
BOARD MINUTES FOR MEETING OF JULY 9, 2020

As a result of the COVID-19 pandemic, the Board Meeting came to order on-line in compliance with shelter-in-place orders, as allowed by Executive Order N-29-20 (March 17, 2020). The meeting started at 10:03 a.m.

MGSA Board Members Participating: President Craig Middleton, Members Adam McGill, Andy Poster, Cristine Alilovich, Angela Nicholson, and Sean Condry were present. Vice President Greg Chanis and Member Sean Condry were absent. Member Alilovich lost connection at one point so missed one agenda item.

Program Contractors Attending: Executive Officer Michael Frank, General Counsel Dave Byers, and Program Contractor Bob Brown.

A. Report from Executive Officer

The Executive Officer reported on activities since the last meeting. In particular, he mentioned:

- Telecommunications
 - There is presently one pre-reservation of a streetlight in San Rafael by Crown Castle.
- New MGSA Website Rollout
 - The new site will have a Search feature for historic agenda items and resolutions. In addition, the site will have the capability to subscribe to receive meeting agendas.

B. Public Comment

None

C. Approve Minutes of June 11, 2020 Special Meeting (All)

Motion by Nicholson, seconded by Poster to approve the minutes for the June 11, 2020 Board Meeting. Motion was approved 5 – 0 with Chanis and Condry absent.

D. Revisions to Taxi Program Regulations and Fee Schedule (Brown)

Following a brief introduction from Frank, Contractor Bob Brown presented the item and provided an overview of the program and the recommended fee and regulatory changes.

Public Comment was provided in writing by Hanne Callaert (Marin Green Cab), Kevin Carroll (Sausalito Taxi), and Isidro Vicente (North Bay Taxi) and are attached to these minutes. In addition, verbal public comment was provided by Kevin Carroll.

The Board, by motion put forward by McGill, seconded by Poster approved Resolution 2020 - 19 executing changes to the Taxicab Regulation Program and Fee Schedule but reducing the recommended Driver Fee from \$50 to \$40. The Resolution passed by a vote of 4 – 0 with Alilovich, Chanis and Condry absent. Staff also agreed to hold a Zoom meeting with the taxi drivers.

E. Community Media Center of Marin (CMCM) Presentation on FY 2020/21 Budget and Capital Plan (Frank and Eisenmenger)


Following a brief introduction from Frank, Michael Eisenmenger, Executive Director of CMCM, provided an overview of the Media Center, their FY 2020/21 Budget, and CMCM’s FY 2020/21 Capital Plan. No action was taken.

F. MGSA Program Contractors’ Contract Changes (Frank)

Frank introduced the item. The Board, by motion put forward by Nicholson, seconded by McGill, approved Resolution 2020 – 06 delegating to the Executive Director the authority to sign Amendment No. 3 for Christine O’Rourke’s Professional Services Agreement and sign Amendment No. 1 for Bob Brown’s Professional Services Agreement. The Resolution passed by a vote of 4 – 0 with Alilovich, Chanis and Condry absent. Staff also agreed to return at the next Board Meeting with “not-to-exceed” amounts for all appropriate program contractor professional services agreements.

G. Adjournment

The meeting adjourned at 11:29 am.


Michael S. Frank, Executive Officer

Item D Written Comments

07/08/2020

Kevin Carroll

Minutes 7-9-20

Dear MGSA Board Members:

I am very disappointed that none of the issues I raised in my letter of 06/10/20 to you are not reflected in this 07/09/20 Taxi Program Update. It is basically a cut and paste rehash of the 06/11/20 update. Worse it leaves out or misinterprets key provisions of AB 1069. One is the collection of Business License Fees by cities in the county. The law was written to prevent too many cities from charging these fees. Marin's problem is the opposite, the two principal cities and the county that taxis operate in **do not** collect these fees from all of the companies. The county also does not enforce the Fictitious Business Name ordinance. No mention is made of the Call Log requirement.

Had Mr. Brown arranged a meeting with taxi owners and drivers, we might have provided valuable input based on our years of experience. We might have even started a dialogue on the issues that have plagued the TRP from the beginning and have hurt our industry even before the current Covid crisis. I do appreciate Mr. Brown sending Covid information as requested.

We still do not know which vehicles and companies are actively and properly insured for service. Only two insurance companies write state certified taxi policies. With 90% of the taxis off the road a short phone call to each should clear this up. Those of us on the road who are covered could help protect the public (and ourselves) by reporting uninsured taxis.

I happened to notice that I did not receive three letters sent by Mr. Brown in early June to all Marin taxi companies. All were sent to an old address that I had corrected with Mr. Rawles three previous times. No attempt was made by your office to contact me to redirect. One of the letters asked me to update and correct information I had filed with Mr. Rawles two weeks earlier on May 20th while paying for and being issued my 2020 Company and Vehicle Permits which were mailed to the correct address.

Could the lack of knowledge of recent events that the agency is suppose to be tracking be due to Mr. Rawles using a jeff.rawles@gmail address for official correspondence? Why does Mr. Brown use sustainablebob@gmail for emails? Why is his bbrown@marinjpas.org email buried on the Taxi Regulation page and not on the main Contacts page with the other staff? Why is this letter being sent to michael@michaelsfrank.com instead of mfrank@marinjpas.org? Does anyone remember Hillary Clintons private email and server issues?

Language Matters. For over 100 years in Marin County individual cities issued us Certificates of Convenience and **Necessity**, a certification for private companies wishing to provide **essential** public services. Under TRP we are **permitted** to operate. Under the Governors Covid Public Health Orders we are classified as an **essential** business. It feels like we are being permitted to go out of business. The silence since my June letter is deafening. I think it is time for all the cab companies to take our issues to other relevant forums for redress.

Michael Frank

From: Bob Brown <sustainablebob@gmail.com>
Sent: Wednesday, July 8, 2020 7:59 PM
To: Michael Frank
Subject: Fwd: Taxi regulation, MGSA letter dated 6-7-2020, Covid-19, Shelter in place order as of mid March, loss of 90% of income due to pandemic, failure/ neglect by MGSA to enforce the Taxi regulation that was put in place by MGSA

Michael: Another communication for the Board.

Bob Brown

----- Forwarded message -----

From: **AUTOMOTIVE AUTOMOTIVE** <vicenterepair@gmail.com>
Date: Wed, Jul 8, 2020 at 5:05 PM
Subject: Taxi regulation, MGSA letter dated 6-7-2020, Covid-19, Shelter in place order as of mid March, loss of 90% of income due to pandemic, failure/ neglect by MGSA to enforce the Taxi regulation that was put in place by MGSA
To: <bbrown@marinjpas.org>

To whom it may concern.

I am receiving notice of changes in the taxi industry, I was reviewing and I want to tell you that the changes are not fair and it is not enough. The taxi company has already suffered enough in the last 5 years due to the presence of uber and lyft and the MGSA agency has done nothing more than raise funds, since it has failed to reframe the taxi industry, and that action has It has caused other companies to operate illegally in the county town of Marin, which has greatly affected those who have to pay a \$ 1,000 fee each year. For that same reason I am begging you to reduce the quota of company and vehicle fees. 1) Lower the Company permitting fee to \$ 250 p / year
2) the vehicle fee should be eliminated, period !! 3) We will get the vehicle inspection done once a year 4) Keep your contract with Norton Medical... (just make sure they have local testing sites) 5) Driver Permit fees should stay at \$ 100 p / 5years. Or perhaps I will bring this matter to other superior if you can't make these changes.

Isidro Vicente - North Bay Taxi

vicenterepair@gmail.com

415-302-3169

Thank you !

Bob Brown

415-408-8293

sustainablebob@gmail.com

From: Marin Green Cab <maringreencab@yahoo.com>

Sent: Tuesday, July 7, 2020 9:40 AM

To: Michael Frank <michael@michaelsfrank.com>

Subject: Fwd: Taxi regulation, MGSA letter dated 6-7-2020, Covid-19, Shelter in place order as of mid March, loss of 90% of income due to pandemic, failure/ neglect by MGSA to enforce the Taxi regulation that was put in place by MGSA

Dear Micheal Frank, attached is the email to Bob Brown/ MGSA. In regard to MGSA's second letter that I received yesterday 7-6, you stated under "Fees" that 'Driver Permit fees would be "reduced" from \$100 for a 5-year permit to \$50 for a 2-year permit!! You may want to do "the math", because you're actually increasing the Driver Permit fees an additional \$25!!!! Due to Covid -19 pandemic, the Shelter in Place Order, businesses being closed, tourism has been eliminated, people working from home, etc... the Taxi industry has lost 90% of its income/ revenues!!! Taxi driver's are considered "essential workers" who are risking their health while you/ MGSA are working from home trying to generate an income for a Taxi Regulation you placed upon us, but neglected to enforce it for more than 5+years!!! Please show me the records of documentation for each taxi company that MGSA should have collected. Best, Hanne Callaert- Marin Green Cab

Sent from my iPhone

Begin forwarded message:

From: Marin Green Cab <maringreencab@yahoo.com>

Date: July 3, 2020 at 10:26:25 PM PDT

To: Bob Brown <bbrown@marinjpas.org>

Cc: Ahmad Saad <saadahmad480@gmail.com>, North Bay Taxi <taxi4you@sonic.net>, Gary Phillips <gary.phillips@cityofsanrafael.org>, Jim Schutz <jim.schutz@cityofsanrafael.org>, Kevin_carroll <sausalitocab@gmail.com>, Abbas Sarang <inmarintaxi@yahoo.com>, Congressman Jared Huffman <ca02jhima@mail.house.gov>

Subject: Re: Taxi regulation, MGSA letter dated 6-7-2020, Covid-19, Shelter in place order as of mid March, loss of 90% of income due to pandemic, failure/ neglect by MGSA to enforce the Taxi regulation that was put in place by MGSA

To Bob Brown/ MGSA: "Correction of typo " of : (third paragraph of my email to you) - Jeff Rawles nor MGSA "has not requested " (- that is the 'typo correction -) any proof of either commercial insurance coverage, drug & alcohol testing requirements/ results, or vehicle certification from me (Marin Green Cab). Best, Hanne Callaert - Marin Green Cab

Sent from my iPhone

On Jul 3, 2020, at 8:24 PM, Hanne Callaert <maringreencab@yahoo.com> wrote:

Dear Bob Brown/ MGSA,

I'm sending you this email with the upmost respect in regard to your June 7th, 2020 letter, but with the current Covid-19 pandemic, the Shelter in Place order, the loss of ca. 90% + of income due to the pandemic, Jeff Rawles failure and neglect to enforce the Taxi regulation (documentation of proof of commercial insurance/ vehicle certification/ driver permitting fee's/ drug and alcohol testing, etc..) that was put in place by MGSA, "for at least the past two if not five years.

I will try to make this as short, brief and respectful as I can ... but also down to the point.

Over the past 12 years, since the MGSA established / took over the Taxi regulation requirements, the Company Permit Fee and the Vehicle Fee, went from \$100 each to \$1,000 each after the first 5 years. - which I believe is outrages -

Jeff Rawles nor MGSA has requested any proof of either 'commercial insurance coverage', drug & alcohol testing requirements/ results, or ' vehicle certification' from me (Marin Green Cab) . All MGSA and Jeff Rawles did sent us a bill once a year for the \$ 1,000 vehicle fees and \$1,000 Company fees due. Jeff Rawles/ MGSA failed to charge/ bill "Taxi Express" for almost two years on their due's on their Company fees, and some of the cabs they were running without current vehicle permits.

In your letter from 6-7-2020, you suggested to use "US Drug Test Centers, rather than 'Norton Medical, to perform the required drug and alcohol test, but did not let Norton Medical or the cab companies know your intentions. Drivers at the

individual cab companies may have already paid their yearly fee of \$95 to Norton Medical, not knowing if they would receive a refund, due to the fact that Norton Medical contracts MGSA ... not the individual driver that actually pays for it!! I spoke with Marie Torrero from Norton Medical last week, and she was not aware of your proposed actions/ letter.

MGSA Company fees & vehicle fees changed from \$100 to \$1,000 within five years, which to me just doesn't justify to begin with, because nothing was enforced/ nor requested by MGSA (proof of commercial insurance/ vehicle certification/ drug & alcohol testing results).

Your/MGSA suggested Driver Permit fee's changed from five to two years, would actually cost the individual driver and additional \$25 !!!

As you stated in your letter from 6-7-2020, "Self-Inspection by the taxi companies is not allowed" why did MGSA not follow thru on it from 2008 until now!? I would call this a "failure"/ "negligence" to/ by "local governmental agency"!!!

-- As far as I can tell/ read from your/ MGSA's letter on 6-7-2020 you owe me "Marin Green Cab" and other currently or previously operation Taxi Company that had to comply with MGSA's Taxi regulations all the fees we had paid to MGSA since 2008, since MGSA failed to inspect/ enforce 'local government enforcement'!!

Your/ MGSA so called "Self-Inspection" for the vehicle, "that was never enforced by MGSA" to begin with, would add an additional \$150 to \$250 per vehicle!!!

Why would MGSA ask any Cab/ Taxi Company to pay a \$1,000 vehicle permitting fee, when you had asked us for a "Self-Inspection" for our vehicles, but never enforced it to begin with (2008)!?. Why would MGSA all of a sudden ask us to spend another \$150 to \$250 per vehicle, when you didn't enforce/ neglected your own Taxi Regulation you put/ placed upon!?

Why would we even have to pay a vehicle fee, period!? Is it because you want to create yourself a \$6,000 p/ month income per MGSA employee/ representative!?

I have no rejection of getting my 2019 Toyota Prius certified, and believe other cab company owners will do too, but there's no reason why we should pay a \$1,000 vehicle fee, period.

The Taxi industry / Cab Companies have lost 90% of their income, due to the "Covid-19" pandemic, "the Shelter in Place Order" on mid March of 2020, the airline industry, transportation industry, hospitality industry being shut down, and the current up-tick in new Covid-19 cases as of 7-1-2020 has been hit more than hard. --- And please ... keep in mind "Taxi"/ Cab-Companies" are

considered "essential business"/ "drivers risk their health to provide necessary transportation to the public, in challenging times like these!!

We are barely making ends, lot's many lease/ cab drivers (based on so little business or them being afraid to drive customers & catching the virus) but don't know how much longer. Please take a look at the local news of restaurants, barber shops/ other establishments that were forced to close/ shut down due to the Covid-19 pandemic/ Shelter in Place order!!

To be respectful, but straight forward with you Bob Brown/ MGSA ..;. 1) lower the Company permitting fee to \$250 p/year

2) the vehicle fee should be eliminated, period!! 3) We will get the vehicle inspection done once a year 4) Keep your contract with Norton Medical ... (just make sure they have local testing sites) 5) Driver Permit fee's should stay at \$100 p/ 5years.

We're all in this together ... hopefully !?

Best,

Hanne Callaert - Marin Green Cab

maringreencab@yahoo.com

415-258-9980