



STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
TAXICAB AUTHORITY

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Interim Administrator
ILEANA DROBKIN
Chairman
VACANT
Vice Chairman
Members
VACANT
DENNIS NOLAN
DEAN COLLINS
BRUCE AGUILERA, ESQ.

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

November 17, 2014

The Board Meeting and Public Hearing of the State of Nevada Taxicab Authority was held on Monday, November 17, 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 9:45 A.M.

Present were: Chairman Ileana Drobkin, Member Dennis Nolan, Member Dean Collins and Member Bruce Aguilera. Others present: Captain Tom Ely, Interim 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.

1. Call to Order –

Chair Drobkin called the meeting to order at 9:45 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

Interim Administrator Captain Ely stated that we are in compliance with the Open Meeting Law.

Welcomed Ray Chenoweth to the meeting.

Before she allows Public Comment the Chair had something to read into the record. She asked Kimberly Maxson-Rushton, representing Verifone, to give us a background on agenda item 15. For the record, I did not ask staff to place Agenda Item 15 on as written or to publish nor did she give approval for the agenda to be published as. The Agenda is the Agenda of the Board. The Agenda is subject to the Chair on behalf of the Board within the limits of Chapter 706. You know I take that very seriously. The Board looks forward to a better relationship with the Interim Administrator and, of course, staff.

4. Public Comment

Kimberley Maxson-Rushton, Attorney with the law firm of Cooper Levenson, on behalf of Verifone. As the Chairman indicated, this is a request by Verifone to move or reposition the payment process system which is currently located in a majority of the taxis in Las Vegas. This matter we requested consideration prior to the resignation of former Administrator Harvey and thereafter, during the interim process there was (inaudible) on the matter so I respectfully request be put this on the Agenda for the Board's consideration. Since that time, I've been in a dialogue with Administrator Ely, he's been working with me

on this and so I would respectfully request that the matter be tabled until the session so that we can continue our dialogue. Most of the carriers here today do support as well and again ask for your consideration when the time is appropriate to make a decision.

Scott Dorsch, new general manager for A Cab. Commented that he was a former driver and asked that the application be approved because of the frustrations of the drivers and their clients that they cannot pick up their clients once they are dropped off on the eastside of Las Vegas. A Cab sent out post cards to their clients to ask their support in have A Cab's CPCN modified. He said that when new drivers are hired from other companies and have their personal clients and cannot pick them up once they are dropped off, the customer is not happy and the driver is losing money. He feels it would be best for all concerned to approve the modification to A Cab's CPCN.

No one else asked to speak. Public Comment was closed.

5. Approval of the October 20th and October 30th, 2014 Board Meeting Minutes.

The October 20th nor the October 30th Board Meeting Minutes were ready for Board Approval at this time. They will be on the January 29th, 2015 Agenda.

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

Ms. Soto stated that SEMA was the largest ever and cabstands were crowded. YCS supervisors as well as other company supervisors were there to help with the flow of the cabs and be sure enough cabs were available. At the close of the shows, there was sometimes a 30-minute wait for a cab. As a result, buses were moving people out quickly. SEMA was still very happy with the overall service.

Chair asked if the conventioners were looking for alternative service and Ms. Soto said that they used whatever was easiest.

Ms. Soto commented on the upcoming WOC conventioners are high cab users due to events going on all around the city. This show is also larger than last year with 1300 exhibitors and an expected attendance of 16,000 attendees.

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

Ms. Kirtley was unable to attend due to conflicting meetings.

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

Mr. White was not in attendance.

The Chair took the next three items together.

Attorney John Mowbray and Attorney Jack R. Hanifan represented Frias Holding Company and made their presentation. They gave the Board an organizational chart explaining the key components which made the restructure more understandable explaining how the Frias Holding Company was structured before and the restructure to an LLC. That organizational chart is available at the law offices of Attorneys Mowbray and Hanifan or at the Taxicab Authority. Briefly, Phyllis Frias will remain in full control, her trust will hold 100%. She is asking that the Frias Holding Company be converted into LLCs. They are asking for the Board's approval for Frias Holding Company, Union Cab Co., Virgin Valley Cab Company, Inc., and Frias Standard Capital Inc. to Issue Membership Interest.



Intervenors for these agenda items were Frias Companies and A Cab – no one from A Cab spoke.

9. Discussion and Possible Decision regarding the Joint Application of Frias Holding Company, Union Cab Co., Virgin Valley Cab Company, Inc., Ace Cab, Inc., A NLV Cab Co., and Vegas-Western Cab, Inc. to Convert Cab Companies into LLCs.

Motion: Approval of the above
By: Member Aguilera
Seconded: Chair Drobkin
Vote: Passed unanimously

10. Discussion and Possible Decision regarding the Application of Frias Holding Company to Convert into LLC.

Motion: Approval of the above
By: Member Aguilera
Seconded: Chair Drobkin
Vote: Passed unanimously

11. Discussion and Possible Decision regarding the Joint Application of Frias Holding Company, Union Cab Co., Virgin Valley Cab Company, Inc., and Frias Standard Capital Inc. to Issue Membership Interest.

Motion: Approval of the above
By: Member Aguilera
Seconded: Chair Drobkin
Vote: Passed unanimously

The Chair also took Agenda Items 14, 15, 16 and 17 out of order.

15. Discussion regarding Verifone at the request of the Board Chairman.

The Chair stated that it would not be discussed as written.

16. Staff Report

Kelly Kuzik stated that the October Stats had been amended and were on the Taxicab Authority's website. Member Aguilera commented that the numbers looked good.

The Chair asked if Interim Administrator Ely had anything and he said no.

17. Report of Legal Counsel

DAG Ryan Sunga said there was an injunction hearing going on now regarding Uber. He would have more to report at the next meeting.

DAG Christine Guerci-Nyhus commented that the Minutes and a full review of the Regulations should be put on the January 29th, 2015 agenda for discussion.



14. Hearing on A Cab's Application for Modification of Certificate of Public Convenience and Necessity.

Esther Rodriguez, Attorney for A Cab, and Jay Nady, Owner of A Cab. Atty. Rodriguez stated that they reached a Stipulation and Agreement with the industry this morning. She had the companies in agreement sign them this morning. The only company that did not sign was Lucky Cab Company.

Atty. Rodriguez then read into the record the Stipulation and Agreement as follows –

Applicant A Cab, LLC, and Intervenors, in an effort to amicably resolve A Cab, LLC's ("A Cab") Application for Modification of Certificate of Public Convenience and Necessity, hereby stipulate and agree to the following: 1) That A Cab will be entitled to an amended certificate granting authority to operate throughout Clark County, with the exception of Mesquite, like the other cab companies. 2) That A Cab will be entitled to put twelve (12) twenty-four seven medallions immediately in service throughout Clark County, unless specifically exempted. 3) That A Cab will be entitled to put four (4) twenty-four seven handivan medallions immediately in service throughout Clark County, with the exception of the Las Vegas Strip from Sahara Avenue to Russell Road, and McCarran Airport. "Las Vegas Strip" includes properties with frontage on Las Vegas Blvd. South between Sahara Avenue and Russell Road, regardless of the physical address of such properties. 4) That A Cab will be entitled to put four (4) weekend medallions (2-2, Thursdays to Mondays) immediately in service throughout Clark County, with the exception of the Las Vegas Strip from Sahara Avenue to Russell Road, and McCarran Airport. "Las Vegas Strip" includes properties with frontage on Las Vegas Blvd. South between Sahara Avenue and Russell Road, regardless of the physical address of such properties. 5) That those medallions that are restricted to pick up in A Cab's limited area shall stat in A Cab's geographically limited area for fifteen years and A Cab agrees not to apply to expand authority for the limited medallions (except as otherwise noted in the agreement) to pick up in the resort corridor, commonly known in the taxicab industry as the golden triangle. 6) That A Cab shall be entitled to share equally in all future allegations county-wide, both temporary and permanent, and for special events, like the other cab companies without further restriction. 7) This is a compromise of disputed claims solely for the purpose of avoiding the risks, costs and uncertainties of continued litigation. No adjudication on the merits is established or admitted. In consideration and exchange for the above concessions by all the parties, the parties agree to waive further dispute of this application. Signed by Esther Rodriguez, Esq. on behalf of A Cab, LLC; Robert Winner, Esq. on behalf of George Balaban, Desert Cab Company; Mark Trafton, Esq., on behalf of Whittlesea Blue/Henderson Taxi; Marc C. Gordon, Esq., on behalf of Yellow/Checker/Star Cab Companies; John H. Mowbray, Esq., on behalf of Frias Companies; and Robert Winner, Esq., on behalf of Deluxe Taxicab Service.

Intervenors were A Cab, YCS, Frias Holding Company, Whittlesea Blue/Henderson Taxi, Western Cab, Boulder Cab d/b/a Deluxe Taxicab Service and ITPE Union.

Marc Gordon – YCS, John Mowbray - Frias, Mark Trafton - Whittlesea/Henderson, Marilyn Moran - Western supports the stipulation. Bob Winner – Deluxe and Desert – supports stipulation also but stated that he will be back in January asking for the same handicap medallions for Deluxe that A Cab asked for. Ruthie Jones – ITPEU – does not support the stipulation because there is no finding of need. She asks the Board to remember this decision when other companies come forward to ask for more medallions. Desiree Dante – Lucky – supports application, but they are not part of the stipulation agreement as they feel the Board should make the decision after hearing all the evidence.

Kelly Kuzik asked Esther and Jay about the conversion of their geo medallions. Esther replied converting for now.

Chair Drobkin said the Board needs to discuss the Stipulation. DAG Guerri-Nyhus asked if this is an agreeable outcome, it needs to go to a hearing due to the objection. The Chair said just the Stipulation.



Motion: Approve to hear the modification of the Stipulation
By: Member Collins
Seconded: Member Aguilera
Vote: Passed unanimously

Jay Nady, owner of A Cab, was asked by Atty. Rodriguez to testify. DAG Guerci-Nyhus swore him in – Raise your right hand - Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth in the testimony you give during these proceedings? Jay Nady – I do.

Atty. Rodriguez proceeded to ask Mr. Nady questions regarding the Statutes and Regulations of 706.8827.

Atty. Rodriguez asked if Ruthie Jones or Desiree Dante wanted to cross examine Mr. Nady and they declined.

Chair Drobkin asked Ruthie if she wanted to read her written comments into the record, which she did and which are mentioned above.

Atty. Rodriguez commented that this application has been pending for a long time. After speaking with the industry she is comfortable with modifying the Stipulation. She stated that what Mr. Nady is looking for is have the restrictions lifted on his geo medallions so he can fully service the outlying areas without any restrictions which are the areas that Uber is targeting. She asked the Board to grant his application.

Chair Drobkin stated that in her 4 years on the Board she has seen Jay's passion and agrees with the application. She commented that he is an incredible owner who looks out for his employees well being. Members Aguilera and Nolan agreed with the Chair's comments. Members Aguilera and Nolan support the Stipulation.

Motion: Approve to hear the modification of stipulation
By: Member Nolan
Seconded: Member Collins
Vote: Passed unanimously

12. Discussion and Possible Decision regarding the issue of possible temporary allocation of medallions for World Of Concrete at the LVCVA from Saturday, February 3rd through Friday, February 6th, 2015 with an anticipated attendance of 48,000 attending, running simultaneously with the Hunters' Show at Mandalay Bay which is from Thursday, February 5th through Sunday, February 8th, 2015 with an anticipated attendance of 21,000 – a total of 69,000 anticipated attendees.

Kelly Kuzik gave his presentation stating that these shows both have come to Las Vegas over the years, but never being in Las Vegas at the same time. They are mid-week shows, with WOC at the LVCVA and the Hunter's Show at Mandalay Bay Event Center.

Intervenors were A Cab, Nellis Cab, YCS, Frias, Whittlesea Blue/Henderson Taxi, Lucky Cab, Western Cab, Deluxe Taxicab Service, ITPE Union and Desert Cab.



The following is the request from the intervenors –

Thursday, February 5, 2015 – 5 medallions – 6 AM – 8 PM – any 12 hours and 5 medallions – 11 AM – 3 AM – any 12 hours

Friday, February 6, 2015 – 5 medallions - 6 AM – 8 PM – any 12 hours and 5 medallions – 11 AM – 3 AM – any 12 hours

Chair asked for intervenors – Jay Nady - A Cab, Jamie Pino – Nellis, Joel Wilden – YCS and on behalf of Whittlesea/Henderson, Western, Desert, Deluxe and Lucky. John Marushok – Frias all support the requested allocation. Ruthie Jones – ITPE Union – does not support an allocation.

After discussion, a motion was made as follows:

Motion:	Approves the request of the Industry
By:	Member Nolan
Seconded:	Member Aguilera
Vote:	Passed unanimously

13. Discussion and Possible Decision regarding the issue of possible temporary allocation of medallions for The 2015 Super Bowl scheduled for Sunday, February 1st, 2015. *(for possible action)*

Kelly Kuzik made his presentation stating that the general consensus is that visitors arrive earlier than Super Bowl day and stay at their chosen location of festivities later.

Intervenors were A Cab, Nellis Cab, YCS, Frias, Whittlesea Blue/Henderson Taxi, Lucky Cab, Western Cab, Deluxe Taxicab Service, ITPE Union and Desert Cab.

The following is the request of the intervenors –

Friday, January 30, 2015 and Saturday, January 31, 2015 – 5 medallions – 11 AM – 3 AM – any 12 hours
Sunday, February 1, 2015 and Monday, February 2, 2015 – 5 medallions – 6 AM – 8 PM – any 12 hours

Chair asked for intervenors – Jay Nady - A Cab, Jamie Pino – Nellis, Joel Willden – YCS and on behalf of Whittlesea/Henderson, Western, Desert, Deluxe and Lucky. John Marushok – Frias all support the requested allocation. Ruthie Jones – ITPE Union – does not support an allocation.

Member Nolan asked for clarification from Jay Nady as to whether A Cab, with his modification, will be going on the Strip and Jay said no they would not impact the Strip.

Interim Administrator Ely explained that they would not be able to have medallions today as they need to be discussed and ordered and it would not go into effect until the Order is signed. Chair asked how long Deluxe had to wait and Chief Aquino stated it was a week before the Order was drafted and signed. The discussion continued regarding when new medallions would be available and Interim Administrator Ely said that depends on the manufacturer.

Interim Administrator Ely asked that on the 3rd we have to collect all the medallions again and then reissue them again on the 5th. DAG Guerri-Nyhus asked if they are recommending there is an allocation on the 3rd and 4th, is that easier for staff. Tom said that would be much easier for staff. Collecting all the medallions from the companies takes time as does reissuing them. There was a lot of discussion as to whether leaving



the medallions with the companies or having them returned. The Chair felt they should be collected and redistributed so there are no issues.

Motion: Approve Industry's request
By: Member Collins
Seconded: Member Aguilera
Vote: Passed unanimously

18. Public Comment

No Public Comment.

19. Driver Appeal

Mr. Feleke asked to reschedule his hearing to January.

20. Adjournment

Motion: To adjourn
By: Member Collins
Seconded: Chair Drobkin
Vote: Passed unanimously

Motion passed, meeting adjourned at 11:07:47 AM.

Respectfully submitted by:

Barbara A. Webb *11-20-14*
Barbara A. Webb, Recording Secretary Date

Approved by:

Ileana Drobkin
Ileana Drobkin, Chairman Date

Tom Ely *12-3-14*
Tom Ely, Captain, Interim Administrator Date

