

San Diego Metropolitan Transit System
Taxicab Advisory Committee Meeting

September 14, 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 – June 15, 2016

Mr. Hueso moved for approval of the minutes of the June 15, 2016, Taxicab Advisory Committee meeting. Mr. Palmeri seconded the motion, and the vote was 13 to 0 in favor with Mr. Chasteen and Ms. Mercer absent.

3. Non-Agenda Public Comment

There were no non-agenda public comments.

4. Management and Committee Member Communications

a. Unified Port of San Diego Presentation – Kristine Love

Ms. Love, Parking Department Manager, representing the Unified Port of San Diego has been working with Mr. Kellerman on various topics regarding taxicabs and where they stage around the Port properties. Ms. Love brought a PowerPoint presentation showing photos of concerns and issues the Port has been having with taxicabs. She noted there are two areas that need attention; one is behind the Hilton San Diego Bayfront hotel. She states there has been at least one accident due to too many taxis congesting the area and multiple complaints from the Hilton San Diego Bayfront hotel. The second area is at Kettner Boulevard and the entrance to Seaport Village between The Headquarters and the Manchester Grand Hyatt San Diego.

Mr. Kellerman gave some background on the removal of the taxicab stand that was on Harbor Drive at the Wyndham San Diego Bayside hotel. There was a request by the management at the Wyndham to eliminate the taxicab stand due to poor driver behavior. He noted there is no other taxicab stand along the embarcadero, which is a prime spot for taxicabs and San Diego tourists. Mr. Kellerman indicated he would like to get a replacement taxicab stand somewhere along the embarcadero.

The first PowerPoint slide Ms. Love presented was taken on Labor Day weekend and showed the exit area of Seaport Village and the garage where trucks deliver for the Manchester Grand Hyatt San Diego. Taxicabs were parked three across in the center of the road. It's a congestion issue and a safety issue. Ms. Love mentioned she has seen twenty-five taxis in a row in an area that can fit five or six taxicabs at a time. She showed another picture of taxicabs extending all the way down the street and up onto the Manchester Grand Hyatt San Diego property. She noted the Manchester Grand Hyatt San Diego has asked them to move and there are times when the drivers will not cooperate. The next slide she showed was behind the Hilton Bayfront Hotel where ten taxis can park, but the slide showed taxicabs extending out and causing a congestion issue at the exit of the garage. Ms. Love mentioned an Old Town Trolley clipped the door of one of the taxicabs because the taxicab was sitting there staging with their door open waiting to get called up to the Hilton Bayfront. The driver of the Old Town Trolley who clipped the taxicab door lost his job. Ms. Love asked the taxi organizations to speak to their drivers and let them know the Port is willing to work with them to give them spots on Harbor Drive but would like them to review basic behavior while waiting for a fare, especially at the two locations mentioned in her presentation. She reiterated she will entertain spots on Harbor Drive if there are two months with no complaints. A discussion was started regarding finding a new staging lot. Ms. Love said the issue is trying to find the land to have a staging lot and restroom facilities. She mentioned another concern is Port tenants not supporting a taxicab stand or restroom facilities due to drivers abusing restrooms in the past. The lighting on Harbor Drive is also a concern for taxicab drivers and passengers. Mr. Afifi looked at Google Maps and suggested some parking options behind the Manchester Grand Hyatt San Diego Hotel and he sees land at The Headquarters. Mr. Afifi asked Ms. Love how long the congestion has been a problem. Ms. Love stated it was been a problem for as long as she has been with the Port. Mr. Hueso noted taxicabs are trying to provide a service in a highly congested area.

b. Taxicab Complaint Statistics Overview – Bill Kellerman

Mr. Kellerman presented the complaint and compliment statistics to the committee. The statistics capture comments, compliments and complaints about taxicab drivers, permit holders and radio services. He compared 2015 and 2016 for the same period January through August. The same detail is not represented because of the new San Diego Metropolitan Transit System (MTS) complaint system but he noted you can see the total complaints for the timeframe. The complaints have gone down 6% even though there are more taxicabs on the streets. He noted the individual categories show credit card and fare refusals, lost and found, driver behavior and unsafe driving. The inspectors will try and address this type of behavior. Mr. Kellerman will also be addressing these complaints with Sheriff's Licensing so action can be taken on their Sheriff's ID. The statistical information was provided to share with the permit holders and drivers to encourage and enhance customer service.

c. San Diego Tourism Authority Continued Participation – Bill Kellerman

Mr. Kellerman reminded the committee members that at the last meeting there was a vote to remove the San Diego Tourism Authority (SDTA) at their request. Shortly after that vote the SDTA came back and said they would like to remain on the committee. Mr. Kellerman stated they have been reinstated and have a representative on the Taxicab Advisory Committee.

Public Comment

William Johnson - Mr. Johnson represents the United Taxi Workers of San Diego and would like the UTWSD to have a seat on the Taxicab Advisory Committee (TAC). Ms. Landers informed the committee that it would be the San Diego Metropolitan Transit System (MTS) board that would decide to add a committee member and not the Taxicab Advisory Committee (TAC).

d. Introduction of New Regulatory Inspector – James Moon

Mr. Kellerman noted the Taxicab Administration recently hired another uniformed officer and introduced James Moon. Mr. Moon came from San Diego Metropolitan Transit System (MTS) Trolley Code Compliance. Mr. Kellerman stated the administration now has full staffing.

5. Revisions To San Diego Metropolitan Transit System (MTS) Ordinance No. 11, Providing For The Licensing And The Regulating Of Transportation Services Within The City By The Adoption Of A Uniform Paratransit Ordinance

Mr. Kellerman detailed at the last Taxicab Advisory Committee (TAC) meeting there was a request to revise Ordinance No. 11 and lessen some of the costs for permit holders. The attached revisions were made at the July 21, 2016 Workshop On Regulatory Matters (WORM). Mr. Kellerman noted some of the highlights are the waiting periods to put a car into service once a permit is approved or to get a car back in service. It was sixty (60) days and now the administration will give ninety (90) days. Mr. Afifi requested the committee continue this agenda item and the discussion at another WORM subcommittee meeting. Ms. Landers outlined the procedure to table Agenda Item 5.

Action Taken

Mr. Afifi moved to continue the Agenda Item 5 discussions at another meeting. Mr. Seifu seconded the motion, and the vote was 10 to 3 in opposition with Mr. Chasteen and Ms. Mercer absent.

Public Comments

Alem Zebib – Mr. Zebib stated he is a taxicab owner and operator and opposes any changes to Ordinance No. 11. He was also disappointed with the removal of the Wyndham taxicab stand.

Abdulmalik Adam – Mr. Adam is a taxicab owner and operator. He would like to see bigger changes to Ordinance No. 11. Mr. Adam also proposed a unified radio service color and would like the City of San Diego to fund a universal taxicab app that all of the radio services can access. He would also like to see MTS Taxicab Administration fees reduced.

Kidane Weldemichael – Mr. Weldemichael is a permit holder. He stated he purchased a car to do business based on Ordinance No. 11. He believes the MTS Taxicab Administration should make the Transportation Network Companies (TNC's) follow Ordinance No. 11. Mr. Weldemichael thinks he should have been notified before proposing any changes to the

ordinance. He does not believe the Wyndham San Diego Bayside hotel taxicab stand was removed for a valid reason and stated Yellow is still working there.

Yonas Mehari – Mr. Mehari opposes the changes to Ordinance No. 11. He stated Ordinance No. 11 protects his investment. Mr. Mehari also mentioned the congestion at the hotels is at check-out time.

Gulab Muhammadi – Mr. Muhammadi would like to keep the ordinance as is. He would like to be consulted before changes are made.

Kassahun Desta – Mr. Desta representing Silver Taxi opposes changes to Ordinance No. 11. He stated it does not go far enough and it does not protect the taxicab driver. Mr. Desta believes the way the proposed revisions are written they only protects larger companies not small companies. He wants to protect the taxicab image.

Herman Andemireul – Mr. Andemireul opposes changing Ordinance No. 11.

Kamran Hamidi – Mr. Hamidi believes AB 650 blocks these proposed code changes. He feels the proposed changes to Ordinance No. 11 will not cut costs. Mr. Hamidi suggested a 50% reduction in the schedule of fees and penalties. He stated that would help the industry directly not the Ordinance No. 11 code changes.

Tekle Tesfazghi – Mr. Tesfazghi would like MTS Taxicab Administration to regulate Uber and Lyft.

Kifleyesus Zaid – Mr. Zaid representing Kzee Cab believes the changes are unfair and said the changes would hurt drivers. He indicated the drivers are not making money. He opposes the proposed changes to Ordinance No. 11.

Mikail Hussein – Mr. Hussein is the president of the United Taxi Workers of San Diego. He would like to see the penalties reduced and wants the drivers concerns to be heard.

Mr. Abraham stated that anything the Taxicab Advisory Committee (TAC) does is for the benefit of the industry and the drivers. Mr. Palmeri noted he is in favor of what Messrs. Hamidi and Hussein said about lowering fees. Mr. Palmeri fought with Sacramento for two years to change the states rules so they match the rules of Ordinance No. 11 in order to create an even playing field between taxicabs and Transportation Network Companies (TNC's); that did not happen. He noted the purpose for the changes to Ordinance No. 11 was to help lighten the load on the owner/drivers and lease drivers. Mr. Palmeri would like to get the insurance requirement lowered to give them a better advantage for competition. He noted the City has never had an insurance claim where they had to pay. Mr. Hueso said there is a lot of misinformation regarding the proposed changes and told the committee the penalty guidelines can still be reviewed. He reminded the committee it is a process. Mr. Kellerman proposed having a WORM subcommittee meeting if the TAC wanted to look at the fee schedule and the penalty guidelines. He mentioned there was limited time at the last WORM subcommittee meeting. The WORM subcommittee reviewed the initial proposed revisions and the agenda item presented is what the subcommittee members agreed to during the WORM subcommittee meeting. The fees and penalty guidelines were not addressed. Mr. Palmeri would like a WORM subcommittee meeting regarding fees as soon as possible. Mr. Kellerman said the administration would be able to schedule another

WORM before the next TAC meeting. Ms. Landers reiterated that the MTS Taxicab Administration is on a cost recovery basis so there is no commitment that any fee changes will be made. She noted San Diego Metropolitan Transit System (MTS) funds cannot be used to regulate the taxicab industry and informed the committee that there would have to be a financial analysis before changes would be made.

Action Taken

Ms. Tanguay moved that the Taxicab Advisory Committee make a recommendation to the San Diego Metropolitan Transit System (MTS) Board of Directors to 1) Adopt the proposed amendments to Ordinance No. 11, An Ordinance Providing for the Licensing and the Regulating of Transportation Services within the City by the Adoption of a Uniform Paratransit Ordinance (Attachment A); and 2) Direct publication of a summary of the amendments to Ordinance No. 11. Mr. Hueso seconded the motion, and the vote was 8 to 1 in favor with Mr. Chasteen, Ms. Mercer and Mr. Seifu absent. Messrs. Afifi, Banks and Palmeri abstaining.

6. Next Meeting – December 14, 2016 at 10:00 a.m.


7. Adjournment

The meeting was adjourned at 11:57 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): September 14, 2016

CALL TO ORDER (TIME): 10:08 a.m. ADJOURN: 11:57 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.	11:57 a.m.
George Abraham <input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Owner/Eritrean Cab Co.	10:08 a.m.	11:57 a.m.
Tarek Afifi <input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Lease Driver	10:08 a.m.	11:57 a.m.
Alfred Banks <input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Lease Driver	10:08 a.m.	11:57 a.m.
David Boenitz <input type="checkbox"/> Marc Nichols <input checked="" type="checkbox"/>	San Diego County Regional Airport Authority	10:08 a.m.	11:57 a.m.
Ryan Chasteen <input type="checkbox"/> <input type="checkbox"/>	Hotel Industry		
Tony Hueso <input checked="" type="checkbox"/> Alfredo Hueso <input type="checkbox"/>	Taxicab Owner/USA Cab, LTD	10:08 a.m.	11:57 a.m.
Akbar Majid <input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Owner/SDYC Holdings, LLC	10:08 a.m.	11:57 a.m.
Daryl Mayekawa <input checked="" type="checkbox"/> Josh Layne <input type="checkbox"/>	San Diego Convention Center	10:08 a.m.	11:57 a.m.
Namara Mercer <input type="checkbox"/> <input type="checkbox"/>	Hotel Industry		
Tony Palmeri <input checked="" type="checkbox"/> Michel Anderson <input type="checkbox"/>	San Diego Travelers Aid Society	10:08 a.m.	11:57 a.m.
Able Seifu <input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Lease Driver	10:08 a.m.	11:20 a.m.
Margo Tanguay <input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Lease Driver	10:08 a.m.	11:57 a.m.
Nasser Tehrani <input type="checkbox"/> Houshang Nahavandian <input checked="" type="checkbox"/>	Taxicab Owner/N.A.T. Cab Co.	10:08 a.m.	11:57 a.m.
Joe Terzi <input type="checkbox"/> Brian Hilemon <input checked="" type="checkbox"/>	San Diego Tourism Authority	10:08 a.m.	11:57 a.m.
Medhanie Weldegiorgis <input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Owner/"A" Transportation, LLC	10:08 a.m.	11:57 a.m.
<input type="checkbox"/> <input type="checkbox"/>			
Cynthia Davis <input checked="" type="checkbox"/> non-voting	San Diego County Department of Agriculture, Weights and Measures	10:08 a.m.	11:57 a.m.
Edna Rains <input checked="" type="checkbox"/> non-voting	San Diego County Sheriff's Department Licensing Division	10:08 a.m.	11:57 a.m.
Paul Jablonski <input type="checkbox"/> non-voting	MTS Chief Executive Officer		
Sharon Cooney <input type="checkbox"/> non-voting	MTS Chief of Staff		
Bill Kellerman <input checked="" type="checkbox"/> non-voting	MTS Taxicab Administration Manager	10:08 a.m.	11:57 a.m.
Karen Landers <input checked="" type="checkbox"/> non-voting	MTS Staff Attorney/Regulatory Compliance	10:08 a.m.	11:57 a.m.

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