



STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
TAXICAB AUTHORITY

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DENNIS NOLAN
DEAN COLLINS
BRUCE AGUILERA, ESQ.

BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY
BOARD MEETING AND PUBLIC HEARING MINUTES

August 26, 2014

The Board Meeting and Public Hearing of the State of Nevada Taxicab Authority was held on Tuesday, August 26, 2014. The meeting was held in the Taxicab Authority Boardroom at 2080 E. Flamingo Road, Suite 114, Las Vegas, Nevada 89119. The meeting began at 9:30 A.M.

Present were: Chairman Ileana Drobkin, Member Dennis Nolan, Member Dean Collins and Member Bruce Aguilera. Others present: Charles D. Harvey, Administrator; Ryan Sunga, Deputy Attorney General, Legal Counsel for the Taxicab Authority; Ruben Aquino, Chief Investigator; Christine Guerci-Nyhus, Deputy Attorney General, Legal Counsel for the Board, and Recording Secretary, Barbara A. Webb. Absent: Member Josh Miller.

1. Call to Order –

Chair Drobkin called the meeting to order at 9:30 A.M.

2. Pledge of Allegiance to the Flag

Pledge of Allegiance to the Flag was led by Member Bruce Aguilera.

3. Compliance with Open Meeting Law

Administrator Charles Harvey stated that we are in compliance with the Open Meeting Law.

4. Public Comment

Stephanie Edelman, A NLV driver, commented on how beautiful the Board Room is and how the Taxicab Authority and the taxicab industry are moving forward. She explained she is here today as a driver not a representative for any Union. She spoke about citations that drivers are getting for not stopping at railroad crossings. She said many of the drivers do not know the laws as they are not taught about crossing the tracks. She suggested that it be a part of the drivers' training class. She also mentioned that drivers are being cited for long hauling if they are using Dean Martin Drive. She said on a Saturday night when the Strip is busy, that's an alternate route that saves the customer money and is not long hauling. She said with the increase of people coming to Las Vegas and the increase in the number of rooms available, Dean Martin Drive is the best route. More roads are needed, she said, but that is not going to happen. She also commented that with the help of the Administrator and the staff, drivers are getting renewals taken care of much faster in the new offices.

Bill Shranko, YCS COO, made comments about the bad press that the TA has been getting lately. He said people come into one meeting and create problems not knowing what is actually going on at the TA. He commented that Administrator Harvey is the most honest Administrator the TA ever had and he lends a respect to the TA that the TA never had. He commented to Mr. Harvey that he would be crushed if Mr. Harvey ever left, being he is the best thing the TA ever had.

Public Comment closed.

* 5. Approval of the July 29th, 2014 Board Meeting Minutes.

Motion: Approval of the July 29th, 2014 Board Meeting Minutes
Motion made and seconded and assed unanimously

6. Discussion with Maria Soto, Traffic Manager for LVCVA, regarding recent taxicab service.

Maria Soto spoke of the events that were at LVCVA, Association of Surplus Dealers and M.A.G.I.C., stating that there was steady service. She said even with the road work that started opening day of M.A.G.I.C., the company supervisors kept the cabs coming in. She thanks Chair Drobkin for reaching out to the companies.

Ms. Soto stated that the Harvest Festival will be in from September 5th through September 7th, and then the ABC Kids Expo 2014 will be in September 7th through September 10th. There are a total of 7 shows in September at the LVCVA.

Member Nolan asked that staff give the Board a formal report on the 5 medallions the Board approved for M.A.G.I.C.

7. Discussion with Freddie Kirtley, Assistant Director, Landside Operations, McCarran International Airport.

Chris Anderson spoke on behalf of Ms. Kirtley who was not able to attend. He stated that they continue to have sufficient cab service. He said during M.A.G.I.C., there were 14,647 rides and they had excellent service. He thanked the company supervisors.

Member Aguilera ask him how the signs the TA posted regarding fares was working and Mr. Anderson said that they are working very well. It saves a lot of time for his staff with the fares being posted.

Member Collins asked about the service for that many rides and he said they were prepared as they and the companies had an idea of how many to expect and they were ready. Wait times, he said, were low.

8. Discussion with Jeff White, Security Manager, Sands Expo, regarding recent taxicab service.

Mr. White introduced himself to everyone as this was his first meeting. He said he's been the position since July. He commented that Frias reached out to him, gave him business cards and was very happy as they really helped when he needed cabs. He said during fashion week, service was very good. He had called Frias for help and there were no complaints regarding cab service.



- * 9. Discussion and Possible Decision regarding Intervener's, Henderson Taxi and Whittlesea Blue Cab Company, Motion to Stay regarding the Application of A Cab for Modification of Certificate of Public Convenience and Necessity.

Chair Drobkin asked the attorneys to give a status report.

Esther Rodriguez, Attorney for A Cab, stated that the NTA stayed the motion that they appealed. She said she had some proposed dates that she discussed with the intervenors, Whittlesea Blue/Henderson Taxi and Frias were the only ones to respond. It was agreed to put it on the calendar; it was agreed upon that any motion would be due by September 16th; oppositions by October 3rd; replies by October 13th. Parties can serve electronically. Motions will be heard by October. She said A Cab Motions would be heard the same date as Deluxe hearing. A Cab Motions in October and set up hearing in November; pre-filed testimony to be filed 14 calendar days prior to the November meeting.

Cheryl Knapp, Whittlesea Blue/Henderson Taxi, Neal Tomlinson for Frias and George Balaban for Desert all agreed with Attorney Rodriguez.

At this point, Chair Drobkin stated that two emails were received by the Taxicab Authority complimenting drivers. Chair Drobkin asked Member Collins to read them into the record. Member Collins read them into the record. He commented that there are a lot of drivers doing a great job, fortunately, only a few are not. He commended the investigators, companies, drivers and the Taxicab Authority on their efforts to keep things positive. He agreed that there is too much bad press! He thanked the drivers and the companies. The emails are available at the Taxicab Authority. The Chair commented that she refuses to let negativity hurt everyone and is not going to let the press take them down.

10. Staff Report

a. Administrator's Report – Mr. Harvey talked about the letter he received from Tasha Heath, the founder of Southern Nevada Watchdogs, stating that there were questions attached. Mr. Harvey responded to her stating that there were no questions attached to her letter and to please resubmit the questions to him. As of this date, he has not received a response.

He also gave the Board a copy of the Monthly Report to the Director which gives all the activities of the previous month along with statistics from the investigative side. He reiterated that the TA participated in the 2014 National Night Out which is police-community partnership promoting crime prevention and safety awareness. Staff had given out approximate rate flyers and explained what the TA mission is about.

The investigative staff conducted proactive patrols to detect "long route" violators in the downtown area as well as the Strip and the Airport. They also investigated reported unlicensed taxi operations. He stated that long haul citations are up significantly for the 1st 6 months of 2014.

He gave the statistics for July – 1567 dispatched events – 343 citations consisting of 42 violations; 1402 vehicle damage reports were written; 715 vehicle inspections were conducted; 413 violations resolved through Administrative Court; 127 cases resolved in pre-trial conferences; 112 long haul citations issued to taxicab drivers; and 38 administrative trials conducted.

The approximate fare and passenger rights flyers will be distributed by LVCVA at their conventions.



The agency received several anonymous letters from constituents identifying themselves as drivers alleging violations by companies and the TA. The agency is formulating options to investigate the allegations.

Mr. Harvey also commented that audits of the companies are continuing to be done by Annette Watson, Management Analyst. Vendor demonstrations have been held by several vendors to improve the all systems that will make the TA work more quickly and efficiently. Also, interviews for Compliance/ Enforcement Investigator I, Vehicle Inspector I and Compliance/Enforcement Investigator II/ Internal Affairs are being held. We are awaiting the recruitment for Public Safety Dispatcher II to be processed by HR Services. The TA along with the NTA and Metro, a multi-agency operation, is targeting unlicensed operators. Meetings attended by Administrator Harvey and Deputy Administrator Jennifer DeRose with Aging Services Deputy Administrator Tina Gerber-Winn and Jeffrey Duncan to discuss the Taxi Assistance Program to strengthen the partnership and ensure success of the program. Long haul incidents to and from McCarran continue to decline while long hauling from hotel to hotel increase.

b. Stats for July, 2014 – Administrator Harvey said that the stats for June were on the website and if anyone has any questions, staff will be happy to answer them. There were no questions.

c. Future agenda items – The Annual Review of Medallions and the Annual Review of Rates, Charges and Fares will be heard at the September 23rd Board Meeting.

*11. Driver Appeals –

Phat Phan, TA Permit # 108750. He was cited NRS 706.8846(3) – Longer Route than necessary. Mr. Phan appeared before the Hearing Officer March 12th, 2014. Mr. Phan presented his case to the Board stating that he was not long hauling when he picked up his passengers at the Golden Gate. He claims he proceeded to take a route that may have been longer, but the fare would have been the same, because M.A.G.I.C. was in town and it was very congested on Las Vegas Boulevard. At his Administrative Hearing, the investigator that gave him a ticket for long hauling commented that this was not the normal route that the drivers take to the I 15 to connect to I 95 to their way to McCarran and by statute, he was supposed to take the most direct route unless the passenger requests a different route which his passengers did not. He commented that as a driver, he knows the best way to go. He also commented that the TA Officers have too much power.

The Chair felt he was honest in his presentation and articulated so well as to why he took his passengers on the route he did. She asked Mr. Phan if he new the highway was congested and he responded it always is at that time and it would have cost his passengers more. There was discussion between the Board Members, Mr. Phan and DAG Sunga regarding the statute and the route taken. A motion was made.

Motion:	To overturn the hearing officer's decision based on the fact that the Hearing Officer's decision was unreasonable
By:	Member Nolan
Seconded:	Member Aguilera
Vote:	Passed unanimously

Abraham Worke, TA Permit # 21428. He was cited for NRS 706.543 – Rotation of Taxistand and NRS 706.8846(3) – Longer Route than Necessary. He appeared before the Hearing Officer on June 4th, 2014; Mr. Worke presented his case stating that while in the taxi line at the Paris Hotel, passengers opened his cab door and jumped in his cab. Mr. Worke claims they are personals, that he has taken



them many times to restaurants and golf courses while they were in town. They asked to go to the Stratosphere. He engaged his meter, pulled out of line and proceeded to leave the Paris. The investigator saw the driver pull out of the cab line as he was getting into his police car. He followed them out of the Paris to the Bali side of the hotel to exit to go to the Stratosphere when the investigator stopped him. The passengers were not asked which route they wanted to take. The driver was going to take Paradise which is not a direct route from the Paris Hotel to the Stratosphere. This was his 2nd long haul citation. After much discussion between the driver and the Board, a motion was made.

Motion: To dismiss the long haul issue; keep the backloading issue
By: Member Collins
Seconded: Member Aguilera
Vote: Passed unanimously

Mario Neeley, TA Permit # 112576. Cited for NAC 706.516(2)(g) – Possession of Narcotics. NAC 706.8816(d) – Falsification to Application; NAC 706.516 for Moral Unfitness. Mr. Neeley neglected to put all his convictions on his application, therefore, Administrative Investigator Freddy Caseres denied his application. When asked, he said the issues were from 20 years ago and didn't think he had to list them. DAG Sunga explained that he asked the Administrative Investigator who denied his application for the reason for the denial. Inv. Caseres explained that his application was denied because 1) falsification on his application, 2) Moral Fitness and 3) conviction of an offense involving possession of narcotics, dangerous drugs or controlled substances. Mr. Neely explained that he was told to list only the information that pertains to Nevada.

Mr. Neely admitted to the robbery charges, but said that the judge dismissed the other charges as the judge thought the other evidence was fabricated. With regard to the possession, he said that it wasn't his, but he was cited and went to court, paid a fine. He's been married for 14 years, doesn't drink or smoke. With regard to the forgery charge, he was convicted, did community service which he did not complete and was incarcerated for. He said the application stated felonies or crimes in the last 3 years and this was over 13 years ago. DAG Sunga stated the application does not say 3 years, the application states "have you ever". After discussion regarding his application, it was decided that the 3 years was on the application at Yellow/Checker/Star when they hired him as he had been working with a temporary permit. When his fingerprints came back, his temporary permit was confiscated. He and the judge discussed his possession of controlled substance and forgery convictions are why his permit was confiscated. The judge upheld the staff's recommendation and explained he had the option to appeal to the Taxicab Authority Board.

After discussion, Board made a Motion –

Motion: Motion to uphold the Hearing Officer's decision
By: Member Nolan
Seconded: Member Collins
Vote: Passed unanimously

Mohammed Bushamie, TA Permit # 112777. Mr. Bushamie did not appear at his Administrative Hearing on June 18, 2014. The Hearing Officer asked Administrative Caseres if Mr. Bushamie was notified of his hearing and he said he was. DAG Sunga asked the Hearing Officer to uphold the Administrator's decision by order of default. The Hearing Officer stated that notice was proper and based on the respondent's failure to appear though notified, finds that there is no reason to overturn the decision of staff regarding the refusal to issue a permanent permit. Mr. Bushamie filed his appeals paperwork stating "because I am a good person", on June 19, 2014, that was the date he thought he was supposed to appear before the Hearing Officer.



Mr. Bushamie appeared before the Board. DAG Christine Guerci-Nyhus stated that it is the decision of the Board to have another hearing in front of the Hearing Officer and to allow him to appear before the Board today.

Chair Drobkin stated to allow him to go before the hearing officer. Member Collins asked him if he wanted another hearing and he said yes.

Motion: Let Mr. Bushamie have his hearing before the Hearing Officer
By: Member Aguilera
Seconded: Member Nolan
Vote: Passed unanimously.

12. Report of Legal Counsel - DAG Sunga said that there was nothing to report.

13. Public Comment

There was no further public comment.

*14. Adjournment

Motion: Adjourn
By: Member Collins
Seconded: Member Aguilera
Vote: Passed Unanimously

Meeting was adjourned at 12:00 PM.

Respectfully submitted by:

Barbara A. Webb 09-08-14
Barbara A. Webb, Recording Secretary Date

Approved by:

Ileana Drobkin 10-06-14
Ileana Drobkin, Chairman Date

Charles D. Harvey 09-10-14
Charles D. Harvey, Administrator Date

