the expenses, the revenue, and the reserves to the subcommittee. Mr. Afifi asked if this subcommittee would be involved in lowering the fees for new permittees. Mr. Kellerman stated that it is part of the process. The Finance subcommittee will also look at expenditures in the coming year. Ms. Tanguay and Messrs. Afifi, Hueso, Majid, Tehrani and Weldegiorgis volunteered as subcommittee members.

g) Tony Hueso – Taxicab Permit open market, Customer Appreciation Event

Mr. Hueso presented the idea, as an industry, to recognize the hotels that go beyond their call of duty. Mr. Hueso thought the Taxicab Advisory Committee (TAC) would be an excellent forum to create an appreciation event. Messrs. Chasteen and Hueso discussed the concept briefly. Mr. Hueso stressed the importance of singling out hotels that work well with the taxi industry to set a standard, positive working relationship going forward as opposed to an adversarial one. Chairperson Zapf suggested Messrs. Hueso, Chasteen and Ms. Mercer meet to discuss a possible event; the three parties were in agreeance. Mr. Hueso suggested it would look similar to the driver of the year award and mentioned a possible discussion at the Workshop On Regulatory Matters (WORM) level.

5. Taxicab Advisory Committee Lease Driver Member Election Results (TAKEN OUT OF ORDER)

Chairperson Zapf welcomed the newly elected Lease Drivers by name to the Taxicab Advisory Committee (TAC).

Action Taken

No action was taken.

6. Taxicab Advisory Committee Permit Holder Member Election Results (TAKEN OUT OF ORDER)

Chairperson Zapf welcomed the newly elected Permit Holders by name to the Taxicab Advisory Committee (TAC).

Action Taken

No action taken.

7. Public Hearing and Adoption of Taxicab Rates of Fare-Airport/Cities

Mr. Kellerman stated each year the MTS Taxicab Administration proposes and publishes rates of fare for both the San Diego International Airport and the City of San Diego. Last year the Taxicab Advisory Committee (TAC) recommended and took action to have uniform rates of fare citing the maximum rate for the Airport was the maximum rate for the City. This year the Taxicab Administration prepared the rates of fare calculations for both the Airport and the City and is proposing to keep the rates uniform. The Airport rates have gone down based on the formula used. Mr. Afifi suggested getting rid of the \$2.00 airport fee and feels it is unfair. Mr. Kellerman explained the airport trip fee is not something the Taxicab Advisory Committee (TAC) can take action on. The airport trip fee comes from the San Diego County Regional Airport Authority (SDCRAA) and their board. Mr. Kellerman advised there would be a change coming this summer and to use the opportunity to address the concern with their board. Mr. Kellerman stated the Airport Board will be looking at the surcharge. A motion was made to maintain the current 2015 taxicab rates of fare-airport/cities for 2016 and to continue to maintain the uniform rates.

Action Taken

Mr. Majid moved to maintain the 2015 rates Mr. Palmeri seconded the motion, and the vote was 15 to 0 in favor with Mr. Boenitz absent.

Mr. Kellerman mentioned the new Virginia Avenue Transit Center (VATC) that is scheduled to open July 15, 2016. The San Diego Metropolitan Transit System (MTS) Marketing Department is working on pushing out information to the public and the taxi industry. Mr. Kellerman stated there will be a ten space taxicab stand at this transit center. The VATC will also offer a space for pedicabs and a bus bay. Mr. Kellerman suggested checking the MTS website for continued information. Ms. Cooney stated they are anticipating 80% of the crossers will go over to the transit center; she believes it will be closer to 60%. Mr. Hueso inquired about the landscape in regards to the accessibility for transportation providers and consumer access. Ms. Cooney stated this is considered by the City of San Diego to be a personal occupancy vehicle pick up and drop off location; so they will be allowing anybody to come in and pick up or drop off.

Mr. Seifu inquired about more taxicab stands in the City. Mr. Kellerman stated the Taxi Administration staff is actively researching new taxicab stands downtown, the waterfront area, beach locations, and Mr. Kellerman is working with the San Diego International Airport to acquire taxicab stand space at the new Rental Car Center. He noted his staff is obtaining input from businesses and inquiring how receptive they would be to the installation of new taxicab stands in the City. Ms. Tanguay suggested researching southeast San Diego, the

center city area, 40th Street and U Avenue, 40th Street and El Cajon Boulevard, Logan Heights, Pacific and Ocean Beach, as areas for new taxicab stands.

Mr. Palmeri questioned Chairperson Zapf regarding picking up people under the ADA, where drivers are getting tickets for double parking or letting the passenger off in red zones when they are just trying to give the best service. Ms. Tanguay and Mr. Afifi agreed with Mr. Palmeri. Chairperson Zapf commented she will address this concern with the police officers, as a discussion item.

8. Proposal to Remove the San Diego Tourism Authority from the Taxicab Advisory Committee

Mr. Kellerman reported this proposal is based on the request of the San Diego Tourism Authority (SDTA) to no longer participate in the Taxicab Advisory Committee (TAC). Mr. Kellerman recommended the seat be removed so it does not impact the quorum for future action items. Mr. Afifi proposed the TAC add the United Taxicab Workers of San Diego (UTWSD) to the committee as addressed in the earlier public comment. Chairperson Zapf reiterated the motion is for the removal of the San Diego Tourism Authority (SDTA) and not the addition of a committee member.

Action Taken

Mr. Afifi moved to approve the removal of the San Diego Tourism Authority (SDTA) representative from the committee. Mr. Banks seconded the motion, and the vote was 15 to 0 in favor with Mr. Boenitz absent.

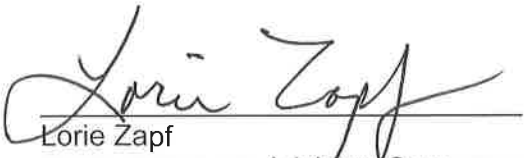
Please note: On Wednesday, June 15, 2016 at 2:52 p.m. Kim Soto, San Diego Tourism Authority (SDTA) informed the MTS Chief of Staff and the Clerk of the Committee that the SDTA would like to continue participation on the TAC and she would provide a representative at a later date.

9. Next Meeting – Wednesday, September 14, 2016 at 10:00 a.m.


10. Adjournment

The meeting was adjourned at 11:31 a.m.

Accepted:


Lorie Zapf
Chair of Taxicab Advisory Committee

Filed by:


Kristen Foster, Clerk of the Committee
MTS Taxicab Administration

Attachment: Roll Call Sheet

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADVISORY COMMITTEE (TAC) MEETING
ROLL CALL

MEETING OF (DATE): June 15, 2016

CALL TO ORDER (TIME): 10:08 a.m. ADJOURN: 11:31 a.m.

COMMITTEE MEMBER (Alternate)		ORGANIZATION	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
Lorie Zapf (Chair)	<input checked="" type="checkbox"/>	MTS Board of Directors/SD City Council	10:08 a.m.	11:31 a.m.
George Abraham	<input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Owner/Eritrean Cab Co.	10:08 a.m.	11:31 a.m.
Tarek Afifi	<input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Lease Driver	10:08 a.m.	11:31 a.m.
Alfred Banks	<input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Lease Driver	10:08 a.m.	11:31 a.m.
David Boenitz	<input type="checkbox"/> Marc Nichols <input type="checkbox"/>	San Diego County Regional Airport Authority		
Ryan Chasteen	<input checked="" type="checkbox"/> <input type="checkbox"/>	Hotel Industry	10:08 a.m.	11:31 a.m.
Tony Hueso	<input checked="" type="checkbox"/> Alfredo Hueso <input type="checkbox"/>	Taxicab Owner/USA Cab, LTD	10:08 a.m.	11:31 a.m.
Akbar Majid	<input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Owner/SDYC Holdings, LLC	10:08 a.m.	11:31 a.m.
Daryl Mayekawa	<input checked="" type="checkbox"/> Josh Layne <input type="checkbox"/>	San Diego Convention Center	10:08 a.m.	11:31 a.m.
Namara Mercer	<input checked="" type="checkbox"/> <input type="checkbox"/>	Hotel Industry	10:08 a.m.	11:25 a.m.
Mohamed Omar	<input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Lease Driver	10:08 a.m.	11:22 a.m.
Tony Palmeri	<input checked="" type="checkbox"/> Michel Anderson <input type="checkbox"/>	San Diego Travelers Aid Society	10:08 a.m.	11:31 a.m.
Able Seifu	<input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Lease Driver	10:08 a.m.	11:31 a.m.
Margo Tanguay	<input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Lease Driver	10:08 a.m.	11:31 a.m.
Nasser Tehrani	<input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Owner/N.A.T. Cab Co.	10:08 a.m.	11:31 a.m.
Medhanie Weldegiorgis	<input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Owner/"A" Transportation, LLC	10:08 a.m.	11:31 a.m.
Vacant	<input type="checkbox"/> <input type="checkbox"/>	San Diego Tourism Authority		
Marco Mares	<input checked="" type="checkbox"/> non-voting	San Diego County Department of Agriculture, Weights and Measures	10:08 a.m.	11:31 a.m.
Edna Rains	<input checked="" type="checkbox"/> non-voting	San Diego County Sheriff's Department Licensing Division	10:08 a.m.	11:31 a.m.
Paul Jablonski	<input type="checkbox"/> non-voting	MTS Chief Executive Officer		
Sharon Cooney	<input checked="" type="checkbox"/> non-voting	MTS Chief of Staff	10:18 a.m.	11:31 a.m.
Bill Kellerman	<input checked="" type="checkbox"/> non-voting	MTS Taxicab Administration Manager	10:08 a.m.	11:31 a.m.
Samantha Leslie	<input type="checkbox"/> non-voting	MTS Staff Attorney/Regulatory Compliance		

CLERK OF THE TAC: Tristen Foster TAXICAB ADMINISTRATION MANAGER: Bill Kellerman