

Metropolitan Taxicab Commission

March 8, 2011 @ 9:00 am
Commission Headquarters, 2628 Delmar, Hearings Room

Members present: Commissioners: Hamilton, Asfaw, Bennett, Gidey, McNutt, Reeves, Rudawsky, Satz, and Tucci.
Members absent: None.
Legal Department: Thomas W. McCarthy

MINUTES

The Meeting was called to order by Chairman Hamilton and the roll was called by Director Klein. .

NEW BUSINESS – Special CCN Hearings:

The first item on the agenda was the consideration of an application for approval of the sale of one-seventh of the shares or stock in Show Me Airport Taxi Services, Inc. by Mr. William Agbigbe to Mr. Bhupinder Singh Jaslaw.

With the recommendation of the Director for the approval of the reassignment Commissioner Hamilton made a motion to approve the measure which was seconded by Commissioner Tucci, the roll call was taken by Director Klein and the Commission voted for approval of the proposal by; Hamilton - Yes, Asfaw - Present, Bennett - Yes, Gidey - Present, McNutt - Present, Reeves - Yes, Rudawsky - Present, Satz - Yes, and Tucci – Yes and the motion was approved.

The Second application for St. Louis Transport Company, LLC to be issued a CCN for the operation of a Non-Emergency Medical Transportation Company was considered and with the recommendation for approval made by the Director, Chairman Hamilton moved to approve the measure which was seconded by Commissioner Tucci. Chairman Hamilton called the previous roll and asked for a vote and the measure was approved by; Hamilton - Yes, Asfaw - Present, Bennett - Yes, Gidey - Present, McNutt - Present, Reeves - Yes, Rudawsky - Present, Satz - Yes, and Tucci – Yes.

The third item on the agenda was consideration of the application for CCN for Absolute In Home Care, Inc. seeking to operate a Non-Emergency Medical Transportation Service. With the recommendation for approval made by the Director, Chairman Hamilton moved to approve the measure which was seconded by Commissioner Tucci. Chairman Hamilton called the previous roll and asked for a vote and the measure was approved by; Hamilton - Yes, Asfaw - Present, Bennett - Yes, Gidey - Present, McNutt - Present, Reeves - Yes, Rudawsky - Present, Satz - Yes, and Tucci – Yes.

The next agenda item was consideration of the application for CCN filed by Missouri Cab, LLC seeking approval for the equitable right to operate under a formal CCN whose nominal functionary and administrative processes had previously been managed by the Muna Cab Company.

Counselor McCarthy reported that a special hearing was held to conclusion at Commission Headquarters on September 16th, 2010 to address a dispute between the two parties with regard to the rights under the CCN held by the Commission for the operation of nine taxicabs at Lambert International Airport. He stated that the findings of said hearing had formed the basis for the Director's recommendations in the matter. There was a brief discussion regarding the proper procedural steps in the present hearing which was followed by a motion from Chairman Hamilton to consider the Director's recommendation, seconded

by Commissioner Tucci. Mr. Mark Goodman, legal counsel for Missouri Cab, LLC was given the floor and spoke briefly regarding the previous hearing and its outcome making a point that Muna Cab Company had failed to properly file an application to the Commission or to make a claim for CCN rights. He stated that the structure of the agreement with Lambert Airport requires that to enter into the agreement one must hold a CCN from the Commission and that he is working with the Airport to resolve an issue related to fees that remain unpaid.

Mr. Jamal Abdella then introduced himself to the Commission as the owner of Muna Cab Company and provided documentation to Mr. McCarthy in support of his ownership of the company whose name was subsequently changed to NAS Taxicab, as a fifty percent shareholder in the company with co-owner Adil Suliman and that he holds power of attorney to represent Mr. Suliman's interest in same.

However, Mr. McCarthy pointed out that the ownership of Muna Cab Company and/or NAS Taxi was not the matter before the Commission and was not in dispute, but rather the rights granted by the Commission to operate taxicab services at Lambert Airport under a Certificate of Convenience and Necessity.

After these discussions Mr. Hamilton made a motion to approve the issuance of a CCN in the Airport Taxicab class to Missouri Cab, LLC for the operation of nine taxicabs as indicated in the Director's recommendation. The motion was seconded by Commissioner Tucci and the roll and vote was called by the Director as; Hamilton - Yes, Asfaw - Present, Bennett - Yes, Gidey - Present, McNutt - Present, Reeves - Yes, Rudawsky - Present, Satz - Yes, and Tucci - Yes and the measure was approved.

Mr. Hamilton made a motion on the recommendation of Counsel to authorize Director Klein to waive or modify requirements as needed, which may normally apply to a new CCN Holder with respect to the equitable decision in the Matter of Missouri Cab to ensure minimal disruption in services by the respective drivers. The motion was seconded by Commissioner Reeves and with the roll and vote called for the measure was passed by; Hamilton - Yes, Asfaw - Present, Bennett - Yes, Gidey - Present, McNutt - Present, Reeves - Yes, Rudawsky - Present, Satz - Yes, and Tucci - Yes and the measure was approved.

The next item to be considered was an application for CCN in the Airport Taxicab class by City-County Taxi, Inc. DBA Metro West Transport. The owner, Mr. Ezezew Biru made application to operate up to five ADA compliant wheelchair accessible taxicabs at Lambert International Airport. There was considerable discussion of proposed requirements and services to be employed, however the matter was tabled until the next meeting scheduled for March 28, 2011.

A motion was made by Commissioner Hamilton to adjourn to an executive session* for the purpose of discussing ligation matters seconded by Commissioner Tucci and with the roll and vote called for as follows the motion was approved by; Hamilton - Yes, Asfaw - Yes, Bennett - Yes, Gidey - Yes, McNutt - Yes, Reeves - Yes, Rudawsky - Yes, Satz - Yes, and Tucci - Yes. With the session business completed a motion to adjourn to general session was made by Commissioner Reeves, seconded by Commissioner Tucci and the roll and vote call for and the motion was approved by; Hamilton - Absent, Asfaw - Yes, Bennett - Yes, Gidey - Yes, McNutt - Yes, Reeves - Yes, Rudawsky - Yes, Satz - Yes, and Tucci - Yes.

DIRECTOR'S REPORT

None

TREASURER'S REPORT

None

OLD BUSINESS

None

PUBLIC COMMENTS

None

EXECUTIVE SESSION

*Relative to Litigation Matters;

*

Pursuant to Missouri Statute 620.021, an Executive Session may be held to discuss legal, confidential or privileged matters under §610.021(1), RSMo 1988 Supp.; leasing, purchase or sale of real estate under §610.021(2); personnel actions under §610.021(3); discussions regarding negotiations with employee groups under §610.021(9); personnel records or applications under §610.021(13); or records under §610.021(14) which are otherwise protected from disclosure by law; or confidential or privileged communications with the District's auditor, including auditor work products under §X610.021(17).

ADJOURNMENT

With no further business before the Commission a motion to adjourn the meeting was made by Commissioner Satz, seconded by Commissioner Rudawsky and with no further discussion the vote was taken by the previous roll and the motion was unanimously approved.

Minutes were interpreted from an audio recording of the meeting by Doug Scherer.