

# MINUTES

## MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM

### TAXICAB ADVISORY COMMITTEE (TAC)

February 22, 2023

[Clerk's note: Except where noted, public, staff and board member comments are paraphrased. The full comment can be heard by reviewing the recording at the [MTS website](#).]

1. Roll Call

Chair Elo-Rivera called the Taxicab Advisory Committee meeting to order at 1:07 p.m. A roll call sheet listing Taxicab Advisory Committee member attendance is attached.

2. Approval of Minutes

Chair Elo-Rivera moved to approve the minutes of the November 16, 2022, MTS Taxicab Advisory Committee meeting. David Tasem seconded the motion, and the vote was 14 to 2 in favor with Karen Higareda and Michael Trimble absent.

3. Public Comments

There were no Public Comments.

#### DISCUSSION ITEMS

4. 2023 Maximum Rates of Fare

Leonardo Fewell, For Hire Vehicle Administration Manager presented on 2023 Taxicab Maximum Rates of Fare. He clarified that drivers were not required to change their rates to match the Maximum Rates, and that any adjustments were optional as long as they remained below or at the new Maximum Rates of Fare. He also noted that this was the highest rates had ever been set, to reflect the increasing inflation and changes in the Consumer Price Index (CPI).

#### PUBLIC COMMENTS

Alex Tegegne expressed that he opposed the increase in the Maximum Rates of Fare. He also wanted to hear from the San Diego Airport Ground Transportation on how they will react to the Maximum Rates of Fare increase.

Henry Agoh objected to the increase in the Maximum Rates of Fare, as he felt it would create discordance at the San Diego Airport.

William Alozie felt that the increase in the Maximum Rates of Fare had been too steep since the beginning of COVID. He also felt that customers would return to Uber and Lyft if they heard that there was a rate increase, as they already believed fares were too high.

#### MEMBER COMMENTS

Antonio Hueso commented that the previous year there had been a misunderstanding in the industry that drivers were required to raise their rates to meet the Maximum Rates of Fare, and that he wanted to be sure it was clarified that it was not mandatory for drivers to raise their rates.

Margo Tanguay reminded the committee that it was possible for drivers to charge less than what is posted on the meter.

Alfred Banks asked for confirmation that drivers did not have to change their rates and that they could choose to charge less than what was posted on the meter. Mr. Fewell confirmed that this was up to their discretion as long as it was below or equal to the Maximum Rates of Fare.

Ms. Tanguay commented that she believed that the committee should approve the Maximum Rates of Fare. Mr. Fewell clarified that this was only an informational item, and that the committee did not vote on the Maximum Rates of Fare.

Able Seifu mentioned that he was concerned that customers would blame the drivers for raising the rates. Chair Elo-Rivera reiterated that the Maximum Rates of Fare were a ceiling, rather than a mandatory raise.

David Tasem said that he believed that customer complaints regarding rates were more related to the fact that rates were not adequately posted due to changes in marking regulations.

Agustin Hodoyan stated that he believes that the rates should stay as they currently are.

Peter Zschiesche commented that as independent business owners with diverse clientele, it is up to them to decide what rates they use under the Maximum Rates of Fare to best serve their customer base.

#### Action Taken

Informational item only. No action taken.

#### 5. Fiscal Year (FY) 2023 Amended Budget Updated Forecast

Gordon Meyer, Operating Budget Supervisor, presented on Fiscal Year (FY) 2023 Amended Budget Updated Forecast. He updated that amended FY23 Operation Revenues had increased by \$123,185, that the Total Operating Expenses had increased slightly by \$21,807, and that there was a projected surplus of \$87,000 in reserve for FY23. Mr. Meyer also illustrated how the reserves had fluctuated over the past year, and how they are forecasting a gradual increase over time if Regulatory fees remain consistent.

#### PUBLIC COMMENTS

There were no Public Comments.

#### MEMBER COMMENTS

Mr. Hueso asked if there was a way to use the reserve funds to help the FHVA industry and its customers. Chair Elo-Rivera followed up by asking if there was a sense of what programs could be supported. Mr. Fewell answered that there was not currently consideration of anything in this vein, but they had looked at possibly placing cameras in taxis.

Akbar Majid acknowledged that Mr. Hueso's comment was an idea that should be explored, and asked if the FHVA was looking to hire more staff in the future. He also expressed concerns about depleting the reserves and causing regulatory fees to increase. Mr. Fewell said that they did not currently have any plans to hire more staff at the moment, and that the goal was to keep the regulatory fees low; however, that he would continue to reevaluate staffing needs over time.

Mr. Zschiesche suggested that it would be helpful to have a policy recommendation on what level of funds is sustainable, comparatively to other taxi agencies.

Mr. Hueso followed up by asking to have the committee form a subcommittee to further discuss this topic. Chair Elo-Rivera agreed that this would be helpful, and for members to reach out to his office or Mr. Fewell.

Action Taken

Informational item only. No action taken.

6. 2023 Regulatory Fee Payment Update

Mr. Fewell presented on 2023 Regulatory Fee Payment Update. He provided informational updates on how the regulatory fees are being invoiced, collected, their deadlines, and roughly the percentage of payments which had been received already. He reminded the committee that the deadline was March 3, 2023, and that any payments received after that day would incur a late fee. Any permits that were not renewed by March 31, 2023 would be revoked.

PUBLIC COMMENTS

There were no Public Comments.

MEMBER COMMENTS

Mr. Tasem wanted to clarify if NEMT permits had the same deadline for their regulatory fees and Mr. Fewell confirmed that this was the case.

Ms. Tanguay mentioned that there was an error regarding the percentage of payments received on the slide. Mr. Fewell recognized that there was a typo and thanked her for pointing that out.

Action Taken

Informational item only. No action taken.

7. For-Hire Vehicle Industry Emerging Topic: Partnerships between Taxicabs and Transportation Network Companies

Mr. Fewell gave a presentation on the emergent partnership between taxicabs and TNC's, with emphasis on the upcoming partnership between Uber and Yellow Cab in San Diego. He detailed how similar programs had begun in San Francisco that had shown an increase in taxi ridership. He also outlined how these trips would be requested via "e-hailing".

Chair Elo-Rivera wanted to note that neither MTS nor himself endorsed the partnership and stressed that this was purely an informational item meant for the committee to discuss.

PUBLIC COMMENTS

William Johnson commented that it was an issue that drivers were going to be charging over the meter fare, which contradicted regulations in Ordinance 11 regarding flag drops and meter fares. Mr. Johnson asked the committee to consider blocking the proposal.

Abebe Antallo commented that a partnership between Uber and Yellow Cab would be detrimental to the livelihood of independent taxicab permit holders.

William Alozie commented that it was frustrating that Yellow Cab was being permitted to partner with Uber, while MTS had rejected soft meter technology on the grounds of being unregulated. Mr. Alozie also felt that the timeline of the partnership was extremely accelerated.

## MEMBER COMMENTS

Mr. Hueso wanted to remind the committee that partnerships between TNC's and taxicabs had historic precedence in other parts of the country, and that Yellow Cab was working as part of a larger franchise/corporation in other cities. He also urged other members of the industry to be open to innovative practices with TNC's, with MTS concurrently exploring how to react as a regulatory body.

Chair Elo-Rivera pointed out that one of the reasons Uber has the leeway to experiment is that they are a company backed by large capital investors, which is a safety net that many independent drivers and permitholders do not have.

Mr. Zschiesche said that he had several comments to make on the agenda item. First, he felt that this would create further confusion regarding maximum rates of fare and distinctions between appropriate fares for customers. He also mentioned that Section 1.18 of Ordinance 11 which reads:

(a) The provisions of this Ordinance do not apply to:

(1) a vehicle properly licensed under the jurisdiction of the California Public Utilities Commission (CPUC) unless such vehicle also provides transportation services regulated by MTS under this Ordinance.

He followed up by asking Mr. Fewell to clarify when drivers were subject to Ordinance 11 and when they were exempt. Mr. Fewell responded that if a trip is secured through the Uber app then it will be considered an Uber trip, but that a taxicab once permitted remained under MTS regulations. He continued by saying that the partnership was still so new that the Ordinance had not been revised.

Mr. Zschiesche responded that the current wording of Ordinance 11 was vague, and that drivers would be unable to parse what rules applied to specific passengers; he further requested clarification as to when drivers stopped being subject to the regulations imposed on Taxicab drivers and became TNC drivers. Mr. Fewell responded that Taxicab drivers will always be subject MTS Ordinance 11.

Chair Elo-Rivera stepped in to say that he was hearing a distinction between the regulations applicable to the drivers and vehicles during different times, and that he believed it would be beneficial to get clarification on these topics going forward.

Mr. Seifu said that he felt favorably towards this partnership but that he was concerned about the logistics of trips made from the airport. Chair Elo-Rivera suggested that Mr. Fewell take down this question and respond at a later time.

Mr. Hodoyan asked if rides would be accepted through a separate Yellow Cab app or through the Uber app. Chair Elo-Rivera suggested that this question also be taken down to be answered at a later date.

Zewdu Girma wanted to know if other drivers would have to join Yellow Cab in order to work as Uber drivers through this partnership.

Mr. Banks asked if Uber rides will get charged the same fee as Taxicab rides at the San Diego International Airport and if drivers were required to have a tablet to accept Uber ride requests.

Ms. Tanguay requested to know how MTS required commercial insurance and insurance required by Uber would interact, and also if background check requirements would change under the new partnership.

Mr. Tasem asked that the committee table the discussion on this topic until the next TAC meeting, and suggested that a subcommittee be formed to do more research.

8. Adjournment

The meeting was adjourned at 2:34 p.m. due to a fire alarm evacuating the building.

9. Next Meeting Date

The next Taxicab Advisory Committee meeting is scheduled for May 24, 2023, at 1:00 p.m.

  
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Chairperson  
San Diego Metropolitan Transit System

  
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Committee Clerk  
San Diego Metropolitan Transit System

Attachment: Roll Call Sheet

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

ROLL CALL

MEETING OF (DATE): February 22, 2023

CALL TO ORDER (TIME): 1:07 PM

ADJOURN: 2:34 PM

COMMITTEE MEMBER	(Alternate)	ORGANIZATION	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
<b>Voting Committee Members</b>				
Sean Elo-Rivera (Chair)	<input checked="" type="checkbox"/> None	<input type="checkbox"/> MTS Board of Directors/ SD City Council	1:07 PM	2:34 PM
Able Seifu	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Permit Holder / Odyssey Cab	1:14 PM	2:34 PM
Agustin Hodoyan	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Permit Holder / Soul Cab	1:07 PM	2:34 PM
Alfred Banks	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Taxicab Lease Driver	1:07 PM	2:34 PM
Akbar Majid	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Permit Holder / SDYC Holdings	1:07 PM	2:34 PM
Antonio Hueso	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Permit Holder / USA Cab, LTD	1:07 PM	2:34 PM
David Tasem	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Taxicab Lease Driver	1:07 PM	2:34 PM
George Abraham	<input checked="" type="checkbox"/> Daniel Fesshaye	<input type="checkbox"/> Permit Holder / Eritrean Cab	1:07 PM	2:34 PM
Karen Higareda	<input type="checkbox"/> None	<input type="checkbox"/> Cross Border X-Press		
Louis Vasquez	<input checked="" type="checkbox"/> Claudia Rubio	<input type="checkbox"/> SD Convention Center	1:07 PM	2:34 PM
Marc Nichols	<input checked="" type="checkbox"/> Michael Anderson	<input type="checkbox"/> SD Regional Airport Authority	1:07 PM	2:34 PM
Margo Tanguay	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Taxicab Lease Driver	1:07 PM	2:34 PM
Michael Trimble	<input type="checkbox"/> None	<input type="checkbox"/> SD Gaslamp Quarter Association		
Michaelene Sullivan	<input checked="" type="checkbox"/> None	<input type="checkbox"/> SD Tourism Authority	1:07 PM	2:34 PM
Mikail Hussein	<input type="checkbox"/> Peter Zschiesche	<input checked="" type="checkbox"/> United Taxi Workers SD	1:07 PM	2:34 PM
Zewdu Girma	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Permit Holder / Beezee Taxi	1:07 PM	2:34 PM
<b>Non – Voting Committee Members</b>				
Austin Shepherd	<input type="checkbox"/> John Kinkaid	<input type="checkbox"/> SD Department of Agriculture, Weights and Measures		
Edna Rains	<input type="checkbox"/> Stacie Smith	<input type="checkbox"/> SD County Sheriff's Department Licensing Division		

FOR COMMITTEE CLERK: \_\_\_\_\_

