

Minutes of the Metropolitan Taxicab Commission
Board Meeting - Friday, March 5, 2004
1:00 p. m., in the Auditorium at 100 North Tucker Boulevard.

Call to order at 1:15 p.m., by Vice Chairman Lou Hamilton, who announced that he will chair today's meeting due to the absence of Chairman Tom McCarthy.

Roll Call was conducted. Present were: Commissioners Hamilton, Harris, McNutt, Morgan, and Satz. Absent, in addition to Mr. McCarthy, were Commissioners Bennett and Rudawsky.

(Note: there were 8 attendees in the audience)

Mr. Hamilton opened the meeting by welcoming our new Commissioner, the appointed successor to Solomon Tadesse, who had resigned in November 2003. He is: Abera Shiferaw, a driver for Gateway Express.

Mr. Hamilton apologized on behalf of the Commission for the abrupt cancellation of last month's meeting (on February 20). Just as that session was about to begin, it was learned a Commissioner was ill - thus we did not have a quorum. Mr. Hamilton explained that our Charter requires there to be present two Commissioners from the City and two from the County in order to hold an official meeting.

Approval of Minutes of January 23 meeting – All Commissioners had been sent an advance copy of the Minutes for review.

Motion to consider and adopt the Minutes was made by Mr. Satz, seconded by Mr. Morgan, passed by unanimous vote.

Mr. Hamilton asked if there are any comments or proposed changes to the draft? Hearing none, he called the vote to approve the Minutes. Without opposition, the Minutes were approved.

Old Business

Random Drug Testing – per Mr. Tully, he and Mike Morgan have worked on this program and Mr. Tully now wishes to announce that our implementation date will be July 1, that our target group will be 10% of the driver population, and that a company (BJC Healthcare) has been selected as the provider of this service. The company will maintain the database and they will be responsible to randomly select the drivers and then notify them of the requirement to be tested. Mr. Hamilton suggested the MTC should officially notify all the company owners that they are *required* to comply when selected; he also asked Mr. Tully what penalty will result for failure to comply? Mr. Tully replied that we still cannot assess fines/penalties, we only can suspend and revoke licenses.

Mr. Hamilton stated that if anyone fails to comply, there should be an automatic suspension; Mr. Tully concurred.

Waiting time limitations / use of transponders:

Mr. Tully reported that last week, two separate meetings were conducted by Airport Deputy Director Gerard Slay: one, with the On-Call drivers and owners, the other with the Airport drivers and owners.

Concerning *transponders*, Airport cabs are in 100% compliance; the On-Calls cabs' compliance is very low, yet the consensus of the meeting attendees appeared to be tolerance of that low level.

As to the *waiting time*, which is currently 30 minutes, Mr. Tully reported that Mr. Slay is still considering that issue.

Violation Reports – printing of forms. Mr. Tully reported that these forms (recently redesigned to be 4-part forms) are being printed right now

Ratio of cabs vis a vis the metro population

Mr. Tully reported that, in most cases we've learned that the 'city fathers' of various cities had actually "backed into" their formulae by determining how many cabs they wanted on the streets and manipulated the formulae from the reverse. He added that he has learned that Orlando, Florida has a two-tiered ratio: at the airport, the ratio is one cab per 60,000 deplaning passengers - in the metro area, the ratio is one cab per 1,000 residents. Mr. Hamilton asked what Mr. Tully is suggesting; Mr. Tully responded that he has no recommendation, is merely making a report.

New Business

Mr. Hamilton stated he would again like to recognize and welcome our new Commissioner. The new Commissioner introduced himself as Abera Shiferaw, stating that he is a driver with Gateway Express.

MTC Counsel, Patrick McCarthy, interjected a question, asking Mr. Shiferaw whether he has already been sworn in by St. Louis County. Mr. Shiferaw replied that he was indeed sworn in, earlier this week.

Selection of April meeting date. Mr. Hamilton made the suggestion of Friday, April 2nd. He recommended that the meeting be held early in the month, since the following Friday is Good Friday, and the Friday after *that* is the day after the income tax deadline. The choices were discussed, and Friday, April 2, at 1:00 p.m was confirmed. Mr. Hamilton then instructed Director Tully to notify everyone well ahead of time, to ensure that we will have a quorum.

Advisability of allowing Airport companies to have "reserve" cabs

Mr. Tully stated that he is seeking input and guidance from the Commissioners on this issue.

Mr. Morgan asked what the issue is, and whether the regulation is unclear in this regard.

Mr. Tully replied that there is no regulation about "reserve" cabs for *Airport* companies; there is only one for *On-Call* cabs.

Mr. Hamilton suggested this matter should be discussed with a committee of the Commission; he added that, in the absence of Chairman McCarthy today, he will refer this matter to our Treasurer, Mr. Morgan, for handling.

Commendation of a driver:

Mr. Tully explained that a passenger had called the MTC and requested that we commend a driver who had found the caller's wallet in the backseat of his taxi and returned it to him intact.

Mr. Tully had arranged for a reporter and photographer from the *St. Louis Post Dispatch* to attend today's meeting to cover this upbeat story, however, Mr. Tully has just learned that the driver has recently moved to California and is no longer in town for us to commend publicly.

Mr. Hamilton suggested that Mr. Tully send a letter of commendation on behalf of the Commission to the driver's last known local address, in the hope it will be forwarded by the

postal service. It was agreed this incident reflects very favorably on the reputation of the metro area taxicab industry.

Financial Report by Treasurer, Mike Morgan

Mr. Morgan distributed copies of his report to each Commissioner, then reviewed the figures. Mr. Morgan pointed out that November-to-January is our principal revenue-generating season. He stated that he will have the February numbers to report at the April meeting – he reported the budget is finished, the preliminary audit is completed (the final version is due by April 30), and suggested that soon St. Louis County should begin entering all our data into their computers and commence generating reports for us. He added that he has developed a preliminary budget, showing both projected revenues and expenses, for the coming fiscal year.

Mr. Hamilton instructed the members to bring these matters into discussion, right now.

(for a moment the Commissioners silently reviewed the *confidential*, preliminary reports they had just been provided in their folders as today's meeting was convened)

Mr. Morgan enumerated the breakdown of expenses; the average monthly expense was \$31,000. He noted, however, there were two substantial "one-time" (non-recurring) expenses:

- a) \$20,000 for the development of the computer program for the licensing system
- b) \$16,000 for installation of the telephone equipment, the establishment of telephone services (local and long distance) etc.

Mr. Morgan is projecting annual expenditures of \$370,000 - \$380,000 per year, and projecting annual revenue as \$576,000. Mr. Morgan stated that the revenues clearly will continue to exceed expenses. He pledged that he will continually re-evaluate, and make appropriate adjustments, as the fiscal year unfolds.

Mr. Hamilton instructed Mr. Morgan to "plug some numbers in there" for computers and software, so as to ensure we maintain adequate technology – we need to ensure we have the right systems, printers, etc., to continue operating efficiently, especially with such a limited staff.

Mr. Harris questioned whether, along with the strong revenue increases projected for next year, an allowance has been programmed into the budget for MTC staff salary increases?

Mr. Morgan replied that his report reflects only the *current* staff salaries, but suggested it may be advisable to form a committee to consider salary increases. Mr. Morgan confirmed that there is indeed room for wage increases in our projected budget. Mr. Hamilton added that Mr. Tully has provided a solid basis for the day-to-day, and month-by-month, revenue and income; he stated that he "senses no dissention" among the members concerning potential salary increases, and he concurs that the MTC staff is performing well. (Several Commissioners added their assent).

Mr. McNutt questioned a disparity between figures shown in Mr. Morgan's report and in the County audit; Mr. Morgan replied that the audit reflects the most current figures, that is, \$73,000 as of the end of the fiscal year. He clarified that the County's audit was only just received late last week, after he had already prepared his own budget report.

Mr. Hamilton pointed out that the revenue assumptions are based on *historical* data, since as a new entity we can only look back to what has already been done; he added that, with the significant cutbacks in flight activity at Lambert Airport since last November, airport revenues are very likely to decline, but the full impact/extent is yet to be known.

Mr. Hamilton then addressed the public audience, explaining that the budget and audit reports will not be made available until the Commissioners have had ample opportunity to review the specific findings. He explained that the MTC was established with no blueprint, has limited resources, and has had to overcome numerous challenges. He said the audit is a testament to the bookkeeping, procedural systems and oversight awareness already established; he commended the Commission for bringing its operational issues to the forefront, and complimented the MTC staff for effecting a very smooth transition.

Mr. Hamilton pledged to work with Mr. Morgan to develop a response to each recommendation made by the County Auditor. Mr. Morgan replied that if Mr. Hamilton will consult with the MTC staff, he will develop the responses, *which are due by April 30*.

Mr. Hamilton stated that, following any audit, receiving some recommendations for performance improvements is to be expected, but for MTC to have received so few, despite this being a “startup operation,” is truly remarkable. Mr. Hamilton commended Mr. Morgan for the financial expertise he has provided. Mr. Morgan replied by pledging to respond to the County Auditor’s recommendations by the end of *this* month (meaning, March.)

Mr. Hamilton turned to MTC counsel, Patrick McCarthy, and requested that he participate fully in the preparation of our response. (Mr. McCarthy stated his assent). Mr. Hamilton cautioned that the precise phrasing of our official responses is extremely important.

Addressing the audience, Mr. Hamilton told the industry representatives and any members of the press here present, that when this material becomes available for distribution it will be put on our website and a hardcopy will be available for viewing in our office, adding that we aspire to have a transparent operation. Mr. Hamilton solicited questions from the audience - none was offered.

Director’s Report

Mr. Tully reported that MTC has recently hired a temporary clerk to assist with licensing, which was extended through the end of February.

Mr. Hamilton interjected the observation that he has received only two complaints about MTC operational performance; both these complaints were forwarded from the Mayor’s office.

Mr. Hamilton observed that, contrasted with a population of 1600 drivers, such a low incidence of complaints is very commendable.

Mr. Tully reported on enforcement/disciplinary actions undertaken since the last meeting:

- there has been one driver’s license revocation, undertaken just this week.
- a staff member discerned a significant “scam” was being perpetrated by two companies, whose drivers were submitting falsified medical certificates with their applications. Both companies’ records were inspected, resulting in the suspension of 30 drivers’ licenses; these suspensions happen to have expired just yesterday.

Mr. Hamilton stated this response by MTC enforcement agents was a decisive and strong move; he added his personal satisfaction that the local newspaper had published an article featuring this MTC “enforcement action,” thus making the public aware that we are safeguarding the taxicab industry’s integrity of operations.

Mr. Tully then reported an incident of vandalism to two MTC staff vehicles and to a Commissioner’s personal vehicle – this damage was inflicted by a disgruntled driver, angry about having to await his turn to be licensed; this incident has been handled internally and is now a closed matter.

Mr. Tully announced that MTC agents will soon begin inspecting the trunks of vehicles; he acknowledged Dr. Ziub's presence in the audience, and forewarned other attendees from airport cab companies that enforcement is about to happen.

Mr. Hamilton solicited questions/comments from the Commission members (none was offered).

Mr. Hamilton announced the move to the Public Comments portion of the Agenda, and asked who has signed up to speak today. No one came forward, so Mr. Hamilton, addressing MTC Enforcement Agent Joe Bollinger, asked for a clarification.

Mr. Bollinger replied that a few people *had* signed up to speak today, but that while waiting for the meeting to begin, they had discussed their questions/concerns with the MTC enforcement agents and no longer find it necessary to address the Commissioners.

Mr. Hamilton then announced he will entertain the motion to adjourn until April 2.

Motion to adjourn was made by Mr. Satz, seconded by Mr. Morgan, passed by unanimous vote.

The meeting was adjourned; the time is 1:45 p.m.

--- Minutes taken by Judith Cannon. MTC Office Administrator