



Charter Reform Working Group MINUTES

November 20, 2007 at 10:00 a.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 201

Present: Com Heinicke, Com Oka, Adam Millard-Ball, Laurie Graham, Rich Hybels, Hansu Kim, John Lazar, Tone Lee, Charles Rathbone, Thomas G. Williams, Autumn O'Keefe, Rich Schlackman, Pres Gillespie, Michelle Allersma, Rick Wilson, Tom Owens, Greg Wagner, Heidi Machen, Jordanna Thigpen

Absent: 0

1. Call to Order/Roll Call

2. Public Comment (Please limit public comment to items NOT on the agenda)

- **Mark Gruburg:** I've been a cab driver for 24 years and a founder of Green Cab. Proposition K provided opportunities for cab drivers. I wanted to call to your attention a letter agreement between Mayor Newsom and Supervisor Peskin regarding Prop A which will assume the Taxi Commission into MTA. I think the keyword in the letter is "intent" and I hope that you will adhere to this letter. To the public, I hope that you are open to new ideas.

3. Overview of the Sunshine Ordinance and Responsibilities Relating to Serving on Policy Bodies

- **Dir Machen:** Public meeting laws, what it means to serve on a policy body. Noticing requirements, notices will be sent out to members 72 hours in advance, posted on our website and outside of the meeting room. There are 12 voting members and 7 members are required to carry a vote. Anyone on the committee may make a motion, 2nd and then a vote. We have to stick to what is on the agenda because this is what is noticed to the public.
- **Com Heinicke:** Minutes will be in summary format.
- **Jordanna Thigpen:** Nor is it required by the Sunshine Ordinance to have verbatim transcripts.

Public Comment:

- **Charles Rathbone:** I am in daily contact with some of the people around the table and I am concerned with the business of non-meetings.
- **Com Heinicke:** I think a non-meeting requires a certain amount of people at it to be a non-meeting.
- **Tom Owens:** At this point you can't even talk to six people one after the other, the purpose is to negotiate some sort of consensus.
- **Jim Gillespie:** Does it work in reverse; we can contact as many people as we want if we are not on the committee?
- **Com Heinicke:** Yes.

- **Rich Hybels:** Might we have a list of all the members on the committee?
- **Com Heinicke:** Excellent idea, I think that was apart of the plan for the next time around.

4. Overview of the San Francisco Taxi Industry and Proposition K

Dir Machen and Jordanna Thigpen summarized the Overview Report provided as an explanatory document.

Public Comment:

- **Com Heinicke:** There are two basic ways medallions are leased out; (Gates/Gas) driver is responsible for paying gate charge which covers lease of the medallion and him/her are responsible for gas.
- **Jordanna Thigpen:** These are the legal methods.
- **Hansu Kim:** This gets very confusing, when you get a medallion from the city you have two options; you can run it yourself, get other drivers to drive when you're not driving or contract with a Color Scheme to operate the medallion for you and will pay you a certain fee. 70 % hand over there medallion 30% operate themselves getting there own drivers.
- **Dir Machen:** Gates/gas is leasing from the company on a daily basis. Leasing has operating rights to a vehicle for a month and certain hours. The commission regulates the way that the leases operate; there cannot be a middle person in there.
- **Tone Lee:** That's why we need the reform meeting. How much does the government want to be involved in the business model of a taxi company?
- **Com Heinicke:** Your statement is related to the debate of policy and I would like to stay limited to a factual overview of the industry.
- **Charles Rathbone:** A person pays an average of \$91.50 for gate/gas. Fuel can be \$25-50 as well as airport fees and toll fees. Leases are running \$3000 a month with use of a taxi 24 hours a day.
- **Rich Hybels:** When a driver gets a long-term lease they purchase there own vehicle.
- **Com Heinicke:** Tom can you give a summary of the vested nature of the medallions.
- **Tom Owens:** A medallion represents a legislative granted privilege, there's no ownership interest and no vested interest. The city can change regulations on medallions at any time.
- **Com Heinicke:** A pre-k is a non-vested medallion with transfer rights.
- **Tom Owens:** Between the passage of K and the effective date the city allowed medallion holders to add other names which were carried over to prop k.
- **Jordanna Thigpen:** The Mayors Office formed a Taxi Task Force in 1997, which was a policy group which recommended creating the Taxi Commission. Working groups can be very successful and produce solutions. The Taxi Commission is working with the MTA on some legislation on the merger and the transfer so the service to the public/industry is not interrupted.
- **Rich Schlackman:** There have been many attempts to change Prop K and they all failed due to self-interest. If we want a change we need to have the publics support.
- **Com Heinicke:** To reinforce what Richard said there have been many attempts to changes Prop K that all failed. If we really want to change this system we have to have public support.
- **Charles Rathbone:** What are the essential elements for service?
- **Rich Schlackman:** The public believes that the service is bad.
- **Tone Lee:** For better service to the public we need more taxicabs. The number of taxis limits that.
- **Adam Millard-Ball:** Is it possible to compile some financial reports?

- **Dir Machen:** I am just going to touch on regulations prior to 1998 which was handled solely by the Police through the Police Commission and its administrative arm that our office has now assumed. Taxi Detail is responsible for all enforcement.
- **Jordanna Thigpen:** www.tlpa.org has some links that you can view and we can work with the Controller's office to produce something for you.
- **Michael Spain:** I wanted to go over some factual information, Yellow Cab went into bankruptcy in 1976 and came out of bankruptcy in 1977 and Prop K was passed in 1978. Secondly, gates/gas existed before 1978 except for Yellow Cab they used to split the meter with the cab driver.
- **Jim Gillespie:** Medallion holders receive \$1800 per month.
- **Mark Gruburg:** Transferability of medallions was eliminated by Prop K for several reasons, partly to give people the opportunity to get a medallion. Taxi medallions are simply medallions to perform public service and it should not have a private value.

5. Issues for future meetings

- **Com Heinicke:** My plans are to have a monthly report. Now that we have an overview of Prop K, for the next meeting I would like to present any additional information from staff or the working group. I would like to have a discussion about the aspects of Prop K; what should be obtained and what will be problematic. Third topic would be a fuller exploration of what the issues of the industry really are.

6. Adjournment.