

**Monterey County Regional Tax Authority**  
**BOARD OF DIRECTORS**  
**MINUTES**

October 22, 2012

1 Ryan Ranch Rd., Monterey, CA 93940

**1. CALL TO ORDER**

Director Sanchez called the meeting to order at 10:00 a.m. Roll call was conducted and The Pledge of Allegiance followed.

<b>Present:</b>	Fernando Armenta	County of Monterey
	Carrie Theis (alt.)	City of Carmel-by-the-Sea
	Alan Cohen	City of Pacific Grove
	Libby Downey	City of Monterey (arrived at 10:04 a.m.)
	Jerry Edelen (alt.)	City of Del Rey Oaks
	Alvin Edwards	City of Seaside
	Tom Greer (alt.)	Monterey Peninsula Airport
	David Pendergrass	City of Sand City
	Sergio Sanchez	City of Salinas

**Absent:** None.

<b>Staff:</b>	Kelly Halcon	Director Human Resources & Risk Management
	Hunter Harvath	AGM/Finance & Administration
	Tom Hicks	Mobility Manager
	Carl Sedoryk	General Manager/CEO
	Deanna Smith	Deputy Secretary
	Alex Lorca	De Lay & Laredo, RTA Counsel

<b>Others:</b>	Kathi Krystal	Associated Taxi
	Karen Faurot	Monterey Police Department
	Michael P. Cardinalli	Salinas Yellow Cab
	Roy Graham	TAC Member
	Ken Griggs	Monterey Regional Airport District
	Mike Cardinalli	Yellow Cab Monterey County
	Tom Mancini	TAC Member
	Luis Lomeli	Green Cab
	John M. Cardinalli	Salinas Yellow Cab

***Apology is made for any misspelling of a name.***

## **2. CONSENT AGENDA**

- 2-1. Review highlights of Agenda.
- 2-2. Informational minutes from regular meeting of July 30, 2012.
- 2-3. Receive July - September 2012 Financial Statements.
- 2-4. Receive Calendar Year 2013 Board Meeting Schedule and Committee Roster.
- 2-5. Approve TAC Member appointments.

**Director Armenta made a motion to approve the Consent Agenda and was seconded by Director Edelen. The motion carried unanimously.**

Public Comment – none.

## **3. SPECIAL PRESENTATIONS**

### **4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

### **5. COMMITTEE REPORTS AND PRESENTATIONS**

- 5-1. Receive update from RTA staff.

Mr. Harvath provided an update on recent meetings attended on behalf of the RTA. Mr. Sedoryk and Mr. Harvath met with Chief McMillin of the Salinas Police Department to discuss taxi related enforcement and they are scheduled to make a presentation to City of Salinas' police officers to inform them of enforcement needs and taxi-related issues.

Mr. Harvath met with Serra Yellow Cab, currently operating one of MST's wheelchair accessible vans. Mr. Harvath met with Mr. Lomeli of Green Cab to discuss Mr. Lomeli's concerns regarding taxi company and driver practices in the City of Salinas.

The City of Monterey continues to provide weekly and monthly reports on taxi driver and vehicle permitting and inspections. Issues regarding permitted taxi companies with access to the Presidio are being resolved.

Six more wheelchair accessible vans have been delivered to MST. RFP responses for all companies interested in leasing one or more of the vehicles are due on October 31, 2012. All companies are encouraged to apply and there are enough vehicles for all permitted taxicab companies to receive at least one wheelchair accessible van.

MST is also seeking applications from taxicab companies interested in taking part in the Senior Voucher Program. To date, Salinas Yellow Cab and Coastal Yellow

Cab have signed agreements to take part in the program. Once all applications have been received and approved, a new Senior Voucher Program Brochure will be published containing the names and contact information for all participating taxicab companies. Mr. Harvath recently spoke before the Pacific Grove City Council, the last jurisdiction within the RTA to take part in the Senior Voucher Program. The response from their council was positive and Mr. Harvath hopes to sign an agreement with them soon. The progress of the program is being tracked; from October of 2011 through June of 2012, the City of Seaside has reported 691 voucher rides provided; the City of Monterey has reported 885 voucher rides provided; and MST has reported 837 of their paratransit customers taking part in the program. Additionally, 80% of voucher rides fall within the estimated and budgeted \$17 per trip cost.

Mr. Harvath presented the new MCRTA permit sticker which includes a serial number to track taxi vehicle permits. This should help with RTA enforcement and limit the number of unauthorized taxis operating within the RTA jurisdiction.

The Taxicab Company invoices for Fiscal Year 2013 have been sent out. All companies are provided a 30-day grace period to remit their payments. At the end of 30 days a letter from the RTA general counsel is sent as a reminder; if payment is not received within 30 days of the reminder, a Cease and Desist letter is sent. This process has been successful thus far.

Director Armenta requested that all outstanding permits be reported each quarter.

Director Edelen asked if a late fee is assessed to cover the cost of the RTA general counsel following up on late payments. Mr. Harvath stated that the Board has not addressed or established fees for late payments, but the issue will be agendized for a future RTA meeting.

Director Edwards asked if the lease fees for new accessible vehicles were the same as previous vehicles. Mr. Harvath stated that the new vehicles were more expensive than the previously leased vehicles; therefore, MST is charging \$175 per month to cover MST's required match.

Director Sanchez asked if it was possible for one taxicab company to be awarded a lease for all the available accessible vehicles. Mr. Harvath stated that it is possible, but not likely. The RFP is designed so that there are accessible vehicles available on the Monterey Peninsula and the Salinas area. The RFP is pass/fail and has been redesigned to provide greater clarity. Provided all respondents are qualified, there will be enough vehicles for each currently permitted company to lease one vehicle.

Director Sanchez requested that a Pre-bid conference be held to assist all taxicab companies in responding to the RFP.

Director Sanchez asked if RTA staff is made aware of the reason for a denial of a taxi driver permit. Mr. Harvath stated that this was a state privacy issue and the Monterey Police Department was not allowed to disclose the information used to deny a permit. If the applicant desires to contest the denial, the RTA has established a process

for an administrative hearing and, at that time, the driver may authorize a release of his or her records.

5-2 Finance Committee Minutes, July 30, 2012.

5-3 Ad Hoc Nominating Committee Minutes, July 30, 2012.

#### Public Comment

Mr. Mancini stated that not all taxicab companies providing service to seniors using the Senior Voucher Program are allowed to enter the Naval Postgraduate School. This poses a problem for senior veterans who want to visit the commissary and other services on the facility.

#### Close Public Comment

### 6. BIDS/PROPOSALS

### 7. PUBLIC HEARINGS

### 8. UNFINISHED BUSINESS

8-1 Adopt FY 2013 Operating Budget as recommended by Finance Committee.

Mr. Sedoryk provided an update on requests made by the Board regarding the proposed FY 2013 budget as presented at the meeting of July 30, 2012:

**Request that Transportation Agency of Monterey County (TAMC) contribute funds to compensate for higher than anticipated start-up costs.** Status: Discussions with TAMC Executive Director, Debbie Hale, indicate that TAMC does not have funds that would be eligible to be spent on costs related to the start-up of the RTA.

**Request start-up cost forgiveness from participating jurisdictions.** Status: Letters to RTA member agency city managers and executive directors have been mailed. To date the City of Sand City has agreed to forgive a portion of start-up costs owed by the RTA. The cities of Pacific Grove and Seaside have scheduled this item to be heard by their councils on October 17, and October 18, respectively. Mr. Sedoryk provided two scenarios for possible repayment by the RTA jurisdictions and included a forecast of anticipated annual permit fee increases to adjust for inflation of administrative costs, for informational purposes only. The options will be discussed further at future meetings and among the RTA jurisdictions.

**Request that Monterey-Salinas Transit District Board forgive a portion of start-up costs.** Status: Once the all member jurisdiction governing boards and councils have decided their position of debt forgiveness, the matter will be taken to the MST Board for their consideration.

**Reduce Customer Card expense allocation.** Status: To be accomplished by staff during the year.

**Send agendas electronically.** Status: Most RTA board members have expressed their interest in continuing to receive paper agendas. As such, little to no cost savings are possible in this category.

**Reduce MST staff costs and contracted labor costs.** Status: Staff continues to monitor and only incurs necessary expenses required. Several cost savings have been identified in the following line items: Legal, customer comment card, audit (see next item, below).

**Remove audit expense allocation until incurred next fiscal year.** Status: Completed, auditor for MST has agreed to waive fees related to audit of RTA related transactions for the FY 2012 fiscal year.

**Obtain a budget from the City of Monterey RTA Administrator.** The City of Monterey RTA Administrator provided a Fiscal Year 2013 Budget as a handout.

Mr. Sedoryk stated that by the end of the calendar year staff will have a better understanding of what level of debt forgiveness will be provided to the RTA by its member jurisdictions, and to what degree cost reduction efforts have made in helping the RTA reduce its current deficit. Staff recommends deferral of any budget adjustments or changes to permit fees until your meeting of January 28<sup>th</sup>, 2013.

#### Public Comment

Kathi Krystal stated that the annual increase in permit fees presented in the handouts reflected how little the RTA considered taxicab companies and drivers. She is unhappy that copies of the two scenarios were not handed out to members of the public. Staff made additional copies and provided them to all members of the public.

Mr. Graham stated that the taxicab companies should not have to pay for the disorganization that led to higher start-up costs during the formation of the RTA. He believes the jurisdictions should pay the costs as they have saved money by not having to administer taxi permitting.

Michael Cardinalli stated that there are many taxis operating in Salinas without permits. He estimates that the RTA could collect \$10,000 if these companies were fined and required to comply with RTA permit requirements.

John Cardinalli feels the estimated increase in taxicab company permit fees create a hardship for taxicab companies, drivers and, ultimately, customers.

#### Close Public Comment

Director Sanchez stated that the City of Salinas is concerned with the RTA's financial impact on smaller taxicab companies, and he feels the city may pull out of the RTA if the costs get too high.

**Director Armenta made a motion to request that RTA staff make a formal presentation to the TAMC Board requesting a contribution for the higher-than-estimated start-up costs and was seconded by Director Edelen. The motion carried unanimously.**

8-2 Receive update on RTA Administrator Performance Evaluation.

Kelly Halcon presented the Board with the RTA Administrator Evaluation forms. She agreed to send them as an email attachment at the request of Director Downey.

8-3 Receive information on the availability of Taxicab Company insurance pooling options and refer further action to Taxicab Company owners.

Deanna Smith provided an update on the availability of group insurance for RTA permitted taxicab companies. Information received confirmed that taxicab companies could benefit from group insurance, but they would be required to form a nonprofit agency for the express purpose of obtaining group insurance. The rates would be based on the driving records of all companies collectively. She recommended that all interested companies arrange to have an agent from BB & T make a presentation to assess the benefits of participation.

#### Public Comment

Mr. Buswell stated that many large companies already received discounts based on the number of cabs they operate. He is unsure if it would benefit everyone, but would be willing to listen to a presentation.

Mr. Graham asked that a RFP be published for the provision of insurance services.

Michael Cardinalli stated that his company will opt out as they already receive good rates because of the number of vehicles they dispatch.

#### Close Public Comment

Director Cohen believes the RTA researched this matter as a benefit to the taxicab companies, but the companies should pursue the matter themselves.

Mr. Harvath suggested that RTA staff send out a survey of all taxicab companies within the RTA to assess their interest, and if enough are interested, staff would arrange for a BB & T representative to make a presentation.

**Director Downey made a motion requesting RTA staff to send out a survey to assess interest in pursuing the taxicab group insurance option and was seconded by Director Edelen. The motion carried unanimously.**

8-4 Receive update on taxi livery – Salinas Yellow Cab and Yellow Cab of Monterey County.

Mr. Harvath stated that the issue between Salinas Yellow Cab and Yellow Cab of Monterey had been resolved between the two companies and no further action was necessary.

Public Comment- none.

## **9. NEW BUSINESS**

### **10. REPORTS & INFORMATION ITEMS**

10-1 Receive July - September 2012 report from RTA Administrator.

### **11. COMMENTS BY BOARD MEMBERS**

11-1 Reports on meetings attended by Board members at RTA expense.

11-2 Board Member Comments.

11-3 Board Member Announcements.

Director Sanchez stated that in case he was unsuccessful in his election to the County Board of Supervisors, he has enjoyed serving on the RTA.

Director Armenta and Director Downey echoed Director Sanchez' comments.

11-4 Board Member referrals to TAC or future agendas.

The following requests were requested for future agendas:

1. Research the issue of unpermitted taxicab companies and drivers operating in Salinas, inform the Salinas Police Department of the RTA medallion and how to report noncompliance to the proper RTA Staff or Administrator, and report back to the Board.
2. Hold a Pre-bid conference to assist all taxicab companies in responding to the Accessible Vehicle RFP and report back to the Board.
3. Send a letter and make a formal presentation to the TAMC Board requesting a contribution for the higher-than-estimated RTA start-up costs and report back to the Board.
4. Research the issue of taxicab companies participating in the Senior Voucher Program that are unable to enter the Naval Postgraduate School.
5. Provide ongoing quarterly information on taxicab companies that are late on their annual permit renewal fees.
6. Add to the next agenda the discussion and establishment of late fees for RTA Taxicab Company permit renewal fees.

7. Survey taxicab companies for their interest in participating in a taxicab insurance group program and report results back to the Board.

**12. CORRESPONDENCE**

13-1 Monterey Airport's response to Public Comment.

**13. CLOSED SESSION**

**14. RETURN TO OPEN SESSION**

**15. ADJOURN**

There being no further business, Chair Sanchez adjourned the meeting at 11:38 p.m.

Prepared by:



Deanna Smith, Deputy Secretary