

Miscellaneous

Maura Millison
Street
94105

RECEIVED

NOV 06 2007

SAN FRANCISCO
TAXI COMMISSION

October 9, 2006

Mr. Mohammed Khan
Crown Cab Company
87 Industrial Street
San Francisco, CA 94124

Dear Mr. Khan,

I wanted to write this letter to you and let you know how much I appreciate you taking the time to try to reach me and let me know that one of your drivers had turned in my lost wallet.

On the night of Friday, October 6, 2006, I was at Kells in North Beach and needed a cab to BART. The Crown Cab driver, Cornelius Perdue (cab #247), took me to BART. He later found my wallet in his cab and turned it into the main office.

It is so unusual to find really honest people like Cornelius and yourself, and I want you to know it has not gone unnoticed. You both have saved me a lot of time and trouble of getting everything replaced. But even more important is the knowledge that there are really good people in the world.

Please make sure that this letter is filed in Mr. Perdue's HR file and that copies are sent on to any other appropriate people in your organization.

Again, I am very grateful for all your help and will ONLY use Crown Cab from now on!

Sincerely,

Maura Millison
Maura Millison

[Handwritten mark]

Crown cab co.

The help and support that we have received from Your Co is unmatched by any other Co in the city. To tell you the truth we are very thankful to you and your drivers for all the help you have provided us with. Their for we send these invitations to you and the drivers that have helped us so much. Once more from every on here at Market Street Cinema thank you for all the help, and come and enjoy the party that this city has inspired by being one of a kind.

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FRANCISCO
COMMISSION

MSC

Hello, How are you? 1239

I'm stying in S.F. very enjoy.

You are very kindness!!

I can have good memory, I don't forgat. I'm looking forward to hearing from you soon.

Please take care.

Kiyomi
Japan



LAW OFFICES OF MICHAEL BROAD

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November 1, 2007

San Francisco Taxi Commission
25 Van Ness Ave., Suite 420
San Francisco, CA 94102

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NOV 02 2007

RE: Workers' Compensation for Black & White Checker Cab Co. SAN FRANCISCO TAXI COMMISSION

Dear Taxi Commissioner:

My name is Michael Broad. I am legal counsel for Black & White Checker Cab Co. Its come to my attention, that at the last two taxi commission meetings the Taxi Commission did not have accurate information about Black & White Checker Cab Co's workers' compensation insurance policies. I would like to take this opportunity to clarify this misinformation.

B&W has obtained, through its insurance broker, Dmitry Erenkov Insurance Agency, workers' compensation insurance for all vehicles that are owned by B&W and/or registered under B&W's name for all drivers. B&W has two separate polices that cover their insurance needs for their independent contractor drivers. The two policies are through Lincoln General Insurance Company. Also, B&W has workers' compensation for all its employees through Travelers Casualty and Surety Company.

Many individual permittees at B&W purchase workers' compensation insurance directly through Lincoln General Insurance Company, however their policies are still under B&W's policy. This is one of the reasons why B&W has two polices being carried by Lincoln General Insurance Company.

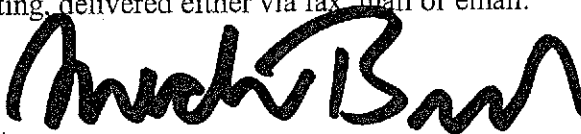
As of today, out of fifty-five medallions under B&W's color scheme, 38 medallions have worker's compensation coverage. In addition, there are three individual permittees under B&W who have already applied for polices and we are waiting to obtain confirmation from Lincoln General Insurance Company regarding their coverage. The remaining 14 medallions are held by single shifter owner operators.

I represent many taxi companies in the San Francisco Bay Area and have litigated this issue regarding workers' compensation coverage for taxi companies and their drivers before the Workers' Compensation Appeals Board, the California State Department of Labor, and the National Labor Relations Board.

If any Taxi Commissioner would like to obtain specific information regarding B&W's insurance coverage, please do not hesitate to contact me. However, I would ask that all requests be in writing, delivered either via fax, mail or email.

Respectfully yours,

Michael Broad
Attorney at Law
MB/lh



BOARD of SUPERVISORS



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San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

FOR YOUR INFORMATION SEE THE ATTACHED LEGISLATION

DATE SENT: October 1, 2007

FILE #: 071371

DESCRIPTION: Increasing gate fee charged by "full service" transit companies

- FROM:
- Budget & Finance
 - City Operations & Neighborhood Services
 - City & School District Select
 - Government Audit and Oversight
 - Land Use & Economic Development
 - Rules
 - Public Safety

The meeting to hear this file will be held on: _____ OR: No date set yet

Hearing or Legislation Referred To:

- Building Inspection Commission *Charter Section D3.750-5*
- Ethics Commission *Campaign & Governmental Conduct Code*
- Environmental Office-FEES *CEQA CA Public Resources Code § 21000 et seq.*
- FYI Only - *Taxi Commission*
- Planning - Environmental review
- Planning - Interim Controls *Planning Code Section 306.7(c)*
- Planning Code Amendment *Planning Code Section 302 (b)*
- Retirement Board *Elections Code or Campaign & Governmental Code*
- Small Business Commission *M01-33*
- Parking & Traffic Regulations-*for environmental review*
- Youth Commission *Charter Section 3.720-2*

1 [Increasing the gate fee that may be charged by "full-service" taxicab companies from \$91.50
2 to \$110, establishing an expiration date, and making the increase retroactive to January 1,
3 2003.]

4 **Ordinance amending the San Francisco Police Code by adding Section 1137.1, to:**
5 **increase the gate fee that may be charged by "full-service" taxicab companies, as**
6 **defined in the ordinance, from \$91.50, as authorized by Board Resolution No. 605-06, to**
7 **\$110; establish an expiration date; and, make the increase retroactive to January 1,**
8 **2003.**

9 Note: Additions are single-underline italics Times New Roman;
10 deletions are ~~striketrough italics Times New Roman~~.
11 Board amendment additions are double underlined.
Board amendment deletions are ~~striketrough normal~~.

12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. The San Francisco Police Code is hereby amended by adding

14 Section 1137.1, to read as follows:

15 **SEC. 1137.1. TEMPORARY GATE CAP INCREASE.**

16 **(a) Findings.**

17 1. Full-service taxicab companies, as defined herein, furnish upwards of ninety percent of taxi-
18 provided paratransit transportation services in the City and County. Such companies also provide
19 most of the taxi-related transportation service in numerous neighborhoods in the south, southeast, and
20 western portions of the City and County. Full-service companies typically operate large fleets of taxis
21 utilizing computer-aided dispatch, global positioning technology, and/or dispatch centers with a proven
22 and effective citywide reach in order to shorten response time, provide higher levels of customer
23 satisfaction, and, during emergencies, ensure the availability of fleets of transportation vehicles as a
24 supplement to the homeland security needs of the City and County. These companies have historically
25 been able to schedule regular replacement of their vehicles and acquire, maintain, and operate

1 wheelchair-accessible vans which, for various reasons, are more expensive to acquire and operate
2 when compared to their sedan counterparts. These companies also enter into collective bargaining
3 agreements with unionized employees and provide permanent staff with compensation packages
4 including health, welfare, and retirement benefits.

5 2. The majority of "gas and gate" lease opportunities for taxi drivers are provided by full-
6 service taxicab companies.

7 3. Since 1999, the formula and procedures set forth in Sections 1135.1 and 1137 of Article 16
8 of the Police Code have failed to result in regular and adequate gate cap increases consistent with, at a
9 minimum, increases in the Consumer Price Index, the standard referenced in those sections.

10 4. As a consequence, the gate cap increases adopted since 1999 have not only failed to keep up
11 with the general rate of inflation, they have proved seriously inadequate when compared to price and
12 cost indices specifically tailored to businesses providing transportation services in a metropolitan area
13 like San Francisco.

14 5. Revenues generated by the payment of gate fees on a per-shift basis have traditionally
15 produced a significant portion of the overall revenues of full-service taxicab companies that, in
16 addition to the basic "motor vehicle for hire" transportation, provide a wide range of important
17 services to the people of the City and County.

18 6. Since 1999, as the gate cap regulatory process has stagnated and gate fees, measure in
19 constant dollars, have actually declined, the operating costs of taxicab companies providing a full
20 range of services have substantially increased. These increases include, among others: the cost of
21 financing and maintaining adequate business premises for office operations, vehicle maintenance and
22 parking; new vehicle acquisition, including wheelchair-accessible vans and alternative fuel
23 automobiles; liability and workers' compensation insurance; increased employee costs, including the
24 expense of adding staff needed to support such services as paratransit operations and to ensure the free
25

1 flow of performance and accounting data to the City; central radio communication facilities; and, the
2 cost of advanced technology, such as computer-aided dispatch, credit card processing, global
3 positioning equipment, and related systems. In addition, these companies are now struggling to
4 participate in a health care delivery system for taxi drivers that, even at minimum levels, threatens to
5 impose a new financial burden for which a revenue source cannot be identified.

6 7. As a result of the "regulatory lag" in gate cap increases outlined above, many if not all of the
7 full-service taxicab companies have suffered and are in danger of continuing to suffer substantial
8 business losses, declining revenue, and increasing operational expenses, thereby jeopardizing their
9 financial stability and potentially forcing them, in the very near future, into insolvency. At a minimum,
10 increasing costs may compel these companies to curtail if not eliminate transportation services which
11 are critical to both disadvantaged individuals citywide and numerous neighborhoods already suffering
12 from perceived transportation deficiencies.

13 8. The failure or the continuing impaired financial operation of full-service taxicab companies
14 threatens the health, welfare, and safety of the people of the City and County.

15 9. Because the revenue losses referenced herein are contributing substantially to the imminent
16 risk of financial collapse of the few operating full-service taxicab companies, waiting for the biannual
17 gate cap review process to correct those deficiencies is no longer an option. Instead, a temporary
18 increase in the gate cap for full-service taxicab companies is compelled by circumstances that threaten
19 the continued provision of numerous important public services.

20 (b) Definitions. For purposes of this Section:

21 1. The term "full-service" taxicab company shall mean any holder of a color scheme permit
22 issued pursuant to Section 1125 that satisfies the following requirements:

23 (A) It has submitted all information required by the Controller's rules and regulations for the
24 three most recent years for which information is required;

1 (B) All taxicabs, when in actual operation under the taxicab company's color scheme, are
2 covered by workers' compensation insurance, with evidence of such coverage submitted to the Taxicab
3 Commission no later than the effective date of this ordinance;

4 (C) The company has provided more than 1,500 paratransit trips in each of the three months
5 immediately preceding the effective date of this ordinance and continues to provide that minimum level
6 of paratransit service during each month for which the gate fee authorized in this Section is charged;
7 and;

8 (D) The company operates its own taxicab dispatch service pursuant to a permit issued
9 pursuant to Section 1127.

10 2. The term "gate fee" shall be defined as provided in Section 1135.1(c) of Article 16 of this
11 Code.

12 (c) Gate Fee Increase. Notwithstanding any provision of Sections 1135.1, 1137, or other
13 applicable provisions of Article 16 of this Code to the contrary,

14 1. From and after the effective date of this ordinance, a full-service taxicab company may
15 charge an average gate fee to taxi drivers not to exceed \$110.00 for a shift of 10 hours or longer. The
16 cap shall be prorated at \$11.00 per hour for shifts shorter than 10 hours. The average gate fee shall be
17 determined by adding together the gate fees charged by the company for all available shifts during a
18 given one-week period and dividing that total by the number of available shifts during the week.

19 2. The increased gate fee authorized by this Section shall expire effective January 1, 2010, or if
20 the powers and duties of the Taxi Commission are transferred to the Board of Directors of the
21 Municipal Transportation Agency in the manner provided by law, upon a resolution of the Agency's
22 Board of Directors so providing, whichever occurs first.

23 3. In view of the findings set forth above, the average gate fees actually charged to taxi drivers
24 by a full-service taxicab company from and after January 1, 2003 through and including the effective
25

1 date of this ordinance are hereby declared to be fair, reasonable, and in compliance with any
2 applicable provision of Section 1135.1, as amended.

3 (d) Effective Date. This Section shall become effective on the first day of the month following
4 final approval of this ordinance in accordance with law.

7
8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By: _____
11 ATTORNEY'S NAME
12 Deputy City Attorney