



1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
(619) 231-1466 • FAX (619) 234-3407

Agenda

SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE MEETING

July 10, 2019

10:00 a.m.

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

To request an agenda in an alternative format or to request accommodations to facilitate meeting participation, please call the Clerk of the Board at least two working days prior to the meeting. Assistive Listening Devices (ALDs) are available from the Clerk of the Committee prior to the meeting and are to be returned at the end of the meeting.

	<u>ACTION RECOMMENDED</u>
1. <u>Roll Call</u>	
2. Approval of Minutes – March 13, 2019	Approve
3. <u>Non-Agenda Public Comment</u> The public may address the Committee regarding a matter <u>not</u> on the agenda. Each speaker has three minutes to speak. Give a completed <i>Request to Speak</i> form to the Clerk of the Committee	
4. <u>Taxicab Advisory Committee Election Results for Lease Drivers</u>	Informational
5. <u>Taxicab Advisory Committee Election Results for Permit Holders</u>	Informational
6. <u>Taxicab / Nonemergency Medical Industry Status Quaterly Report</u>	Informational
7. <u>MTS Taxicab Administration Fiscal Year (FY) 2020 Proposed Budget</u> Action would receive a report on and approve the MTS Taxicab Administration proposed FY2020 operating budget.	Approve
8. <u>Taxicab Advisory Committee Membership</u> Action would discuss potential revisions and/or appointments to membership on the Taxicab Advisory Committee.	Possible Action
9. <u>Revisions to MTS Ordinance No. 11. Sections 2.3(h) and 1.8(r)</u>	Possible Action



Action would discuss potential revisions to MTS Ordinance No. 11 regarding devices and software capable of electronically processing credit card transactions.

- | | | |
|-----|---|-----------------|
| 10. | <u>Revisions to MTS Taxicab and For-Hire Vehicle Insurance Requirements</u>
Action would discuss potential revisions to A.M. Best ratings and Financial Size categories for Insurance Companies. | Possible Action |
| 11. | <u>Committee Member Communications</u>
Brief comment on any taxicab related item not included on the Agenda. | |
| 12. | <u>Next Meeting</u> : September 11, 2019. | |
| 13. | <u>Adjournment</u> | |

San Diego Metropolitan Transit System
Taxicab Advisory Committee Meeting

March 13, 2019

10:00 a.m.

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

1. Roll Call

Mr. Nelson, MTS Taxicab Administration Manager, called the Taxicab Advisory Committee meeting to order at 10:10 a.m. A roll call sheet listing Taxicab Advisory Committee member attendance is attached.

2. Approval of Meeting Minutes – March 13, 2019

Minutes were approved by Hueso, with the motion seconded by Mr. Tasem seconded the motion and the vote was 8 to 0 with Mr. Chasteen, Mr. Mayekawa, Mr. Mercer, Mr. Palmeri, Mr. Seifu, Mr. Terzi and Mr. Weldegiorgis absent.

3. Non-Agenda Public Comment

Ebrahim Seyedalizadeh-The new ordinance requires an address other than a PO Box or Radio Service, and requires a home address; it appears on Sherriff's address and for privacy and security reasons does not want to have home address. He would like this to be readdressed for the privacy of driver, sometimes customers take a picture of ID's and all private identifying information is captured. He feels this is safer as he has been driving for 37 years for USA Cab and was previously using this address.

Chairperson Ward stated that MTS staff would work offline to see if there are any other options.

Kelly Quinn and Somali Family Services- The nonprofit organization they have designed to help small businesses, specifically in the transportation industry starting NEM (Nonemergency Medical), taxi driver and LYFT was described. They will assist with such items as business documentation, licensing, accounting/bookkeeping and other business requirements, licensing fees, monthly workshops help with any business needs. Once someone attends workshops they can assist with developing business plans. Will work directly with other organizations to provide business startup fees-these funds are grants, not loans so funds do not have to be repaid.

4. Management and Committee Member Communications

Chairperson Ward began with an introduction of himself as a member of the San Diego City

Council representing urban areas such as, Downtown, North Park and Hillcrest; he emphasized that as part of the committee to represent those areas he feels a strong connection to the represented Industries success. This will be a shared success and he's very excited to be part of the mission of the board.

Mr. Nelson reviewed the Taxicab, NEM (Nonemergency Medical) and other for hire vehicle data; the figures were provided with the original meeting packet. Mr. Nelson noted that there is no longer a time limit on permit abeyance as long as the yearly permit fee is paid. It was also noted that the active permit numbers have declined since 2018. FRED (Free Ride Everywhere Downtown) has started the permit process for their LSV's and will be able to share stands once they are permitted just as other permitted vehicles.

Citation data was reviewed to reemphasize that MTS Regulatory Inspectors have not been overly judicious in issuing cites.

Mr. Nelson reviewed the Customer Feedback figures that were provided with the original packet, he noted that most of the complaints were customer service related. These issues will continue to be reviewed in the Diver Training Courses. As the system is new complaint outcome is not included but will be in the future.

Mr. Banks said that he thinks the Taxi Stands are an issue. Mr. Nelson reiterated that all permitted LSV's (Low Speed Vehicles) pay the same fees get the same rights as other permitted vehicles.

Mr. Tasem said that most Taxi stands do not have numbers delineated. Again, Mr. Nelson said that he would look into reevaluating the stands and capacities.

Ms. Tanguay shared that the situation has been volatile in the past, due to matters such as taxi curbs not being enforced.

Mr. Nelson stated that MTS Taxicab Administration only has four to five Regulators to enforce across four to five cities and he will speak to law enforcement if necessary.

Chairperson Ward offered his help with City representatives where FRED is concerned if needed to help lessen any conflicts.

Chairperson Ward stated that inspection data is promising and shows the importance of customer safety. In regards to complaints he agrees with the importance of outcomes as many times complaints can be a "he said, she said" situation. He asked if there is a way to work with industry partners to identify how many trips are in account to narrow down the complaint data.

Mr. Hueso said he is thankful for the data provided as it legitimizes the information and helps with providing the information to drivers from MTS, as an official regulator, rather than just coming from radio services. He also noted that there are changes in the horizon that he would like the TAC and relevant San Diego City Committees to start considering now, such

as the existing grandfather clause that will mature for specific equipment in relation to age of vehicles, digital dispatch, hybrids and alternative fuel sources.

5. Taxicab Advisory Committee Permit Holder Member Nomination and Election Process

Mr. Nelson reviewed the TAC election process and guidelines; the detailed information was provided with original packet. He did note that lack of quorum has had a negative impact on action items. Mr. Hueso commented that the lack of participation has created problems in the past as well. Action would review and approve the proposed permit holder election process and appoint a subcommittee to validate the election results.

Action Taken

Mr. Tasem moved for approval, Ms. Tanguay seconded the motion and the vote was 8 to 0 with Mr. Chasteen, Mr. Mayekawa, Mr. Mercer, Mr. Palmeri, Mr. Seifu, Mr. Terzi and Mr. Weldegiorgis absent.

6. Taxicab Advisory Committee Lease Driver Representative Member Nomination and Election Process

Mr. Nelson reviewed the TAC election process and guidelines; the detailed information was provided with original packet. Mr. Hueso commented that the lack of participation has created problems in the past and maybe seat numbers should be reconsidered. Mr. Tasem stated that one vacancy remained due to the driver representative losing his license and it was decided to leave the seat open until the next election period as no one else wanted to take the position. Mr. Nelson stated that these items would be considered after the election period close. Action would review and approve the proposed lease driver election process and appoint a subcommittee to validate the election results. Action would review and approve the proposed Lease Driver election process and appoint a subcommittee to validate the election results. The TAC election process and guidelines were provided with original packet. Mr. Nelson suggested that the subcommittee meet on the same day to count both vote categories rather than two separate days as in the past.

Action Taken

Subcommittee volunteers are Mr. Majid, Mr. Hueso, Mr. Tasem, Ms. Tanguay and Mr. Tehrani.

Ms. Tanguay moved for approval, Mr. Tasem seconded the motion and the vote was 8 to 0 with Mr. Chasteen, Mr. Mayekawa, Mr. Mercer, Mr. Palmeri, Mr. Seifu, Mr. Terzi and Mr. Weldegiorgis absent.

7. Next Meeting: June 19, 2019

8. Adjournment

The meeting was adjourned at 10:40 a.m.

Accepted:

Christopher Ward
Chair of Taxicab Advisory Committee

Filed by:

Jamila L. Larkins, Clerk of the Committee
MTS Taxicab Administration

Attachment: Roll Call Sheet

DRAFT

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

MEETING OF (DATE): March 13, 2019

CALL TO ORDER (TIME): 10:06 am

ADJOURN: 10:40 am

COMMITTEE MEMBER (Alternate)	ORGANIZATION	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
Christopher Ward (Chair) <input checked="" type="checkbox"/>	MTS Board of Directors/SD City Council	10:00 am	10:40 am
George Abraham <input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Owner/Eritrean Cab Co.	10:00 am	10:40 am
Alfred Banks <input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Lease Driver	10:00 am	10:40 am
Marc Nichols <input checked="" type="checkbox"/> <input type="checkbox"/>	San Diego County Regional Airport Authority	10:00 am	10:40 am
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	10:00 am	10:40 am
Akbar Majid <input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Owner/SDYC Holdings, LLC	10:00 am	10:40 am
Daryl Mayekawa <input type="checkbox"/> Josh Layne <input type="checkbox"/>	San Diego Convention Center		
Namara Mercer <input type="checkbox"/> <input type="checkbox"/>	Hotel Industry		
Tony Palmeri <input type="checkbox"/> Michel Anderson <input checked="" type="checkbox"/>	San Diego Travelers Aid Society	10:00 am	10:40 am
Able Seifu <input type="checkbox"/> <input type="checkbox"/>	Taxicab Lease Driver		
Margo Tanguay <input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Lease Driver	10:00 am	10:40 am
David Tasem <input checked="" type="checkbox"/> <input type="checkbox"/>	Taxicab Lease Driver	10:00 am	10:40 am
Nasser Tehrani <input checked="" type="checkbox"/> Houshang Nahavandian <input type="checkbox"/>	Taxicab Owner/N.A.T. Cab Co.	10:00 am	10:40 am
Joe Terzi <input type="checkbox"/> Brian Hilemon <input type="checkbox"/>	San Diego Tourism Authority		
Medhanie Weldegiorgis <input type="checkbox"/> <input type="checkbox"/>	Taxicab Owner/"A" Transportation, LLC		
Marco Mares <input type="checkbox"/> non-voting	San Diego County Department of Agriculture, Weights and Measures		
Edna Rains <input type="checkbox"/> non-voting	San Diego County Sheriff's Department Licensing Division		
Paul Jablonski <input type="checkbox"/> non-voting	MTS Chief Executive Officer		
Sharon Cooney <input type="checkbox"/> non-voting	MTS Chief of Staff		
Kenneth Nelson <input checked="" type="checkbox"/> non-voting	MTS Taxicab Administration Manager	10:00 am	10:40 am
Samantha Leslie <input checked="" type="checkbox"/> non-voting	MTS Staff Attorney/Regulatory Compliance	10:00 am	10:40 am

CLERK OF THE TAC: 

TAXICAB ADMINISTRATION MANAGER: 



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Agenda Item No. 4

SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE MEETING

July 10, 2019

SUBJECT:

TAXICAB ADVISORY COMMITTEE ELECTION RESULTS FOR LEASE DRIVERS

INFORMATIONAL ONLY

Budget Impact

None.

DISCUSSION:

The Taxicab Advisory Committee Guidelines requires that every three (3) years the MTS Taxicab Administration hold an election to determine who will represent taxicab lease drivers on the Taxicab Advisory Committee. Candidates applied through a self-nomination process. Ballots were received beginning Tuesday, May 14, 2019, through Thursday, May 16, 2019, from 9:00 a.m. to 4:00 p.m. each day.

Prior to the election, information on the election process was sent to the following entities with the request they share them with their lease drivers: all taxicab dispatch service organizations, the United Taxi Workers Association, and the San Diego International Airport Ground Transportation Division. Additionally, both before and during the election, MTS Taxicab Administrative staff went to several taxicab stand locations to inform and remind lease drivers about the election.

Per the Taxicab Advisory Committee Guidelines, five (5) seats are available for taxicab lease drivers.

MTS Taxicab Administration Staff, the MTS Internal Auditor, and the vote validation subcommittee (comprised of current Taxicab Advisory Committee members Margo



Tanguay, Alfred Banks, Akbar Majid, and David Tasem) met on May 21, 2019 to confirm the validity of the ballots and count the votes.

The following is a summary of the lease driver nominees who received the most votes.

LEASE DRIVER NAME	VOTES
Alfred Banks	4
Guillermo Morquecho	1
Margo Tanguay	5
David Tasem	2
Vacant – No Nomination Received	

Out of the five (5) seats available, only four (4) lease drivers submitted a self-nomination form.

Accordingly, staff and the subcommittee determine that lease drivers Alfred Banks, Guillermo Morquecho, Margo Tanguay, and David Tasem received the most votes and are eligible for appointment to the Taxicab Advisory Committee for the next three (3) year term, beginning July 10, 2019 and ending in 2022.

/s/ Kenneth E. Nelson
Kenneth E. Nelson
Taxicab Administration Manager

Key Staff Contact: Kenneth E. Nelson, 619.595.7034, Kenneth.Nelson@sdmts.com

Attachments: A. Staff Vote Count
B. TAC Subcommittee Memo of Validation



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2019 LEASE DRIVER TAC CANDIDATES
(Verified by Sherrif's Licensing Division)

Date: May 21, 2019

Validation Subcommittee Member Name: Toufic Tabshouni

Signature: Toufic Tabshouni

	LEASE DRIVER CANDIDATE	# VOTES	TOTAL
1	Alfred Banks		4
2	Guillermo Morquecho	I	1
3	Margo Tanguay		5
4	David Tasem		2
5	VACANT		

12

6 people voted.

F-BALLOT VALIDATION.TAC.2019



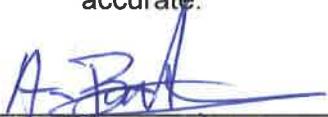
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Memorandum

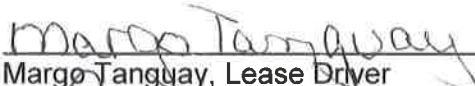
DATE: May 21, 2019
TO: Metropolitan Transit System Board of Directors
FROM: Kenneth Nelson, Taxicab Administration Manager
SUBJECT: VALIDATION AFFIRMATION-LEASE DRIVER ELECTION

The undersigned members of the Metropolitan Transit System Taxicab Advisory Committee Vote Validation Subcommittee attest and affirm by their signature affixed below that:

- they were present when the Vote Validation Subcommittee met at the offices of the Taxicab Administration on Tuesday, May 21, 2019;
- they reviewed and validated the ballots and did a vote count for each of the individuals nominated for service on the MTS Taxicab Advisory Committee; and
- they agree and confirmed that the rank order of candidates in accordance with the vote count is accurate.



Alfred Banks, Lease Driver


Akbar Majid, Taxicab Owner/SDYC Holdings, LLC


Margo Tanguay, Lease Driver


David Tasem, Lease Driver

Verified by:


Toufic Tabshouri, MTS Internal Auditor





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Agenda Item No. 5

SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE MEETING

July 10, 2019

SUBJECT:

TAXICAB ADVISORY COMMITTEE ELECTION RESULTS FOR PERMIT HOLDERS

INFORMATIONAL ONLY

Budget Impact

None.

DISCUSSION:

The Taxicab Advisory Committee Guidelines requires that every three (3) years the MTS Taxicab Administration hold an election to determine who will represent taxicab permit holders on the Taxicab Advisory Committee. Permit holders were advised by mail of the dates and deadlines of all election related activities. Candidates applied through a self-nomination process. On May 6, 2019, ballots listing the nominees were mailed to all current taxicab permit holders. Completed ballots were received until 4:00 p.m. on May 20, 2019.

Per the Taxicab Advisory Committee Guidelines, five (5) seats are available for taxicab permit holders. Two (2) seats are designated for representation of permit holders of three (3) or less taxicabs (Category A). Three (3) seats are designated for representation of permit holders of four (4) or more taxicabs (Category B).

MTS Taxicab Administration Staff, the MTS Internal Auditor, and the vote validation subcommittee (comprised of current Taxicab Advisory Committee members Margo Tanguay, Alfred Banks, Akbar Majid, and David Tasem) met on May 21, 2019 to confirm the validity of the ballots and count the votes.

The following is a summary of the permit holder nominees who received the most votes.



Category A – Permit Holders of three (3) or less taxicabs, (two (2) seats):

PERMIT HOLDER NAME	VOTES
Akbar Majid	156
Nasser Tehrani	64

Category B – Permit Holders of four (4) or more taxicabs, (three (3) seats):

PERMIT HOLDER NAME	VOTES
Houshang Nahavandian	3
Antonio Hueso	0
Vacant – No Nomination Received	

Out of the three (3) seats available for Category B, only two (2) permit holders submitted self-nomination forms. Of the two (2) nominees for Category B, only one (1) nominee received votes.

Accordingly, staff and the subcommittee determine that permit holders Akbar Majid, Nasser Tehrani, and Houshang Nahavandian received the most votes and are eligible for appointment to the Taxicab Advisory Committee for the next three (3) year term, beginning July 10, 2019 and ending in 2022.

/s/ Kenneth E. Nelson
Kenneth E. Nelson
Taxicab Administration Manager

Key Staff Contact: Kenneth E. Nelson, 619.595.7034, Kenneth.Nelson@sdmts.com

Attachments: A. Staff Vote Count (Category A & Category B)
B. TAC Subcommittee Memo of Validation



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METROPOLITAN TRANSIT SYSTEM
2019 TAXICAB ADVISORY COMMITTEE PERMIT HOLDER CANDIDATE COUNT
 TERM: 2019-2022

NOMINEE NAME	COMPANY NAME	# VOTES	TOTAL:
Abebe Antallo ⁽¹⁾	ABE Cab	52	52
Ariel Bolivar	Ariel Cab	3	3
Kamran Hamidi	V.I.P. Taxi	4	4
Akbar Majid	Yellow Cab	53 + 103	156
Yonas Mehari Ghiliu	Excel Taxi	—	—
Able Seifu ⁽²⁾	Odyssey Cab	29	29
Nasser Tehrani	N.A.T. Cab	49 + 15 = 64	64
Jose Antonio Hueso	USA Cab	—	—
Houshang Nahavandian	American Cab	3	3
VACANT			

Subcommittee Member Name: Toufic Tabshouri

Signature: Toufic Tabshouri

Date: May 21, 2019

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Memorandum

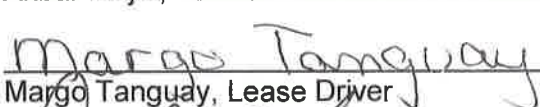
DATE: May 21, 2019
TO: Metropolitan Transit System Board of Directors
FROM: Kenneth Nelson, Taxicab Administration Manager
SUBJECT: VALIDATION AFFIRMATION-PERMIT HOLDER ELECTION

The undersigned members of the Metropolitan Transit System Taxicab Advisory Committee Vote Validation Subcommittee attest and affirm by their signature affixed below that:

- they were present when the Vote Validation Subcommittee met at the offices of the Taxicab Administration on Tuesday, May 21, 2019;
- they reviewed and validated the ballots and did a vote count for each of the individuals nominated for service on the MTS Taxicab Advisory Committee; and
- they agree and confirmed that the rank order of candidates in accordance with the vote count is accurate.


Alfred Banks, Lease Driver


Akbar Majid, Taxicab Owner/SDYC Holdings, LLC


Margo Tanguay, Lease Driver


David Tasem, Lease Driver

Verified by:


Toufic Tabshouri, MTS Internal Auditor





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Agenda Item No. 6

SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE MEETING

July 10, 2019

SUBJECT:

TAXICAB / NONEMERGENCY MEDICAL INDUSTRY STATUS QUARTERLY REPORT

INFORMATIONAL ONLY

Budget Impact

None.

DISCUSSION:

Attached is the Taxicab / Nonemergency Medical Industry Status Quarterly Report.

/s/ Kenneth E. Nelson
Kenneth E. Nelson
Taxicab Administration Manager

Key Staff Contact: Kenneth E. Nelson, 619.595.7034, Kenneth.Nelson@sdmts.com

Attachments: A. MTS Taxicab Administration 2019 YTD Reporting



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MTS Taxicab Administration 2019 YTD Reporting

****Current Permit Data***

<i>*PROJECTED FY 2019 PERMITS</i>	<i>1400</i>	
<i>*ESTIMATED CURRENTLY OUT OF SERVICE</i>	<i>208</i>	
<i>*ESTIMATED 2019 PERMITS BILLED</i>	<i>1391</i>	<i>\$834,600</i>
<i>*ESTIMATED 2019 PERMITS PAID</i>	<i>1200</i>	<i>\$720,400</i>

Field Inspections Conducted by Regulatory Inspectors

<i>MONTH</i>	<i>2018</i>	<i>2019</i>	<i>+/-</i>
<i>January</i>	1,032	1,969	91%
<i>February</i>	956	2,022	112%
<i>March</i>	837	1,250	49%
<i>April</i>	691	1,086	57%
<i>May</i>	1,759	1,076	(39%)
<i>June</i>	1,130	—	—
<i>July</i>	881	—	—
<i>August</i>	1,543	—	—
<i>September</i>	1,207	—	—
<i>October</i>	1,786	—	—
<i>November</i>	1,626	—	—
<i>December</i>	1,061	—	—
<i>TOTAL FIELD INSPECTIONS</i>	<i>14,509</i>	<i>7,403</i>	

2019 YTD Inspector Citations

***Pending/Unknown-based on current court (subpoena) disposition information**

42**2019 YTD Customer Feedback Cases**

TOTAL NUMBER OF CRM CASES:	91
DUPLICATES/NOT TAXI RELATED:	3
TOTAL TAXI RELATED CRM FEEDBACK CONTACTS:	88
TOTAL TAXI FEEDBACK CONTACTS ALL CATEGORIES:	127

<u>DRIVER COMPLAINT CATEGORIES:</u>		
ADA	1	72%
Credit Card refusal	7	
Fare Refusal	10	
Hygiene/Dress code	0	
Language barrier	0	
Long Hauling	4	
Lost/No GPS	3	
Meter issues	1	
No receipt	10	
On cell phone	1	
Other	0	
Overcharge	12	
Rude/Behavior/Attitude	24	
Smoking	0	
Threatening/Intimidating	6	
Unsafe driver	12	
TOTAL DRIVER RELATED:	91	

*Sustained=8, Not Sustained=20, Unfounded=11, Pending=13

<u>PERMIT HOLDER COMPLAINT CATEGORIES:</u>		
Negative vehicle conditions	0	0%
No Credit Card machine	0	
No appropriate documents	0	
No approved advertising number	0	
Other	0	
TOTAL PERMIT HOLDER RELATED:	0	

<u>RADIO SERVICE COMPLAINT CATEGORIES:</u>		
<i>Dispatcher with no authority</i>	0	9%
<i>Lost & Found</i>	8	
<i>No show</i>	1	
<i>Other</i>	1	
<i>Response time</i>	1	
<i>Rules not posted</i>	0	
TOTAL RADIO SERVICE RELATED:	11	
<i>* Does not include Lost & Found, Not Sustained=2 Unfounded=1</i>		
<u>VEHICLE:</u>		
<i>Accident</i>	0	7%
<i>Dash lights</i>	0	
<i>Dirty</i>	8	
<i>Door Locks</i>	0	
<i>Loose seat/Seatbelts inoperable</i>	1	
<i>No AC/Heater</i>	0	
TOTAL VEHICLE RELATED:	9	
<i>*Sustained=2, Not Sustained=3, Unfounded=3, Pending=1</i>		
<u>COMPLIMENTS:</u>	16	13%



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Agenda Item No. 7

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADVISORY COMMITTEE MEETING
July 10, 2019

SUBJECT:

MTS TAXICAB ADMINISTRATION FISCAL YEAR (FY) 2020 PROPOSED BUDGET

RECOMMENDATION:

That the Taxicab Advisory Committee receive and approve the MTS Taxicab Administration proposed Fiscal Year (FY) 2020 operating budget.

Budget Impact

To Be Determined.

DISCUSSION:

FY 2020 Proposed Budget

Revenues. Taxicab Administration receives operating revenue from annual regulatory fees and other processing fees. The total budgeted operating revenue is \$1,101,000, an increase of \$158,000 from the FY19 amended budget. Annual regulatory fees are remaining at \$600 per permit.

The Taxicab Administration budget requires full cost recovery. When expenses exceed revenues, funds from the contingency reserves are used to balance the budget.

Expenses. Total operating expenses are projected to be \$1,028,000, a decrease of \$21,000 from the FY19 amended budget.

Personnel Costs are projected to be \$792,000, a decrease of \$2,000 from the FY19 amended budget.

Outside Services are projected to decrease by \$24,000, primarily due to a one-time scheduling software implementation being completed in FY19 with no additional expenditures required in FY20.



Materials and Supplies costs are projected to increase by \$1,000.

Energy costs are projected to decrease by \$3,000.

Risk Management costs are expected to remain unchanged from the FY19 amended budget.

General and Administrative costs are expected to increase by \$5,000.

Vehicle Lease costs are projected to increase by \$2,000.

Overhead allocation charges are projected to increase by \$17,000 to \$73,000.

Contingency Reserves. The audited FY18 yearend contingency reserve balance was \$307,000. The FY19 amended budget proposes a usage of \$162,000 in contingency reserves, resulting in a projection of \$145,000 for the yearend FY19 contingency reserve balance. The FY20 proposed budget projects zero usage of contingency reserves, resulting in the FY20 contingency reserve balance being projected to remain at \$145,000.

/s/Kenneth Nelson

Kenneth Nelson

Taxicab Administration Manager

Key Staff Contact: Kenneth Nelson, 619.595.7034, kenneth.nelson@sdmts.com

- Attachment:
- A. Summary report of the FY 2020 budget
 - B. Detailed report of the FY 2020 budget
 - C. Contingency reserve balance report
 - D. Comparison of YTD FY 2019 budget to actual through March 2019

Metropolitan Transit System Taxicab Administration Fiscal Year 2020 Budget

Workshop on Regulatory Matters
May 22, 2019



SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADMINISTRATION

	<u>FY18 ACTUAL</u>	<u>FY19 AMENDED</u>	<u>FY20 BUDGET</u>	<u>\$ VARIANCE</u>	<u>% VARIANCE</u>
Annual Regulatory Fees	\$ 728,400	\$ 742,200	\$ 870,000	\$ 127,800	17.2%
Processing/Other Fees	225,136	201,001	231,000	29,999	14.9%
Contingency Reserves	249,643	161,876	0	(161,876)	-100.0%
Total Operating Revenue	\$ 1,203,179	\$ 1,105,077	\$ 1,101,000	\$ (4,077)	-0.4%

Annual Regulatory Fees – Renewal fee unchanged from \$600. Based upon most recent permit data, revenue was adjusted higher to account for 1450 projected permits for FY20 versus 1214 actual outstanding permits at end of FY18.

Processing/Other Fees – no change in permit application fees; assuming higher permit volumes compared to FY19 amended budget

Contingency Reserves – Projected usage of \$161,876 in FY19. Projecting balanced budget in FY20 with no use of contingency reserves.



SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADMINISTRATION

	FY18 ACTUAL	FY19 AMENDED	FY20 BUDGET	\$ VARIANCE	% VARIANCE
Personnel Costs	\$ 886,328	\$ 793,598	\$ 792,058	\$ (1,540)	-0.2%
Outside Services	56,325	95,749	71,250	(24,499)	-25.6%
Materials & Supplies	1,040	1,101	2,000	899	81.7%
Energy	17,058	21,030	18,500	(2,530)	-12.0%
Risk	7,692	8,000	8,000	0	0.0%
General & Administration	149,252	129,320	135,920	6,600	5.1%
Overhead Allocation	85,483	56,276	73,272	16,997	30.2%
Total Costs	\$ 1,203,180	\$ 1,105,073	\$ 1,101,000	\$ (4,073)	-0.4%
Total Revenues Less Exps	\$ (1)	\$ 4	\$ (0)	\$ (4)	

Personnel Costs/Overhead Allocation: Headcount remains unchanged at 13 positions with 2 positions planned to remain unfilled (Regulatory Inspector and Admin Assistant)

Outside Services: One-time IT scheduling software development costs in FY19 with no further costs in FY20



**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADMINISTRATION
RESERVES ANALYSIS**

Contingency Balance - FY 2015 (Audited)	<u>220,622</u>
Fiscal Year 2016 (Audited)	
Contributions / (Usage)	841,348
Contingency Balance - FY 2016 (Audited)	<u>1,061,970</u>
Fiscal Year 2017 (Audited)	
Contributions / (Usage)	(511,837)
Contingency Balance - FY 2017 (Audited)	<u>550,133</u>
Fiscal Year 2018 (Audited)	
Contributions / (Usage)	(242,883)
Contingency Balance - FY 2018 (Audited)	<u>307,250</u>
Fiscal Year 2019 (Projected)	
Contributions / (Usage)	(161,876)
Contingency Balance - FY 2019 (Projected)	145,374



**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADMINISTRATION
RESERVES ANALYSIS**

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Operating Revenues	\$ 953,536	\$ 943,197	\$ 1,101,000	\$ 1,101,000	\$ 1,101,000	\$ 1,101,000
Operating Expenses*	1,203,180	1,105,073	1,101,000	1,123,020	1,145,481	1,168,390
Net Operating Income (Loss)	\$ (249,644)	\$ (161,876)	\$ -	\$ (22,020)	\$ (44,480)	\$ (67,390)
Contingency Reserve - Begining Balance	\$ 550,133	\$ 307,250	\$ 145,374	\$ 145,374	\$ 123,354	\$ 78,873
Contingency Reserve - Ending Balance	\$ 307,250	\$ 145,374	\$ 145,374	\$ 123,354	\$ 78,873	\$ 11,483

*Expense growth assumed at 2% per year for FY21 through FY23



**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADMINISTRATION (761)
OPERATING BUDGET - DETAIL
FISCAL YEAR 2020**

Attachment B

	ACTUAL FY18	AMENDED BUDGET FY19	ORIGINAL BUDGET FY20	\$ CHANGE ORIGINAL/ AMENDED	\$ CHANGE ORIGINAL/ AMENDED
OPERATING REVENUE					
OTHER INCOME					
425100 TAXI VEHICLE ANNUAL REGULATORY FEES	820,200	835,200	870,000	34,800	4.2%
425160 TAXI REGULATORY FEE WRITE-OFF	(91,800)	(93,000)	-	93,000	-100.0%
425200 TAXI PROCESSING FEES	206,410	170,000	200,000	30,000	17.6%
425900 OTHER INCOME	18,726	31,000	31,000	(0)	0.0%
TOTAL OTHER INCOME	953,536	943,201	1,101,000	157,799	16.7%
TOTAL OPERATING REVENUES	953,536	943,201	1,101,000	157,799	16.7%
NON OPERATING REVENUE					
491100 CONTINGENCY RESERVES	249,643	161,876	-	(161,876)	-100.0%
TOTAL NON OPERATING REVENUE	249,643	161,876	-	(161,876)	-100.0%
TOTAL COMBINED REVENUES	1,203,179	1,105,077	1,101,000	(4,077)	(0)
OPERATING EXPENSES					
LABOR EXPENSES					
502010 ADMINISTRATIVE WAGES REGULAR	575,554	537,000	564,363	27,363	5.1%
502020 ADMINISTRATIVE WAGES OVERTIME	885	1,000	1,000	0	0.0%
507010 TEMP HELP	-	-	-	-	-
TOTAL LABOR EXPENSES	576,439	537,999	565,363	27,364	5.1%
FRINGE EXPENSES					
521100 FICA	49,855	48,000	50,000	2,000	4.2%
523100 HEALTH & WELFARE - MGMT	164,084	136,600	105,513	(31,087)	-22.8%
523120 HEALTH & WELFARE - MGMT DEDUCTIONS	(27,973)	(24,000)	(18,000)	6,000	-25.0%
524200 VACATION - REGULAR CASH BASIS	38,453	50,000	38,200	(11,800)	-23.6%
524220 VACATION PAYOFF	14,100	4,000	5,000	1,000	25.0%
524300 HOLIDAY	32,710	30,400	35,382	4,982	16.4%
524900 OTHER PAID ABSENCE	2,873	500	500	0	0.0%
525100 WORKERS COMP - DISABILITY PAYMENTS	8,782	-	-	-	-
525150 WORKERS COMP - MEDICAL PAYMENTS	14,865	-	-	-	-
525250 WORKERS COMP - APPLICANT LEGAL	914	-	-	-	-
525500 WORKERS COMP - LEGAL FEES	1,822	-	-	-	-
525600 WORKERS COMP OUTSIDE SERVICES	920	-	-	-	-
526100 CLOTHING ALLOWANCE	-	3,600	3,600	-	0.0%
526300 OTHER FRINGE BENEFITS	8,483	6,500	6,500	(0)	0.0%
TOTAL FRINGE EXPENSES	309,889	255,599	226,695	(28,904)	-11.3%
TOTAL PERSONNEL EXPENSES	886,328	793,598	792,058	(1,540)	-0.2%
OUTSIDE SERVICES EXPENSES					
REPAIR/MAINTENANCE SERVICES					
536200 NON REV VEHICLE MAINTENANCE SERVICES	2,873	3,000	3,000	0	0.0%
536300 FACILITY MAINTENANCE REPAIR SVC	-	-	1,000	1,000	-
536500 EQUIP MAINTENANCE REPAIR SVC	2,718	1,500	3,000	1,500	100.0%
TOTAL REPAIR/MAINTENANCE SERVICES	5,591	4,499	7,000	2,501	55.6%
OTHER OUTSIDE SERVICES					
571110 GENERAL LEGAL EXPENSES	-	10,000	-	(10,000)	-100.0%
571180 MANAGEMENT TRAINING	-	250	250	(0)	-0.1%
571190 MAINTENANCE TRAINING	-	-	-	-	-
571200 OPERATOR TRAINING	11,895	15,000	15,000	0	0.0%
571210 GENERAL SERVICE AGREEMENTS	-	-	-	-	-
571230 PUBLIC NOTICES	-	-	-	-	-
571240 OTHER PRINTING SERVICES	3,089	5,000	5,000	0	0.0%
571250 GENERAL OUTSIDE SERVICES	32,336	57,000	40,000	(17,000)	-29.8%
571280 UNIFORM CLEANING	3,414	4,000	4,000	(0)	0.0%
TOTAL OTHER OUTSIDE SERVICES	50,734	91,250	64,250	(27,000)	-29.6%
TOTAL OUTSIDE SERVICES	56,325	95,749	71,250	(24,499)	-25.6%

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADMINISTRATION (761)
OPERATING BUDGET - DETAIL
FISCAL YEAR 2020**

Attachment B

	ACTUAL FY18	AMENDED BUDGET FY19	ORIGINAL BUDGET FY20	\$ CHANGE ORIGINAL/ AMENDED	\$ CHANGE ORIGINAL/ AMENDED
MATERIALS AND SUPPLIES					
OTHER MATERIALS AND SUPPLIES					
545300 MAINTENANCE SUPPLIES (NON REV VEHICLES)	-	1,000	1,000	(0)	0.0%
545400 MAINTENANCE SUPPLIES (FACILITIES)	254	100	1,000	900	897.3%
545500 EQUIPMENT MAINTENANCE SUPPLIES	-	-	-	-	-
545700 SAFETY AND MAINTENANCE SUPPLIES	787	-	-	-	-
TOTAL OTHER MATERIALS AND SUPPLIES	1,040	1,101	2,000	899	81.7%
TOTAL MATERIALS AND SUPPLIES	1,040	1,101	2,000	899	81.7%
ENERGY					
DIESEL FUEL					
541100 DIESEL FUEL	-	30	-	(30)	-100.0%
541200 GASOLINE	4,439	6,000	6,000	0	0.0%
541300 FUEL TAXES	-	-	-	-	-
TOTAL DIESEL FUEL	4,439	6,030	6,000	(30)	-0.5%
UTILITIES					
552100 FACILITY ELECTRIC	11,071	13,000	11,000	(2,000)	-15.4%
553100 GAS	-	-	-	-	-
554100 WATER	-	-	-	-	-
555100 TELEPHONE	1,549	2,000	1,500	(500)	-25.0%
TOTAL UTILITIES	12,620	15,000	12,500	(2,500)	-16.7%
TOTAL ENERGY	17,058	21,030	18,500	(2,530)	-12.0%
RISK MANAGEMENT					
562210 PREMIUM WORKMAN'S COMP EXCESS	7,692	8,000	8,000	0	0.0%
TOTAL RISK MANAGEMENT	7,692	8,000	8,000	0	0.0%
GENERAL AND ADMINISTRATIVE					
575120 RENT	94,420	94,420	94,420	0	0.0%
575130 OFFICE SUPPLIES	3,735	5,000	7,000	2,000	40.0%
575150 NON CAPITAL FURNITURE/OFFICE EQUIPMENT	22,312	-	-	-	-
575170 NON MAINTENANCE GENERAL SUPPLIES	-	-	-	-	-
575180 LICENSES AND PERMITS	-	-	-	-	-
575220 DUES AND SUBSCRIPTIONS.	1,460	1,000	1,000	0	0.0%
575230 TRAVEL AND MEETINGS	2,013	2,500	5,000	2,500	100.0%
575270 POSTAGE	2,125	2,200	2,500	300	13.6%
579900 OTHER MISC.	53	1,000	1,000	(0)	0.0%
TOTAL GENERAL AND ADMINISTRATIVE	126,117	106,120	110,920	4,800	4.5%
VEHICLE / FACILITY LEASE					
596150 NON REVENUE VEHICLE LEASE COSTS	23,135	23,200	25,000	1,800	7.8%
TOTAL VEHICLE / FACILITY LEASE	23,135	23,200	25,000	1,800	7.8%
TOTAL OPERATING EXPENSES	1,117,696	1,048,798	1,027,728	(21,070)	-2.0%
NET OPERATING SUBSIDY	(164,160)	(105,597)	73,272	178,869	-169.4%
OVERHEAD ALLOCATION					
597151 OVERHEAD ALLOCATION	(85,483)	(56,276)	(73,272)	(16,997)	30.2%
TOTAL OVERHEAD ALLOCATION	(85,483)	(56,276)	(73,272)	(16,997)	30.2%
ADJUSTED NET OPERATING SUBSIDY	(249,644)	(161,872)	(0)	161,872	-100.0%
TOTAL REVENUES LESS TOTAL EXPENSES	(1)	4	(0)	(4)	-108.8%

Attachment C

**SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADMINISTRATION
RESERVES ANALYSIS**

Contingency Balance - FY 2015 (Audited)	<u>220,622</u>
Fiscal Year 2016 (Audited)	
Contributions / (Usage)	841,348
Contingency Balance - FY 2016 (Audited)	<u>1,061,970</u>
Fiscal Year 2017 (Audited)	
Contributions / (Usage)	(511,837)
Contingency Balance - FY 2017 (Audited)	<u>550,133</u>
Fiscal Year 2018 (Audited)	
Contributions / (Usage)	(242,883)
Contingency Balance - FY 2018 (Audited)	<u>307,250</u>
Fiscal Year 2019 (Projected)	
Contributions / (Usage)	(161,876)
Contingency Balance - FY 2019 (Projected)	145,374

**OTHER ACTIVITIES
TAXICAB ADMINISTRATION**

Attachment D

**COMPARISON TO BUDGET - FISCAL YEAR 2019
MARCH 31, 2019
(in \$000's)**

	MONTH			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ -	\$ -	\$ -	-
Other Revenue	16	16	1	3.5%
Total Operating Revenue	\$ 16	\$ 16	\$ 1	3.5%
Personnel costs	\$ 68	\$ 64	\$ (3)	-5.0%
Outside services	6	7	0	5.8%
Transit operations funding	-	-	-	-
Materials and supplies	0	0	0	28.6%
Energy	1	2	1	27.1%
Risk management	-	0	0	-
General & administrative	10	9	(0)	-4.8%
Vehicle/facility leases	2	2	0	0.8%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	0	0	(0)	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 88	\$ 85	\$ (3)	-3.1%
Operating income (loss)	\$ (71)	\$ (69)	\$ (2)	-3.0%
Total public support and nonoperating revenues	-	-	-	-
Income (loss) before capital contributions	\$ (71)	\$ (69)	\$ (2)	3.0%

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ -	\$ -	\$ -	-
Other Revenue	990	989	1	0.1%
Total Operating Revenue	\$ 990	\$ 989	\$ 1	0.1%
Personnel costs	\$ 590	\$ 596	\$ 6	1.0%
Outside services	59	59	0	0.4%
Transit operations funding	-	-	-	-
Materials and supplies	0	0	(0)	-9.0%
Energy	15	15	1	3.5%
Risk management	8	8	0	0.3%
General & administrative	77	77	(0)	-0.6%
Vehicle/facility leases	17	17	0	0.1%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	55	55	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 822	\$ 828	\$ 6	0.7%
Operating income (loss)	\$ 168	\$ 161	\$ 7	-4.2%
Total public support and nonoperating revenues	-	-	-	-
Income (loss) before capital contributions	\$ 168	\$ 161	\$ 7	4.2%



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Agenda Item No. 8

SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE MEETING

July 10, 2019

SUBJECT:

TAXICAB ADVISORY COMMITTEE MEMBERSHIP

RECOMMENDATION:

That the Taxicab Advisory Committee (TAC) discuss potential revisions and/or appointments to membership on the TAC.

Budget Impact

None.

DISCUSSION:

Representatives on the MTS Taxicab Advisory Committee began a new three-year term effective July 10, 2019. Concurrent to the recent elections of the Lease Driver and Permit Holder representatives, the existing organization representatives were requested to confirm their intent to continue as a member for the upcoming three-year term. The San Diego Hotel-Motel Association indicated their desire to withdraw from the Committee.

As for the election for the five (5) assigned committee seats for Lease Drivers, only four (4) lease drivers submitted a self-nomination form. Thus, only four candidates were listed in the lease driver election ballot and were subsequently elected. The remaining fifth seat is vacant.

As for the election for the three (3) assigned committee seats for Category B (four or more permits) Permit Holders, only two (2) permit holders submitted self-nomination forms. Thus, only two (2) candidates were listed in the permit holder election ballot, one of which did not receive any votes. Therefore two (2) seats within this category are vacant.



If these positions are left vacant, it could have a negative impact in acquiring the necessary quorum for action items in future meetings. A proposal to remove the San Diego Hotel-Motel Association from the committee will be discussed. Also to be discussed is options for the Permit Holder and Lease Driver vacancies, which may include, but is not limited to, the Taxicab Advisory Committee appointing members to these seats.

/s/ Kenneth E. Nelson
Kenneth E. Nelson
Taxicab Administration Manager

Key Staff Contact: Kenneth E. Nelson, 619.595.7034, Kenneth.Nelson@sdmts.com

Attachment: A. Taxicab Advisory Committee Guidelines

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METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE GUIDELINES

1 PURPOSE

The Taxicab Advisory Committee's purpose is to:

- 1.1 Provide feedback on taxicab matters destined for Board action;
- 1.2 Review summaries of administrative hearing officer decisions concerning taxicab owner and driver penalties;
- 1.3 Discuss taxicab owners'/drivers' written grievances;
- 1.4 Review summaries of complaints concerning taxicab service;
- 1.5 Review vehicle inspection criteria, process, results, and rankings;
- 1.6 Review the Chief Executive Officer's Annual Fee Schedule; and
- 1.7 Comment on MTS's work program concerning taxicab matters.

2 MEMBERSHIP

Seventeen voting members are appointed as follows:

- 2.1 One representative of the MTS Board of Directors appointed on an annual basis, who will be designated by the MTS Board of Directors to serve as Chairman of the Taxicab Advisory Committee.
- 2.2 One member appointed by the San Diego Tourism Authority, the San Diego County Regional Airport Authority, San Diego Convention Center, San Diego Travelers Aid Society, and two members from the Hotel Industry, each serving a three-year term.
- 2.3 Five taxicab owners with at least three years' experience and in good standing, each serving a three-year term, elected by taxicab owners, divided as follows:
 - a. Two seats are designated for representation of owners of one to three taxicabs; and,
 - b. Three seats are designated for representation of owners of four or more taxicabs.

- 2.4 Five taxicab lease drivers in possession of a San Diego Sheriff's Department-issued Taxicab Driver Identification Card valid in the MTS areas of jurisdiction, being in good standing with the Sheriff's Licensing Division, and currently serving as a driver for at least three years leading up to the election. The election shall comply with the following guidelines:
- a. Lease driver representatives shall be elected by licensed drivers operating in MTS areas of jurisdiction.
 - b. Lease driver representative elections shall take place every three years at the same time as the owner representative elections.
 - c. Both owners and lease driver representatives shall meet the eligibility requirements at all times while serving on the Taxicab Advisory Committee.
- 2.5 A taxicab owner member unable to attend a meeting may appoint an alternate from the same or similarly sized company to attend in his or her absence.
- 2.6 A taxicab driver unable to attend a meeting may appoint a driver with a similar experience level (within 2 years), not less than three years, to attend in his, or her, absence.
- 2.7 The Taxicab Advisory Committee shall make an interim appointment if a member's seat becomes vacant within the three-year term.
- 2.8 The Vice Chairman will be the representative for the San Diego Convention & Visitors Bureau.
- 2.9 One non-voting member will be appointed by the County of San Diego's Department Agriculture, Weights and Measures.
- 2.10 One non-voting member will be appointed by the County of San Diego Sheriff's Department.

3 MEETINGS

- 3.1 Taxicab Advisory Committee meetings are subject to the provisions of the Ralph M. Brown Act, California Government Code, Section 54950, et. seq.
- 3.2 Taxicab Advisory Committee meetings will be held quarterly at the offices of MTS.
- 3.3 The agenda for each meeting will be posted in the MTS lobby.
- 3.4 The agenda, backup materials, and minutes of the previous meeting will be sent to each member ten calendar days in advance of the meetings.
- 3.5 The Chairman may call special meetings, as necessary.

3.6 Fifty-one percent attendance is a quorum to hold a meeting.

4 VOTING

4.1 Each member of the Taxicab Advisory Committee has an equal vote.

4.2 Fifty-one percent of the votes of those in attendance will approve an item.

4.3 A roster of the Taxicab Advisory Committee members who voted will be provided to the MTS Board of Directors, along with the item, for MTS Board action on an agenda item.

5 APPROVAL

5.1 These Guidelines were revised by the MTS Board of Directors on January 14, 2016.

5.2 The MTS CEO shall have the authority to implement additional procedures to carry out elections and maintain regular and orderly meetings of the Taxicab Advisory Committee.



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Agenda Item No. 9

SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE MEETING

July 10, 2019

SUBJECT:

REVISIONS TO MTS ORDINANCE NO.11 SECTIONS 2.3(h), AND 1.8(r)

RECOMMENDATION:

That the Taxicab Advisory Committee discuss potential revisions to MTS Ordinance No. 11 regarding devices and software capable of electronically processing credit card transactions.

Budget Impact

None.

DISCUSSION:

MTS Ordinance No. 11 2.3(h) states:

"Each permit holder shall equip each permitted taxicab with a device capable of electronically processing credit card transactions. The device must be visible to all passengers and must allow the passenger to operate the payment device independently of the driver, without having to hand the credit card to the driver. The device must be fully operational at all times. The permit holder or dispatch service shall be the merchant of record associated with the device. Any means of electronic credit card acceptance is acceptable so long as it complies with the provisions set forth in Section 1.8 (r)."

MTS Ordinance No. 11 1.8(r) states:

"The driver shall offer each passenger a printed receipt upon payment of the fare. The receipt shall accurately show the date, the amount of the fare, the driver's name and ID number, the taxicab number, the company (DBA) name, and the dispatch service name with phone number if a taxicab."



To be discussed is a potential revision to MTS Ordinance No. 11 Section 2.3(h) that would require the device capable of electronically processing credit card transactions to: a) be connected to the taximeter so it accurately displays the fare to be charged, and b) is capable of printing electronic payment receipts. This revision would allow enhance taxicab business practices by adopting current industry standards and reducing the amount of complaints related to fare overcharges and failure to produce accurate and legible receipts.

To be discussed is a potential revision to MTS Ordinance No. 11 Section 1.8(r) that would require the fare receipt to be electronically sent to the passenger's e-mail account, or electronically printed at the passenger's requests.

/s/ Kenneth Nelson

Kenneth Nelson

Taxicab Administration Manager

Key Staff Contact: Kenneth Nelson, 619.595.7034, kenneth.nelson@sdmts.com



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Agenda Item No. 10

SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE MEETING

July 10, 2019

SUBJECT:

REVISIONS TO MTS TAXICAB AND FOR-HIRE VEHICLE INSURANCE
REQUIREMENTS

RECOMMENDATION:

That the Taxicab Advisory Committee discuss potential revisions to A.M. Best ratings and Financial Size categories for Insurance Companies

Budget Impact

None.

DISCUSSION:

San Diego City Council Policy 500-02 requires taxicab permit applicants to provide evidence of ability to meet insurance requirements, which are specified in the MTS Taxicab and For-Hire Vehicle Insurance Requirements.

In light of industry shifts with onset of Transportation Network Companies (TNCs) who are able to generally provide rides at lower costs to consumers, possible revisions to the MTS Taxicab and For-Hire Vehicle Insurance requirements will be discussed. Specifically, revisions pertaining to Insurance Company acceptable A.M. Best ratings and Financial Size categories while maintaining all other aspects of financial responsibility and insurance levels, that could also result in Taxicab and For-Hire vehicle operational costs savings.

/s/ Kenneth E. Nelson
Kenneth E. Nelson
Taxicab Administration Manager

Key Staff Contact: Kenneth E. Nelson, 619.595.7034, Kenneth.Nelson@sdmts.com

Attachment: A. MTS Taxicab and For Hire Vehicle Insurance Requirements



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INSURER'S VERIFICATION OF COMPLIANCE

Metropolitan Transit System (MTS), a California Public Agency, requires the following verification of insurance be submitted along with the Acord Certificate of Liability Insurance.

Insurer must sign below, which warrants the insurance policy provides coverage that meets or exceeds state and local laws and ordinances governing financial responsibility for ownership, use, maintenance, and operation of covered vehicles, specifically:

- **MTS Ordinance No. 11, Section 1.9 – Public Liability**

(a) It shall be unlawful to operate a for-hire vehicle unless the permit holder establishes and maintains in effect one of the forms of financial responsibility specified in this section.

(1) This requirement may be met by maintaining a valid policy of insurance executed and delivered by a company authorized to carry on an insurance business, the financial responsibility of which company has been approved by the Chief Executive Officer. The terms of the policy shall provide that the insurance company assumes financial responsibility for injuries to persons or property caused by the operation of the for-hire vehicle in an amount determined by the Chief Executive Officer.

(2) The permit holder may also meet this requirement by obtaining a certificate of self-insurance for a specified amount approved by the Board and pursuant to the applicable provisions of the California Vehicle Code.

"Insurance Requirements" as listed on the other side of this form.

- **California's *Financial Responsibility Law*, California Vehicle Code Sections 16000 through 16560, inclusive (does not apply to non-motorized vehicles).**

Insurer further warrants that any modification to the policy will not reduce coverage such that it fails to meet the requirements of applicable state and local laws and ordinances.

Insured (MTS vehicle permit holder): _____

Vehicles: Refer to the current Acord Certificate of Liability Insurance for description of the covered automobiles.

Insurer: _____

Policy No.: _____ Policy Term: _____ to _____

Limits: _____

Name: _____ Telephone Number: _____

Title: _____

Address: _____

Signature

Date

Note: Signature of the agent or broker will not be accepted. Signatory must be a current officer or employee of the insurance company who is duly authorized to sign on its behalf. The signature must be an original. Signature stamps are unacceptable.



MTS TAXICAB ADMINISTRATION
MTS Taxicab and For-Hire Vehicle Insurance Requirements

Metropolitan Transit System (MTS), a California Public Agency, has the following taxicab and for-hire vehicle insurance requirements:

1. MINIMUM REQUIRED PUBLIC LIABILITY INSURANCE LIMITS

	Vehicle Seating Capacity (Including Driver)	Combined Single Limit
1.1	9 passengers or less	\$350,000
1.2	10-15 passengers	2,000,000
1.3	16 passengers or more	5,000,000

2. SPECIFIC INFORMATION REQUIRED FOR ACORD CERTIFICATE OF LIABILITY INSURANCE (OTHER THAN ASSIGNED RISK)

- 2.1 Full name of insurance company (insurer), which must be pre-approved by MTS Taxicab Administration, and must meet the minimum standards in Section 4 (see Section 3 for assigned risk requirements).
- 2.2 Name and current address of insured, who must be the permit holder, including company name (DBA) (PO boxes not acceptable).
- 2.3 Insurance policy number with effective and expiration dates.
- 2.4 Type(s) and limit(s) of liability coverage.
- 2.5 Vehicle description (make/year), vehicle identification number (VIN) and medallion number of each insured vehicle.
- 2.6 Certificate issue date and NAIC#.
- 2.7 Statement that insurer shall notify MTS Taxicab Administration, in writing by registered mail to the address on the letterhead at least 30 days prior to cancellation or termination of coverage. Statements to the effect that issuing company will “*Endeavor to Mail Notice*” or “*Intends to Notify*” are not acceptable.
- 2.8 **Original** (wet) signature of an agent who has been authorized by the insurer.
- 2.9 Certificate of insurance shall name San Diego Metropolitan Transit System (MTS) as certificate holder. Certificate must be an original with no alterations, type-overs, or white-outs.

3. SPECIFIC INFORMATION REQUIRED FOR ASSIGNED RISK INSURANCE (PRE-APPROVAL REQUIRED)

- 3.1 Complete copy of the application for insurance. Must contain the same information as is required by Items 2.2 through 2.9.
- 3.2 Proof of payment by copy of the agent's check, or copy of insured's cashier's check or money order, for a minimum of 25 percent of the annual premium.
- 3.3 Proof of policy issuance from the assigned insurer must be received by MTS Taxicab Administration within 30 days from the date on the assigned risk application. Evidence of insurance must contain all items listed in Section 2.
- 3.4 Evidence of insurance must be an original with no alterations, typeovers, or whiteouts.

4. INSURANCE COMPANY MINIMUM STANDARDS

Insurer must have a minimum *A. M. Best* rating of A-minus (A-) or above, and a financial size category of not less than VII (seven), or a similar *Standard and Poor's* rating. Companies providing Assigned Risk Insurance Policies will be evaluated on an individual basis and may be considered if they have a financial size category of not less than VI (six), or a similar *Standard and Poor's* rating. Contact MTS Taxicab Administration for additional information.

5. POLICY PROVISIONS

Policies must comply with MTS Ordinance No. 11, Section 1.9. Unacceptable policy provisions include, but are not limited to, the following:

- 5.1 Self-insured retentions (unless the insured is a state-certified self-insurer under the California Vehicle Code)
- 5.2 Nonstandard deductible endorsements
- 5.3 Territorial restrictions
- 5.4 Named driver/operator policies
- 5.5 Aggregate limits
- 5.6 “*Indemnity only*” contracts