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Administrator

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Director

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Chairman

SUSAN CARRASCO O'BRIEN, ESQ.
Vice chairman

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
TAXICAB AUTHORITY

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Members
ROBERT FORBUSS
JOHN G. MARUSHOK
JOSHUA C. MILLER

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

January 26, 2010

The Board Meeting and Public Hearing of the State of Nevada Taxicab Authority was held on Tuesday, January 26, 2010. The meeting was held at the Taxicab Authority, 1785 E. Sahara Avenue, Suite 200, Las Vegas, Nevada 89104. The meeting began at 9:30 a.m.

Present were: Chairman Stacie Truesdell Michaels, Vice Chairman Susan Carrasco O'Brien, Member John G. Marushok and Member Joshua C. Miller. Others present: were Administrator Gordon L. Walker, Legal Counsel, Deputy Attorney General Scott R. Davis and Legal Secretary/ Recording Secretary, Barbara A. Webb. Member Robert Forbuss was absent.

2. Compliance with Open Meeting Law.

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

4. Public Comment.

Stephen Lanett, "Cabman", driver for Whittlesea, commented to the Board that there were too many cabs on the road for the past conventions. He feels that allocations are not necessary. He said that Kelly Kuzik was right on the mark with his recommendations for New Year's Eve, CES/Adult Expo and the Shooting, etc. Trade Show and Home Builders Show.

David Kober, Yellow driver, commented that he was concerned with the recommendations also. He stated that cab drivers' income suffers when there are a lot of foreclosures and people don't have the money for entertainment which affects the cab rides. He feels that Kelly's recommendations are ignored and that a mathematical base is needed to determine how many cabs are needed on the road.

Michael Reid, driver for Checker, also commented that there are too many cabs on the road and no one is making any money. He said cabs are being loaded too slowly at the hotels or the rides are given to shuttles and limos where the doormen get kickbacks from the limo drivers. He said drivers are having more accidents due to working longer shifts to make more money and as a result some are being fired.

Greg Bambic, President of Professional Drivers Association, spoke about how PDA, through their membership fees, helps drivers who have been injured and their families financially to cover their medical bills and living costs.

Tony Marzolla, driver for YCS, stated that revenue is the issue. He said that drivers get 40% of the posted fees, which have increased over the years, and as a result, they should be making 20% more than they are. He said with the increase in the fares, his salary has not increased, it has decreased.

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Rob Suddarth, Checker driver, said he cannot believe that more cabs are being allocated. He commented that staff recommended no medallions and the board allocated medallions anyway. He feels the Board was wrong and that they don't listen to the drivers. He said as a result of too many cabs on the road, the drivers are not professional as they had been in the past; there's a lot of long hauling to make extra money. He asked to Board to listen to staff and not recommend any more medallions.

Ruthie Jones, ITPEU, talked about how a driver was assaulted because he would not give his passengers a free ride when they were told by a limo driver that they would get a free ride back to their hotel. He was saved from a worse assault by cabdrivers who saw what was going on. She said that when medallions are allocated, they should be specifically for the purpose of the convention they are allocated for and not be able to go any place they want.

At this point, the Administrator asked if he could comment on Agenda Item 15, TaxiPass, stating that Frias wants to continue it until the February 23rd Board Meeting. The Chair asked if anyone opposed and the attorney for TaxiPass, Robert Winner, said yes because his clients flew in to be here for this. Attorney Neal Tomlinson for Frias disagreed and the Administrator commented that it was up to the Board. The Chair asked if those that flew in could make comments if they chose to. DAG Scott Davis said that the Board could not listen to part and not the whole issue that either it be discussed today which should have been done during Public Comment or continued.

The Administrator explained that there was confusion regarding the proposal and what it meant and there was a lack of discussion between all parties. He said he received the memo to continue the agenda item at 5:15 PM, Monday, January 25th. Member Miller stated that this item was on the agenda for some time and questioned why their counsel was asking now to continue it. All parties agreed to continue Agenda Item #15 to the next meeting.

4. Discussion with Stephen Patterson, Traffic Manager for LVCVA regarding the taxicab service.

Steve Patterson stated that CES was very well attended with 117,000 – 120,000 attendees. The Chair asked what the anticipated attendance was and he said 115,000. He said there were challenges with the cabs as people had to wait up to 30 minutes for the first 2 days of the convention. He commented that the Administrator was there and helping as were the supervisors from YCS and Frias who had made calls to get more cabs there. After the first 2 nights, there were no issues with cab service at the 6 PM close of the show. The Administrator commented that wait time was from 45 minutes to an hour when he was there. Mr. Patterson said that because of the long wait for cabs, people took other modes of transportation.

Home Builders attendance was at approximately 60,000. With the rainy weather conditions, most people wanted cabs. He commented that he had never seen such a long cab line. The wait was only 25 minutes at the close of the show at 5 PM with the road supervisors from YCS and Frias helping. He said the last few days were great and everyone was very happy with the service.

World of Concrete – he said they are not a cab-riding clientele. There is a lot of activity in the city while they are here.

He commented that 60,000 are expected for M.A.G.I.C. in the middle of February. The convention is being split between LVCVA, Mandalay Bay and the Hilton. He said there will be shuttles available, but the clothing industry clientele prefer cabs.

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- *5. Discussion and Possible Decision in the Matter of the Application of Gerald K. Bell, Sr. for the authority to transfer the voting shares of Whittlesea Bell, a Nevada corporation, to the Gerald K. Bell and Ann L. Bell Family Trust, dated October 5, 1998.**

Prior to Attorney Jeff Silver speaking on behalf of Whittlesea Blue/Henderson Taxi regarding the Transfers of Stock, Member Marushok stated that he has had private dealings with Attorney Silver but did not feel it would interfere with any decision he made regarding the Transfers of Stock.

Attorney Silver gave the background as to why the transfers were being presented for approval to the Board. After his presentation, the Chair asked if the memo from Investigator Infurno, who did background checks on the individuals involved in all the transfers at an earlier date, were updated and the Administrator said yes they were and that staff recommends approval of them.

The Chair asked for an individual vote on each Agenda Item.

Motion: Move to approve
By: Member Josh Miller
Second: Member John Marushok
Vote: Unanimously in favor of the motion.

- *6. Discussion and Possible Decision in the Matter of the Application of Larry E. Bell, Sr. for authority to transfer the voting shares of Whittlesea Bell, a Nevada corporation, to the Larry E. Bell Separate Property Trust, dated June 10, 2009.**

Motion: Move to approve
By: Vice Chair Carrasco O'Brien
Second: Member John Marushok
Vote: Unanimously in favor of the motion.

- *7. Discussion and Possible Decision in the Matter of the Application of the Amanda Berney 2004 Generations Trust, dated December 22, 2004, to transfer its non-voting shares of Whittlesea Bell Cab Company to Whittlesea Bell Cab Company.**

Motion: Move to approve
By: Vice Chair Carrasco O'Brien
Second: Member Josh Miller
Vote: Unanimously in favor of the motion.

- *8. Discussion and Possible Decision in the Matter of the Application of Sharlene Mae Dugas for authority to transfer the voting and non-voting shares of Henderson Taxi, a Nevada corporation, to the Sharlene M. Dugas Trust, dated November 2, 2009.**

Motion: Move to approve
By: Member John Marushok
Second: Vice Chair Carrasco O'Brien
Vote: Unanimously in favor of the motion.

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- *9. Discussion and Possible Decision in the Matter of the Application of Nadyne B. Ritter for authority to transfer the voting and non-voting shares of Henderson Taxi, a Nevada corporation, to the Nadyne B. Ritter Trust, dated November 29, 2004.**

Motion: Move to approve
By: Member Josh Miller
Second: Vice Chair Carrasco O'Brien
Vote: Unanimously in favor of the motion.

- *10. Discussion and Possible Decision in the Matter of the Application of Larry E. Bell, Sr. for authority to transfer the voting and non-voting shares of Henderson Taxi, a Nevada corporation, to the Larry E. Bell Separate Property Trust, dated June 10, 2009.**

Motion: Move to approve
By: Vice Chair Carrasco O'Brien
Second: Member John Marushok
Vote: Unanimously in favor of the motion.

- *11. Discussion and Possible Decision in the Matter of the Application of Gerald K. Bell, Sr. for authority to transfer the voting and non-voting shares of Henderson Taxi, a Nevada corporation, to the Gerald K. Bell and Ann L. Bell Family Trust, dated October 5, 1998.**

Motion: Move to approve
By: Member John Marushok
Second: Vice Chair Carrasco O'Brien
Vote: Unanimously in favor of the motion.

- *12. Discussion and Possible Decision regarding the temporary allocation of medallions for the 2010 World of Concrete/Surfaces, Winter Las Vegas Market, and World Shoe Association scheduled to be in Las Vegas from Monday, February 1st through Friday, February 5th with a projected combined attendance of 170,000.**

Kelly Kuzik made his presentation and with the Chair's permission, Agenda Items 12 and 14 were taken at the same time as they are in the same time frame. The following is staff's recommendation for Agenda Item 12 –

Sunday, January 31st - 5 meds, 7 AM – 7 PM and 5 meds; 12 PM - 12 AM
Monday, February 1st - 10 meds, 7 AM-7 PM and 10 meds, 12 PM – 12 AM
Tuesday, February 2nd - 15 meds, 7 AM – 7 PM and 15 meds, 12 PM – 12 AM
Wednesday, February 3rd - 15 meds, 7 AM – 7 PM and 15 meds, 12 PM – 12 AM
Thursday, February 4th - 15 meds, 7 AM – 7 PM and 15 meds, 12 PM – 12 AM
Friday, February 5th - 15 meds, 7 AM – 7 PM.

- *14. Discussion and Possible Decision regarding the temporary allocation of medallions for Super Bowl Weekend from Friday, February 5th through Monday, February 8th, 2010.**

Kelly commented that this is the first time since 2007 that staff made any recommendation for Super Bowl. The Vice Chair questioned him as to why he felt a temporary allocation was needed now, what made this different from other years. He said a temporary allocation was necessary to

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be sure there were enough cabs on the road to accommodate the people coming in for Super Bowl as well as the conventions the week prior to the Super Bowl. He also stated that because the intervenors recommendations are from 12 PM – 2 AM, staff has no objection to changing their recommendation to 2 AM to give them more scheduling flexibility.

Staff's recommendation is –

Friday, February 5th - 15 meds, 12 PM – 12 AM
Saturday, February 6th - 10 meds, 7 AM - 7 PM and 10 meds, 12 PM – 12 AM
Sunday, February 7th - 10 meds, 7 AM- 7 PM and 10 meds, 12 PM – 12 AM
Monday, February 8th - 5 meds, 7 AM- 7 PM and 5 meds, 12 PM – 12 AM

The Chair stated that with CES every medallion did well, according to Kelly's stats. Kelly said that the 24/7 medallions did 30-1/2 trips per shift average and the only complaints were from City Center and that was a logistic problem, not a supply problem, because the drivers are not familiar with the area.

Intervenors were Lucky Cab Company, Desert Cab Company, Western Cab Company, Frias Holding Company, Nellis Cab Company, Yellow/Checker/Star Cab Companies, A Cab, LLC, Whittlesea Blue/Henderson Taxi, United Steelworkers Union and ITPE Union.

The Deputy Attorney General stated the Chair has to grant each intervenor, intervenor status to intervene and can deny anyone who does not comply with the intervention requirements.

After much discussion, the Board made the following motion –

Motion: Move to approve Agenda Item 12 – World of Concrete/Surfaces, Winter Las Vegas Market, and World Shoe Association
By: Chair Truesdell Michaels supports staff
Second: Vice Chair Carrasco O'Brien
Vote: Unanimously in favor of the motion.

Motion: Move to approve Agenda Item 14 – Super Bowl
By: Chair Truesdell Michaels supports Lucky's recommendation which was
Friday, 02/05 – 10 meds, 12 PM – 2 AM, any 12-hour period
Saturday, 02/06 – 10 meds, 7 AM – 7 PM and 10 meds, 12 PM – 2 AM, any 12-hour period
Does not see a need for medallions on Sunday and Monday.
Second: Member Joshua Miller
Vote: Unanimously in favor of the motion.

***13. Discussion and Possible Decision regarding the temporary allocation of medallions for the 2010 NASCAR Races scheduled for Saturday, February 27th and Sunday, February 28th, 2010 with an estimated attendance of 150,000.**

Kelly made his presentation stating that this is a 3-day event, Friday, Saturday and Sunday. He also stated that Nellis Air Force Base will be allowing, as in the past, cabs to go through the Air Force Base to the Speedway. Maps were made available for everyone and had been distributed to the companies previously. There are many rules set up by Nellis Air Force Base that must be complied with by the drivers as well as passengers and if rules are not followed, the drivers and passengers will be escorted off the base.

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Staff's recommendation is –

Saturday, February 27th – 8 med, 12 PM – 2 AM

Sunday, February 28th – 8 med, 7 AM – 7 PM and 8 med, 12 PM – 2 AM

Intervenors were Lucky Cab Company, Desert Cab Company, Western Cab Company, Frias Holding Company, Nellis Cab Company, Yellow/Checker/Star Cab Companies, A Cab, LLC, Whittlesea Blue/Henderson Taxi, United Steelworkers Union and ITPE Union.

Intervenor status was granted by the Chair.

After much discussion between the Board and Kelly with regard to the times of the races and changing the times that the medallions be made available, it was decided to change the 12 hour shift if the industry thought it would work and they agreed.

Motion: Move to recommend the following temporary allocation for
Agenda Item 13 – NASCAR –
Friday, February 26 - No medallions
Saturday, February 27 – 8 medallions - 7 AM – 7 PM and
8 medallions - 12 PM – 2 AM
Sunday, February 28 – 16 medallions – 7 AM – 10 PM – any 12 hours
By: Member Joshua Miller
Second: Member John Marushok
Vote: Unanimously in favor of the motion.

***15 Discussion and Possible Decision regarding the Matter of the Application of Ace Cab, Inc., Union Cab Co., A NLV Cab Co. Vegas-Western Cab Co., Inc. and Virgin Valley Cab Co., Inc. for Approval of Charge for Credit Card and Debit Card Transactions in Taxicabs and Setting of Maximum Allowable Such Charge.**

Agreement was made between all parties involved, this has been continued until the next Board Meeting.

16. Staff Report

Administrator Walker stated the Annual Review of Medallions and the Annual Review of Rates will be put on the June 22nd, 2010 Agenda for discussion.

Kelly Kuzik stated that the industry had a good December. During the past 4 months of the year, there was less of a drop in trips, just under 6%, than there was in 2008. Trips per shift increased by one trip.

17. Report of Legal Counsel

DAG Scott Davis stated that the Handicab Appeal will more than likely be on Nevada Transportation Authority's February Agenda.

18. Adjournment.

Motion: Move to adjourn at 12:07 PM
By: Vice Chair Carrasco O'Brien
Second: Member John Marushok

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Vote: Unanimous

Respectfully submitted by:

Barbara A. Webb, Recording Secretary Date

Approved by:

Stacie Truesdell Michaels, Chairman Date

Gordon L. Walker, Administrator Date