

San Diego Metropolitan Transit System  
Taxicab Advisory Committee Meeting

July 10, 2019

10:00 am

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

1. Roll Call

Christopher Ward, Chair of the Committee, called the Taxicab Advisory Committee meeting to order at 10:00 a.m. A roll call sheet listing Taxicab Advisory Committee member attendance is attached.

2. Approval of Meeting Minutes – March 13, 2019

March 13, 2019 minute approval moved to September 11, 2019 meeting due to lack of quorum.

3. Non-Agenda Public Comment

Mark McGee, Lease Driver, Sea Cab – Mr. McGee spoke to address the current lack of taxi stands throughout Little Italy, and the greater San Diego and downtown areas. He also noted the absence of Hillcrest area taxi stands available for larger events, such as Pride, and the negative impact it has on business for drivers, owners and the public.

Mr. Nelson shared that although the Taxicab Administration may provide input on existing taxi stands they don't have any actual authority over placement or removal of stands. He is having MTS Field Investigators surveying the stands for follow up with the City.

4. Taxicab Advisory Committee Election Results for Lease Drivers

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 vote validation forms were included with the original meeting packet.

The appointed members to the Taxicab Advisory Committee for the next three (3) year term, beginning July 10, 2019 and ending in 2022 are:

Alfred Banks, Guillermo Morquecho, Margo Tanguay and David Tasem. One Lease Driver seat remains vacant due to only four (4) self-nominations being received.

#### PUBLIC COMMENT

*Mikail Hussein, United Taxi Workers of San Diego (UTWSD)* - Mr. Hussein spoke regarding the composition of the TAC Board and the possibility of adding the UTWSD as an organizational representative on the TAC due to the close working relationship, support and advocacy for lease drivers. A letter outlining the details of such was provided to TAC members.

#### 5. Taxicab Advisory Committee Election Results for Permit Holders

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 vote validation forms were included with the original meeting packet.

The appointed members to the Taxicab Advisory Committee for the next three (3) year term, beginning July 10, 2019 and ending in 2022 are:

Category A – Permit Holders of three (3) or less taxicabs, (two (2) seats):  
Akbar Majid and Nasser Tehrani.

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

Houshang Nahavandian and two (2) vacancies due to only two (2) nomination forms received and only one nominee receiving votes.

Mr. Nelson addressed the issue of the current vacancies and the difficulties in getting action items approved due to repeated lack of quorum. He presented examples of possible solutions to fill the existing vacancies such as internal committee nominations, opening an additional self-nomination period, or reinstating Permit Holders Anthony Hueso and George Abraham. Mr. Ward agreed that reinstating Permit Holders Anthony Hueso and George Abraham would be an excellent option due to their long time Industry knowledge, contributions and continued TAC commitment. Mr. Nelson will review the possible options with subcommittee members at the next Workshop on Regulatory Matters (WORM).

#### Action Taken

Informational item only.

#### 6. Taxicab/Nonemergency Medical Industry Report

Mr. Nelson provided updates on various Taxicab Administration data, such as Customer Feedback, Inspection's performed, Inspector Field Contacts/Citations and current permit data. The report was provided with the original meeting packet.

Chairperson Ward made a follow up comment from previous meeting about the Customer Feedback numbers; he was able to get some information regarding "total trips" performed and airport figures alone totaled approximately 55,000 rides. He is still hoping to obtain further detail ride information to be able to better gauge the customer feedback numbers in comparison to actual rides performed.

Preliminary permit data was provided with the original packet; the final figures of the numbers of permits retained vs. surrendered was not finalized due to the extension of the Annual Regulatory Fee due date from May 10, 2019 to June 10, 2019. Mr. Nelson noted that additional payment options and ideas will be discussed at the next WORM, meeting date TBD.

#### Action Taken

Informational item only.

#### 7. MTS Taxicab Administration Fiscal Year (FY) 2020 Proposed Budget

Gordon Myer, MTS Operation Budget Supervisor, reviewed the Board approved FY 19-20 budget for the Taxicab Administration; a copy of the presentation materials were provided with the original meeting packet. Mr. Myer was available for follow up questions to the budget information presented.

Mr. Nelson made special note of the low Contingency Reserves balance, and that although a decision has yet to be made regarding Annual Regulatory Fees, the Taxicab Administration Department runs on a cost recovery basis; despite cost saving implementations (such as cutting Regulatory Inspection Staff positions) an increase may be necessary. Chairperson Ward noted that the Rent expense line seemed very high; Mr.

Nelson reported that he has inquired about the rent charge in the past and was told by MTS Management that the rent costs were fair and reasonable. It was agreed that Mr. Nelson and Mr. Myer would have additional meetings to review the budget.

Mr. Palmeri noted past conversations with prior Taxicab Administration Manager Barbara Lupro and that the introduction of rideshare companies to the transportation industry would "put taxicabs out of business". He noted that without drivers/owners having the ability to raise their revenues and cut their expenses it is going to be very difficult for the industry to survive. He would like to see more support and push in this area from MTS as well. He appeals to MTS management to not increase fees. Mr. Banks asked if there was any way possible to reduce fees it would help tremendously; the possibility of an alternate payment schedule for Annual Fee's was raised as an additional option. Ms. Tanguay shared her frustration with neither cities, nor states, trying to enforce Federal Laws regarding ride sharing companies and the fact that they are indeed transportation companies who should have to follow the same regulations. The increase in costs is making survival in the business very difficult, but the reality is there are not even enough cabs to cover the calls. Mr. Tehrani enquired if MTS has done any research on how to help increase business for the industry. Mr. Palmeri noted that in MTS advertisements for events like ComicCon and Padre Games, Uber and Lyft are included as options to augment public transport methods such as Trolley and Bus Lines-but without any mention of Taxicabs as a viable means of transport. Mr. Nelson stated that the position of MTS is not to promote the taxi industry; rather promote those transportation options for not only the public as a whole, but those which promote cost savings and generate revenue-such as the ACCESS service recently piloted with Yellow Cab.

#### PUBLIC COMMENT

*Mikail Hussein, UTWSD-* Mr. Hussein thanked Chair Ward for his help and assistance in getting an extension to the Annual Regulatory Fee deadline. He hopes that MTS and Committee Management will continue to assist the industry in these positive ways.

#### Action Taken

Informational only.

#### 8. Taxicab Advisory Committee Membership

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; combined with the additional Lease Driver position vacancy and two Permit Holders position vacancies 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.

Chairperson Ward noted the continued lack of participation and the impact to meeting quorum. He noted that he would be in support of filling two of the vacancies with prior members Antonio Hueso and George Abraham due to their strong Industry involvement in the past. Mr. Nelson said that he would present possible alternatives at the next WORM.

## PUBLIC COMMENTS

*Mikail Hussein, UTWSD-* Mr. Hussein thanked Mr. Nelson for his help with various issues impacting the taxi industry currently; he said that he feels in the time that Mr. Nelson has been manager he has developed not only a good working relationship with him, but a friendship as well. He also stated that he appreciates Mr. Nelson's availability when he has had questions. Although he thinks a great effort was done with the TAC Elections he feels that there were some problems with the process not related to the Taxicab Administrations efforts but rather perhaps the process itself. He noted that in past years Lease Drivers were much more active and involved in the process and he would like to see a return to that level of involvement.

*Kamran Hamidi, Permit Holder/Airport Dispatch-* Mr. Hamidi in agreeance with a shift of the board composition to effect more equal representation of the various groups as he feels the current categories no longer apply as in the past.

*Peter Zschiesche, UTWSD-* Mr. Zschiesche appealed for the UTWSD to be given a permanent seat on the TAC. Their organization has a long history and very close working relationship with Lease Drivers and feels they would be able to provide a voice for the drivers and do a good job of collective representation.

### Action Taken

None taken.

#### 9. Revision to MTS Ordinance No. 11 Sections 2.3(h) and 1.8(r)

Discussion of 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 enhanced 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.

Discussion of 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.

Mr. Nelson noted that the largest, and most common, problems with the payment method (most often Square) not being connected to the actual meter have been customer credit cards being handed to drivers, drivers entering incorrect amounts (either in error, or on purpose) and drivers refusing to provide customers receipts, either printed or electronically transmitted.

## PUBLIC COMMENTS

*Able Seifu, Permit Holder-* Mr. Seifu spoke in opposition of Agenda Item 9: he feels that the proposed changes to the credit card requirements are not reasonable, based on a few extreme situations, and as a result the entire industry is going to be penalized. He noted that it has been less than two years that they have finally been able to use alternate methods to Verifone and it's already being taken away. He also mentioned that he feels it is unfair to say that you are not able to work because sometimes there are technical problems that are unavoidable. He also feels that there are ulterior motives for this change that are not related to customer service. He stated that he feels that the TAC should be promoting problem solving ideas that help the drivers not parties with other personal interests. He shared that the industry is already facing so many challenges and does not see the point in causing additional undue hardship.

*Ray Seyed Salehi, Permit Holder-* Mr. Salehi spoke in opposition of Agenda Item 9: he feels that there are already enough challenges and problems in the industry that make it very challenging to be successful. He explained the vast difference in costs of various payment methods to outline why such a change would have such a large negative impact. He asked that MTS do more to address the drivers that these complaints are about rather than penalizing the entire industry.

*Kamran Hamidi, Permit Holder/Airport Dispatch-* Mr. Hamidi spoke in support of Agenda Item 9: He believes that implementation of a system that prevents the amount of payment errors that are currently being seen with payment systems such as Square would be beneficial to the industry. He reported that such systems are being implemented in many other areas and it is in the best interest of the industry to begin to utilize more current technologies.

*Iraj Kashani, Permit Holder-*Mr. Kashani spoke in opposition of Agenda Item 9: He spoke at length about the specific challenges that are being presented by the operation of Rideshare companies. He stated that nothing is being done to enforce or regulate these companies but MTS wants to impose more changes and restrictions to drivers who are barely making it as it is. He said the credit card changes are another example of this and he thinks more should be done to help them rather than creating more problems.

*Armstrong Deanany, Lease Driver, Ivory Cab-* Mr. Deanany spoke in opposition to Agenda Item 9: He said not being able to use the Square for payment creates a big problem for Lease Drivers, not only in the surcharges they end up paying but in their ability to get payment easily without hold up.

Mr. Nelson clarified to all commenters that it is not his intent to take away Square, or any other electronic method being used, as a payment source but rather make sure that whatever device or method is used will adhere to the proposed changes to Ordinance No. 11. Both Mr. Nelson and Mr. Ward suggested that the item be added to the next WORM agenda for further discussion.

#### Action Taken

None taken.

#### 10. Revisions to MTS Taxicab and For-hire Vehicle Insurance Requirements

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.

#### PUBLIC COMMENTS

*Abebe Antallo, Permit Holder* - Mr. Antallo spoke in support of Agenda Item 10: Mr. Antallo thanked the Committee and their work at lowering the insurance coverage amounts. He did note that although it helped some, it did not create the large cost savings hoped and believes that if the rating requirements were also changed it would be a big help to the industry.

*Mikail Hussein, UTWSD*- Mr. Hussein thanked Mr. Nelson and the Committee for their work on successfully reducing the insurance limit amounts required and would like to see the same efforts put towards the insurance rating requirements for even bigger cost savings for the industry.

#### Action Taken

None taken.

11. Next Meeting – September 11, 2019 at 10:00 am.

12. Adjournment

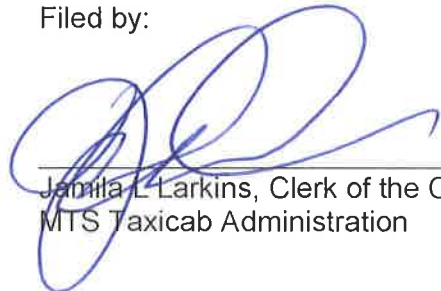
The meeting was adjourned at 11:52 am.

Accepted:



Christopher Ward  
Chair of Taxicab Advisory Committee

Filed by:



Jamila Larkins, Clerk of the Committee  
MTS Taxicab Administration

Attachments: Roll Call Sheet  
Letter from M. Hussein

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

MEETING OF (DATE): July 10, 2019

CALL TO ORDER (TIME): 10:00 am

ADJOURN: 11:52 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	11:52 am
Alfred Banks	<input checked="" type="checkbox"/>	Taxicab Lease Driver	10:00 am	11:52 am
Ryan Chasteen	<input type="checkbox"/>	Hotel Industry		
Marc Nichols	<input type="checkbox"/>	San Diego County Regional Airport Authority		
Akbar Majid	<input checked="" type="checkbox"/>	Taxicab Owner/SDYC Holdings, LLC	10:00 am	11:52 am
Daryl Mayekawa	<input type="checkbox"/>	Josh Layne <input type="checkbox"/>	San Diego Convention Center	
Guillermo Morquecho	<input type="checkbox"/>	Taxicab Lease Driver		
Houshang Nahavandian	<input checked="" type="checkbox"/>	Taxicab Owner/ESM Corporation	10:02 am	11:52 am
Tony Palmeri	<input checked="" type="checkbox"/>	San Diego Travelers Aid Society	10:00 am	11:52 am
Margo Tanguay	<input checked="" type="checkbox"/>	Taxicab Lease Driver	10:00 am	11:52 am
David Tasem	<input type="checkbox"/>	Taxicab Lease Driver		
Nasser Tehrani	<input checked="" type="checkbox"/>	Taxicab Owner/N.A.T. Cab Co.	10:00 am	11:52 am
Joe Terzi	<input checked="" type="checkbox"/>	Brian Hillemon <input type="checkbox"/>	San Diego Tourism Authority	10:00 am
VACANT	<input type="checkbox"/>	Lease Driver		
VACANT	<input type="checkbox"/>	Taxicab Owner/Permit Holder		
VACANT	<input type="checkbox"/>	Taxicab Owner/Permit Holder		
VACANT	<input type="checkbox"/>	Industry Organization		
Garret Cooper John Kinkaid	<input type="checkbox"/> non-voting <input type="checkbox"/> non-voting	San Diego County Department of Agriculture, Weights and Measures		
Edna Rains	<input checked="" type="checkbox"/> non-voting	San Diego County Sheriff's Department Licensing Division	10:00 am	11:52 am
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	11:52 am
Samantha Leslie	<input checked="" type="checkbox"/> non-voting	MTS Staff Attorney/Regulatory Compliance	10:00 am	11:52 am

CLERK OF THE TAC: /s/Jamila L Larkins

TAXICAB ADMINISTRATION MANAGER: /s/Kenneth Nelson





4265 Fairmount Ave.

• Suite 180

• San Diego

• California

• 92105

6/14/2016

To: Members of the Taxi Advisory Committee (TAC) and Taxi Administration Staff  
Re: United Taxi Workers of San Diego Seat on the TAC

Dear TAC Board Members and Staff,

I am writing to you today regarding the composition of the TAC Board and the seats available to outside entities that have a stake in the taxi industry.

Since 2009, UTWSD has become a leading expert and advocate on behalf of the taxi industry. We have brought together drivers and owner-operators to achieve many things, including allowing lease drivers, who make up a majority of the industry, to have a true and equal voice on the TAC board, putting forward amendments to Ordinance 11, and penalty guidelines among many other things.

We have built bridges and partnership with community organizations, labor groups, nonprofits, small businesses and corporations. Our number one goal is to ensure a healthy and safe taxi industry for both driver's and the public. Our existence is intertwined with that of the success of our industry and our intention is to see it collectively succeed.

We are at a moment in time where the taxi industry is in extreme peril from rideshares and the overregulation of our industry. We simply cannot compete. We would like to continue working to advise the MTS board on how to ensure our survival. To do this, we respectfully request your consideration of our voice at the table as industry partners of the TAC board along with the Convention Center, Hotels and Motels. Three minutes during public comment or on agenda items is simply not enough to give meaningful input and to offer our extensive knowledge of transportation policy. We believe having a seat at the table will allow us to offer our expertise and also engage in a conversation with the goal being consensus around our shared objectives.

We welcome questions and a thoughtful discussion about how we can continue to work together in a meaningful way to ensure a long and prosperous future for taxicabs in San Diego and ask for you to vote at your next scheduled meeting to add United Taxi Workers of San Diego as a representative on the Taxi Advisory Committee.

Sincerely,

Mikail Hussein

President, United Taxi Workers of San Diego

Phone: (619)255-7355 [www.utwsd.org](http://www.utwsd.org) Fax: (619)255-7375