

Minutes of the Metropolitan Taxicab Commission Board Meeting
Thursday, November 6, 2003
9:00 a.m., in the Auditorium at 100 North Tucker Boulevard

Call to order by Chairman McCarthy, at 9:25 a.m.

Roll call: present were: Tom McCarthy, Lou Hamilton, Vince Bennett, James Harris, Dave McNutt, Mike Morgan, Basil Rudawsky. Not present: Larry Satz, (and Solomon Tadesse, who had resigned the previous day, November 5).

Approval of Minutes: Chairman McCarthy stated that he will first visit items of Old Business, then return to the Minutes of the last 3 sessions.

Items of Old Business:

"Flu Shot Day": (as suggested for consideration by Commissioner Satz at last month's meeting) Mr. Tully stated he has contacted the Visiting Nurse Association, then outlined their terms. Mr. Hamilton stated that, with City Hall giving shots for \$5, and the recent grocery strike now settled, there are numerous resources in the community which are less costly.

Random Drug Testing: Mr. Tully explained there is a letter in each Commissioner's folder, and he stated that Quest Medical gave us a quote based on calling in one-third of the drivers for random testing. Added that he and Commissioner McNutt attended a Quest presentation, and the cost is indicated in their letter copies.

Mr. McNutt mentioned that, once we get all the drivers licenses renewed, the Commission will thus have created a database which we can pull from, to select the subjects for random testing.

Mr. McCarthy instructed the Director to develop a "white paper" on the total costs of physicals and drug tests, AND circulate it to all regulated parties for comments and input –and, to solicit all such commentary by the next meeting, and to advise *by what date* we propose to take action.

Insurance Coverage Requirements: This was previously raised by the rep from ABC Cab, that the rate is burdensome.

Mr. Tully explained that he and Commissioner Morgan met with 2 insurance brokers just two days ago, and are discussing options. There is a copy of one company's proposal in each Commissioner's folder; Mr. Tully then turned the discussion over to Mike Morgan:

Mr. Morgan stated they had met and reviewed limits and effective periods. There is a difference between City and County –we probably will have to choose an effective date next year, so that all the companies' policies go into effect at the same time. Mr. Morgan suggested July 1, since the brokers said that provides adequate time to obtain the coverage, once the Commission decides.

Discussion followed about the various ratings and coverage terms. Mr. McCarthy stated MTC must investigate, and ensure the coverage is affordable –and, we will want to make this decision by January.

Mr. McCarthy solicited input from any of our Commissioners, and asked that if anyone has any contacts in the insurance industry, to contact Director Tully.

“Notification to Passengers” paper flyers: Mr. Tully stated, as was requested at the last meeting, that we *are* handling this, though it’s still in progress; the starters will have a supply of these slips, so as to give one to each rider as he places the rider into the cab. Mr. McCarthy emphasized the slip must explain that this is a separate charge – that the driver does not control this, he merely collects the money as is required, and that this procedure applies not only to airport cabs, but to anyone who picks up fares at the airport.

Mr. Tully commented that, in addition, we are going to post information on the starters’ booths; there will be laminated signs.

Mr. Hamilton’s caveat was, we must be sure to review all handouts/placards for consistent wording throughout.

Operators of ‘medical transport’ vehicles: Mr. Tully stated that over the last month he has conducted several investigations.

Mr. McCarthy stated his belief that any agency has inherent authority to fulfill its mission, and that he also believes the MTC can seek injunctions to shut down the operations of those who refuse to come under our jurisdiction.

Mr. Harris expressed concern that the big companies do subcontract to smaller companies *and* they contract to the State – so there is a problem to be addressed, because a for-hire cannot operate in more than one classification, so why are these types of vehicles allowed to do so?

Mr. McCarthy directed Mr. Harris and Director Tully, to work together to call the DOT and the PSC, plus other entities, to make them aware of our existence and purpose, and to suggest that they modify their rules so we can function cohesively.

Approval of Minutes: Mr. Hamilton then referenced the Minutes from 3 specific previous meetings, those of August 8, September 11, and October 2, and made a few minor corrections to each.

A question was raised about what must lawfully be included in our Minutes, and Mr. McCarthy instructed Counsel to investigate the ‘closed meetings’ law about time limitations, and verify specifically what records we are required to take, preserve and record.

Mr. Hamilton then made the *motion to amend the August 8 Minutes, and the September 11 Minutes; Mr. McCarthy seconded.*

Mr. Hamilton made an immediate following motion to adopt these Minutes as just amended; again, Mr. McCarthy seconded. *Both these motions were unanimously approved.*

The identical procedures were then followed for the Minutes of the October 2 Board meeting:

Mr. Hamilton made a motion to amend these Minutes; Mr. McCarthy seconded

Mr. Hamilton then made a *second motion to adopt these as amended*, and again *Mr. McCarthy seconded. Both these actions were passed unanimously.*

Mr. McCarthy then asked whether any additional items of “Old Business” remain open?

Mr. Hamilton inquired whether the “incremental fees” (quarterly) had indeed been put into effect, and Mr. McNutt responded in the affirmative.

Mr. Hamilton then suggested that Mr. Tully review Minutes of past meetings, identify any unresolved matters, and include all of these for review at the next Board meeting.

Mr. McCarthy instructed Mr. Tully also to report to the Board any and all actions he has completed/accomplished. Mr. Hamilton amended, that even if an item remains open, Mr. Tully should so inform the Board, but not to leave anything unresolved. Mr. McCarthy further directed that, *prior to the next meeting*, Mr. Tully must circulate to all Commissioners a summary of the various matters he is working on.

Also under the heading of “Old Business,” Mr. Harris whether in fact the City has yet adopted our Code? Mr. Tully replied yes, and he is about to address it in the Director’s Report, which is the next item on today’s Agenda, and which then followed: