

Consent: Item A

Consideration of the Minutes from the January 27, 2009 Taxicab
Commission Meeting.



COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3
PATRICIA BRESLIN, VICE PRESIDENT
RICHARD BENJAMIN, COMMISSIONER, ext. 1
TOM ONETO, COMMISSIONER, ext. 6
MIN PAEK, COMMISSIONER, ext. 7
SUSAN SUVAL, COMMISSIONER, ext 5
ARTHUR TOM, COMMISSIONER, ext 4

JORDANNA THIGPEN, EXECUTIVE DIRECTOR

TAXICAB COMMISSION MINUTES

January 27, 2009 at 5:00 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

STAFF IN ATTENDANCE: Executive Secretary Tamara Odisho Benjamin – Taxi Commission, City Attorney Tom Owen, Sergeant Ron Reynolds- SFPD-Detail

1. Call to Order/Roll Call

2. Consideration of DRAFT SFMTA Motor Vehicle For Hire Regulations [INFORMATION AND DISCUSSION]

- **Chris Hayashi:** Overview of new draft regulations.
- **President Gillespie:** When will the SFMTA hear the new draft rules?
- **Ms. Hayashi:** On February 3, 2009 and then a 90 day window before the rules go into effect. Would like to hold community meetings to go over the rules.
- **Com Breslin:** Will be holding a Rules wrap up meeting on Friday and would like for you to attend.
- **Com Oneto:** Definitions not very clear. Hope they will be for drivers.
- **Ms Hayashi:** Would like staff to work closer on outreach.

Public Comment:

- **Robert Cezzano:** Don't understand relationship between color scheme, A card and medallion. Will they prorate the A card fee?
- **Peter Witt:** Drivers' won't have rights. Hasn't received anything from the company.
- **Blake Derby:** Would like a hard copy. There are some issues with the rules.
- **Tariq Mehmood:** Would like to see a seamless transition.
- **Mark Gruberg:** There has been a lot of work put into this and it is a working document. There has been tremendous outreach and hope it continues.
- **Ms Hayashi:** Responding to questions: Color scheme would notify MTA if there's a cancellation of a lease. Publishing rules will be in a small concise book. Urgent priority to put together an advisory group.

3. Healthy San Francisco: A Presentation from the San Francisco Department of Public Health [INFORMATION AND DISCUSSION]

- **Adrian Nunez, Healthy San Francisco:** Overview of program through a power point presentation.
- **Barry Schenbaum, Employer Relations:** Overview of employer program.

Public Comment:

- **Frank Fahy:** Preventive health plan would be helpful in the plan.

- **Robert Cezzano:** There was a plan but committee didn't want to approve it. And Board of Supervisors rejected increase in meters.
- **Mark Gruberg:** Plan is good but has limitations especially for drivers living outside the city.
- **Mike Spain:** Would have preferred having this presentation available last year.
- **Tariq Mehmood:** Distribute an easy 2 page brochure to drivers for them to know their options.
- **Ruah Raffis:** The entire amount drivers bring in is not full amount of salary since gas and gate are an expense.
- **Peter Witt:** Use driver fund to pay for insurance.

4. Taxi Driver Health Care: an Updated Report on the Taxi Commission's Health Care Subcommittee's Report [INFORMATION AND POSSIBLE ACTION]

- **Director Thigpen:** Overview of the item.
- **President Gillespie:** Important issue for many of us who wrote this and to show the taxi industry is still interested in this plan.
- **Com Oneto:** When this plan was finalized Healthy San Francisco was not in place which is why this plan was introduced.
- **Com Paek:** Unfortunate supervisors did not consider this plan. Appreciates work of the committee.
- **Com Tom:** Com Oneto to hand on himself. Probably not minimum number of hours.

Public Comment:

- **Mark Gruberg:** City is responsible for drivers and should provide insurance to drivers.
- **Mr. Blakely:** Whatever health plan the city provides to city workers, should be the same provided to the drivers.
- **Robert Cezzano:** Thanks everyone who worked on this. City should have been consulted before the committee convened.
- **Mary McGuire:** Dublin insurance was the vendor but where did they come from? Why wasn't there a bid on the plan? As a medallion holder I would have to pay drivers' shares.

5. Consent Calendar [ACTION]

- **Director Thigpen:** Overview of items and sever items B8, B9, B11, C and F13. Continue items B6- Steven Lee and B10- James Sukovitzten for further investigation.
- **Com Oneto:** Motion to approve A- minutes, grant medallion to B1 Ghaffar Khan, B2- Kam Wong, B3- Robert Brooks, B4- Abison Chirackal, B 5- H. Jim Trinidad, B 7- Kenneth Liang, approve color scheme change to D1- George Lancia, D2- Nollie Griffin, remove ramp applicants all item E and F1-12 and F14. No need to vote on item G 1- Radwan Rashid.
- **Com Paek:** Second motion

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval, Tom

No: 0

Absent: 0

Recuse: 0

- **Charles Rathbone:** Bill Grayson Bourne long time drivers and provided excellent service.
- **Jim Gillespie:** Mr. Khan and Robert Brooks good drivers congratulations
- **Carl Macmurdo:** Congratulations and Medallion Holder Association is open for new enrollment.
- **Com Oneto:** Motion to grant medallion to B9- Sanh P. Nguyen
- **Com Paek:** Second motion

Ayes: Benjamin, Breslin, Oneto, Paek, Suval, Tom

No: 0

Absent: 0

Recuse: Gillespie

- **Com Oneto:** Motion to grant a medallion to B 11- Grayson Bourne
- **Com Paek:** Second motion

Ayes: Breslin, Gillespie, Oneto, Paek, Suval, Tom

No: 0

Absent: 0

Recuse: Benjamin

- **President Gillespie:** Item B 8- Mahmood Rudsari it is important for all drivers to hold valid A-card at all times while operating as a taxi driver.
- **Com Oneto:** Working 7 days a week and 10 hours a day is against the CA state law.

- **Mr. Rudsari:** Long-term lease must drive at all times.
- **Com Oneto:** Motion to grant medallion
- **Com Paek:** Second motion.

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval, Tom
Absent: 0

No: 0
Recuse: 0

- **President Gillespie:** There are no rules preventing a new color scheme.
- **Com Paek:** Supports small business. Motion to approve new color scheme C 1- Tam Dinh Nguyen.
- **Com Breslin:** Second motion.

Ayes: Breslin, Gillespie, Oneto, Paek, Suval, Tom
Absent: 0

No: Benjamin
Recuse: 0

Com Paek: Motion to not remove applicant F 13- Gerald Cassidy from the medallion waiting list.
Com Breslin: Second motion.

Ayes: Benjamin, Breslin, Gillespie, Oneto, Paek, Suval, Tom
Absent: 0

No: 0
Recuse: 0

6. Staff Report and Commissioner Announcements [INFORMATION]

- **Executive Director Jordanna Thigpen:** Update
- **Sgt Reynolds:** Update

Public Comment:

- **Jane Bolig:** One of the founders of DeSoto, Mike McCalus passed away.
- **Ruah Graffis:** If a taxi is being operated in SF and it is not its jurisdiction, there should be some notation in the taxi.
- **Charles Rathbone:** If a company wants to pick up passengers in San Francisco, it should be required to pay fees.
- **Marty Smith:** His name is on the Delta Cab color scheme.
- **Robert Cezano:** Paratransit program is a failure for not allowing drivers to bid for contracts.
- **Mohamed Booya:** Out of town cabs are a problem affecting this industry.

SPECIAL ORDER 8:00 – 8:30 PM

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

- **Robert Cezano:** Opposed to auctioning medallions.
- **Mary Mcquire:** Doesn't like proposed rules. Three plans were discussed but only one is brought forward to be discussed.
- **Mike Spain:** Charter has met in 4 months. And now there is only one plan to be proposed, not fair.
- **Charles Rathbone:** Wonders if this is being put forward in good faith and hopes it will be properly presented.
- **Jane Bolig:** Concerned of lack of consistence and clarity. Is commission going to be a cash cow for MUNI?
- **Tariq Mehmood:** UTW will cost drivers money because of lawsuit costs.
- **Mark Gruberg:** One of the benefits is to not hear UTW being slammed. Doesn't see any good coming out of the Charter Reform Working Group.

8. Taxi Commission v. Tu Lam, Revocation of P-16 Permit # 896 and P-44 Permit # 48151 for violating Taxicab Rules and Regulations 4.A.1, 4.A.2, 4.A.3,4.A.4, 5.A.1, 5.A.3, 5.A.4, 5.C.5,5.E.1c, 5.H.3, 5.H.4, 5.H.6, 5.H.9, 5.H.15, 5.H.16, 5.H.17, 5.I.2, 5.I.3, 5.K.3, 5.C.2, MPC § 1081(f), MPC §1123, MPC § 1138, MPC § 1140a, MPC § 1147.7 and MPC § 1148.6b [ACTION]

- **President Gillespie:** Continue this item to February 10, 2009.

9. Taxi Commission v. Hakim Ikarouien, Revocation of P-44 Permit # 08868 for Violating Taxicab Rules and Regulations 6.A.1, 6.D.1, 6.D.2, 6.D.3, MPC § 1141, California Penal Code §§ 211, 243(d), and 591.5 [ACTION]

- **Director Thigpen:** Overview of the case.

- **Thomas J Wallace, Attorney for Hakim Ikarouien:** Overview of client's background and history.
- **Sgt Reynolds:** There were no witnesses to the case, only someone who waited with the victim after the incident occurred.
- **City Attorney, Tom Owen:** Commission does not necessarily have to use the specific codes to describe what they are trying to say, they can use words they feel best describe what occurred.
- **Com Tom:** Motion to continue A card suspension for 3 more months, and then probation for 2 years after probation. To not include Finding 3 in resolution.
- **Com Suval:** Second motion

Ayes: Benjamin, Breslin, Gillespie, Paek, Suval, Tom
Absent: 0
10. Adjournment

No: Oneto
Recuse: 0