



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

April 7<sup>th</sup>, 2015

The Board Meeting and Public Hearing of the State of Nevada Taxicab Authority was held on Tuesday, April 7<sup>th</sup>, 2015. 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, Member Bruce Aguilera and Member James Campos. Others present: Captain Tom Ely, Interim Administrator, Ruben Aquino, Chief Investigator; Christine Guerri-Nyhus, Deputy Attorney General, Legal Counsel for the Board, and Recording Secretary, Eric So.

1. Call to Order.

The Chair called the meeting to order at 9:35 A.M.

2. Pledge of Allegiance to the Flag.

The Pledge of Allegiance to the Flag was led by Member Collins.

3. Compliance with Open Meeting Law.

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

4. Public Comment.

Chair Drobkin: Thank you. Public comment? Prior to public comment, I'd like to introduce our newest Board Member, James Campos. I've known James for a really long time. He's a terrific guy, sat on a lot of boards, and very excited to have him here with us, so welcome.

Member Campos: Thank you.

Chair Drobkin: I'd also like to mention the passing of an icon in Las Vegas, and I know many of you were friends with him, Paul Christensen. He was a very close friend of mine, and I will miss him very, very much. Okay. Public comment?

Jay Nady: Wouldn't miss a chance to say hello. Jay Nady from A-Cab Company. Simply a report on Francis Sean Michael O'Grady is doing much better. He will be back to work on Monday, and we're pretty excited to have him. He's at the doctor right now, hopefully getting his clearance, and life is good again.

Chair Drobkin and the Board thanked Jay for the update of his driver that was injured.

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

Marie Soto: So since the last the meeting, we've had ASD come and go. We noticed during this show that they used a lot of vans to transport products that we didn't anticipate. The show received some complaints in regards to service, but it was because of them needing to use the bigger vehicles and not being able to use the Priuses and the sedans, so we're going to work with the show next year and the cab companies to ensure that we have the proper coverage for that. Travel Goods, Catersource, Digital Sign came in. Show close was very busy. We had some waits on handicapped vans, but I have met with some of the cab companies and we're working on a plan to assist in making that a better experience for our people.

Big League Weekend at Cashman. We had 100 cabs come and go each day with that. I worked with FAST this year to have highway detour signage up on the digital signage on the freeway to redirect traffic down to Eastern and use the Washington access to Cashman instead of clogging up Las Vegas Boulevard. So that assisted with traffic flow, and it went really well.

Wireless Comm and Ace Hardware overlapped, about 22,000 people. Cabs were slow but steady, and at show close we never had more than a 15-minute wait, so it went really well.

Pizza Expo and Amusement, 15,000, overlapped with GlobalShop at Mandalay Bay. We had very good service for this show, and we had several great events as well. Our Nightclub & Bar just left, 42,000. We had about 250 at show close, but we never had a wait of more than 15 minutes.

So right now we're gearing up for this week. NAB is rolling in on Sunday. Anticipate 98,000 for a full facility, and since the shows are trending up, we're looking at probably hitting upwards of 99,000 to 100,000 for this show. As a reminder, it's a very high-profile business traveler. They travel throughout the city, and they do not like to rideshare, so we have high need for cabs and limos during this. Also overlaps with ICSC at Sands with 17,000 and collaborate at Mandalay Bay with 6,000 on the tail end of the show close, so they'll be very busy on Wednesday and Thursday.

Then we have NAMA, National Automatic Merchandising Associates, coming in with International Carwash, combined 11,000, but it overlaps with CinemaCon at Caesars with 6,000. So that will be pretty busy for us. And then we've got Vape Summit coming in at the end of the month, extremely heavy cab use. It overlaps with Box Fan for 5K, which is huge limo and cab use. These shows overlap with fight weekend, so we're expecting a very busy weekend for that. The Westgate Hotel also has events planned for boxing, as well, with heavy cab use, and I'll send all that information out to you next week.





Chair Drobkin: Do we know about how many people are coming for the fight?

Marie Soto: I do not know, but I know that it sold out in like a day. So I'm expecting it's going to be very, very busy. A lot of the hotels I know are showing the screens, so there will be a lot of people in town for that. Westgate has two events planned Friday and Saturday, both nights for that, and they're actually using our parking for overflow for their events.

Member Aguilera: Yeah. I have my ticket here on me. But as far as closed-circuit, all of our properties are going to be having mini-venues within the property, like a showroom. We're going to be using that and ballrooms and stuff for closed-circuit, so that's going to add a lot more people..... than just the MGM. I mean, this is the ARIA and Bellagio, Mandalay Bay. They're all going to be having closed-circuit. We got the exclusive for that.

Chair Drobkin: So we have to figure out -- I'll reach out and see if we can -- if you guys are having trouble moving your people around, then we'll be able to coordinate and get the taxis there where it needs to be, because that's difficult for the companies to know who needs what service. Member Aguilera: Right.

Marie Soto: And then National Hardware, 30,000 coming in May 5<sup>th</sup> through the 7<sup>th</sup>. Their main mode of transportation is cabs. Last years' max wait was only 20 minutes. This year it overlaps with Collision at World Market with 10,000. And I've sent that information out to everyone on that. And then Rock-in-Rio will be coming in to town 5/8, 5/9, 5/15, 5/16, and they are utilizing Las Vegas Convention Center for some shuttle stops and employee parking. So we'll be working closely with them and Metro with traffic, crowds, and everything. Once we get all that information, then I'll share that with the cab companies as well. And then I know that they're going to speak to that with cab companies.

Member Aguilera: On that, what we're doing there on Sahara and so forth...there is no parking there for people...so they're going to use a lot of cabs to get down there. And so we should have some nice -- did they incorporate some drop-off areas? Marie Soto: They're going to probably speak to that today.

Marie Soto: And we still have a couple of meetings to go through on that. And I'll make sure share that information, too. I also sent out information on the Flamingo Corridor improvements to everyone so that the cab companies can be aware of that, and then we are working on the Convention Center sidewalk-widening project. And once we get that information finalized from the County, I'll share that with the cab companies as well. There will be some lane restrictions there, but we've worked out, for the major shows, that there will be no work on those streets just to assist with the cab flows into our property. So CES, Homebuilders, there won't be any activity then, but I'll share all the information once that gets finalized with our project management team and the County so that everybody knows. And that's all I have. Anybody have any questions?

Chair Drobkin: I just want to say that you do a yeoman's job over there, and the coordination, it's just made everything so much better. So I applaud you for all your effort and hard work. It's really been a tremendous, tremendous help. Marie Soto: Thanks.





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

No one was in attendance.

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

Jeff White: Good morning. Since we last met, we've had one major show, AAOS, which was the American Association of Orthopedic Surgeons. Over 30,000 people attended. During the prime times of the show, our cab lines, for the most part, were no waiting throughout the primary parts of the day. If they did surge a little bit, it was no more than five minutes. Sands Avenue remained clear and flowing throughout all days of the show. The show did have a robust shuttle service that was running at the time. During show breaks and the evening hours it even went smooth. When we had a rush of people our wait times never exceeded 15 minutes. We had a healthy supply of cabs at the time. Looking forward to this week is ISC West. There will be 27,000 expected. Show times are 10:00 a.m. to 5:00 p.m. Wednesday and Thursday, and then it'll be 10:00 a.m. to 3:00 p.m. on Friday. Chair Drobkin: Okay. Great. Thank you so much.

Chair Drobkin: Thank you for continuing to come. We appreciate the information.

8. Discussion with Daren Libonat, Nuno Sousa Pinto and Lee Haney representing Rock-in-Rio Las Vegas regarding the planned Rock-in-Rio event and advance planning for taxicab pickups/drop-offs, staging and traffic flow plans for May 8-9 and May 15-16, 2015.

Daren Libonati: He went on to thank the Board on behalf of MGM Grand and Rock-in-Rio for allowing us to present today. With me is Chris Baldizan, Vice President of Corporate Entertainment, all the properties, Lee Haney, and Nuno Sousa Pinto from Rock-in-Rio. Today what we're going to do is just give you a very 30,000-sight view of what Rock-in-Rio is. Nuno is going to give a presentation in a few minutes and a slide show. They are anticipating 40,000 to 50,000 people. He talked about their plans to move people around the city as there is no parking at the venue. They created an easterly routes, so any cabs that are picking up on the east side of the Strip properties have an easy access to get in, get out, and get to this location, which you will see on the map. And then we had a westerly route, and that would allow anyone coming in from the westerly side of the Strip and use Industrial and access through Circus Circus Drive. They have Metro, Clark County and general traffic support in getting everyone in and out. At each site, they will have a traffic team that will be waiting for the cabs to arrive, to get you in and get you out. And we know that speed of service is very, very important for the cab teams and the drivers. Mr. Libonati then turned it over to Nuno and he stated they will be setting up meetings through Lee and different cab companies moving forward as we come to the finish line of this event and looking at different things that different companies may want to share with us to assist making this thing a wonderful experience for our guests and fans of Las Vegas.

Nuno Pinto: He also thanked the Board for having us here. We are going to try to show you a little bit of what the event is all about. Forget everything you think you know about music festivals. This is Rock-in-Rio, the world's biggest music festival. He went on to explain the





aerial view of Rock-in-Rio. He went to explain what goes on during the festival with top names in music and many DJs playing throughout the night. The festival will be here 2 weekends and he stated it is the biggest music festival in the world and it being the first time in Las Vegas. He explained that the event was born in '85 in Brazil, so it has now 30 years. And we are debuting in here in United States, and we choose Las Vegas to do so. So MGM has given us an opportunity for having the best venue ever that we ever been in the other countries.

The venue is 37 acres. It's in the cross of Sahara with Las Vegas Boulevard. The event will be on the 8<sup>th</sup> and 9<sup>th</sup>, 15<sup>th</sup> and 16<sup>th</sup> of May. We will have a capacity for 85,000 people in terms of general admission, and we have a capacity for 4,000 people in terms of VIP. We will open doors at 3:00 p.m., and will close door at 1:30 a.m.

He explained that besides that, we have the Ferris wheel, 150 feet tall, and a zipline that you can cross from one side to another side of the main stage that will give you a really thrilled energy of the event. We have the VIP area that is having a capacity for 4,000 people and everything is catered there and everything is for free. So besides all that, we are going to have more than 100 attractions per day.

In terms of transportation, there will be no parking near the event. We push people to use the means of transportation, so public transportation, either it is monorail or RTC or cabs, whatever that takes people over there in order for us to get the people in the site. You are the most used means of transportation here in town, and we work to have your support to do that and to take people in the event and out of the event. We created no event parking in the surrounding areas, in the residence areas, and we did some roadblocks to allow us to control this area and to get everybody in safely. So for that, we create a notice that we are going to deliver to all the neighborhood stating what kind of roads that we are going to close, at what hours we are going to close for everybody to be aware during the last week before the event for everybody to know exactly what is going to happen and what hour it's going to happen and what impact it's going to be on that neighborhood.

So this is the kind of access passes that we are going to have to several people that can arrive at the event, but you are the most significant. And you don't need an access pass because you have it already on your cab. So we will give and provide an east side and a west side parking space for you to drop off and for you to pick up your clients. So on the east side, we will have the Peppermill parking lot. As you know, there is one on the right side that is open, and we can come in on the Convention Center side. So you don't need to use the Las Vegas Strip because of the traffic, but you can use the Paradise and (inaudible) Convention Center, and drop off and pick up on this Peppermill lot. And on the other side, we have the road of Industrial, and then we cross on Circus Circus Drive, and we have another lot for the taxis to leave people over there. So on the east side and on the west side, we have both ways for you to get your clients in and to get your clients out, wherever you come from the Strip. So these are the routes for getting in. So this is the Circus Circus Drive, and this is the route for you to get in with the taxis and the chute. This will all be operated by a professional team, and this is on the Peppermill lot. We will have a chute also for the taxis for drop-off and for pick-up.





Chair Drobkin: Do you have handouts or anything? Are you guys going to give things to the industry so that they know the routes ahead of time and...

Daren Libonati: We'll have a more in-depth map than what you saw that actually lays out the lanes and the organization, and we'll send that to the group...to each cab company. Or if we're meeting with them in person, we'll do that as well.

Chair Drobkin: Yeah, if you can make sure, and then if you can make sure I'm copied on it as well... I appreciate it.

Daren Libonati: No problem. Thank you.

Chair Drobkin: Thank you. Does anyone have any questions? All right. Thank you so much. Thank you for coming. We really appreciate the information.

9. Discussion and Possible Decision regarding the allocation of temporary medallions for the 2015 Laughlin River Run from Thursday, April 23<sup>rd</sup> through Monday, April 27<sup>th</sup>, 2015.

Chair Drobkin: Mr. Balaban. I'm just going to bring up Desert and Lucky since you're the only two this affects.

Intervenors were Desert Cab, Lucky Cab and A Cab, LLC.

George Balaban, Desert Cab: Thank you. Good morning. Welcome, Mr. Campos.

Member Campos: Thank you.

George Balaban: The Laughlin River Run is a motorcycle rally that has been held for the last 20-some years in Laughlin. It's one of the biggest events that Laughlin has on a regular basis. We're anticipating about 40,000 participants that are there. It runs from Thursday until basically Monday, but the reality is -- well, actually Wednesday -- the reality is that people start coming in on Wednesday night, on Thursday. The majority of the folks that are getting there are partying, and obviously having plenty of transportation is necessary because of the drinking. And because of past problems, there is a lot of police, and people are not going to be driving. They're going to need taxicabs. So we're asking that we be allocated two extra medallions to run from Thursday at noon all the way until Monday at noon, just continuously, and we'll put them out as we need them and as we can get drivers to drive them. So if there is any questions.

Chair Drobkin: No, no questions. Thank you so much. Lucky?

Desiree Dante, Lucky Cab: Yeah, we support the same recommendation.

Chair Drobkin: Okay. Thank you. Okay. Who wants to start?

Member Aguilera: I can. I have no issue with it, so should I make a motion?





Motion: Desert Cab and Lucky Cab  
2 medallions per company to run concurrently with the rally -  
Thursday, April 23<sup>rd</sup> through noon on Monday, April 27<sup>th</sup>  
By: Member Aguilera  
Seconded: Member Nolan  
Vote: Passed unanimously

10. Discussion and Possible Decision regarding Deluxe Cab Company's geo-restricted medallions and whether they are approved to pick up at McCarran Airport terminals.

Chair Drobkin: Mr. Ely, this is your item.

Interim Administrator Ely: This item was put on to clarify an issue that we've discovered recently, and I think that we'll turn it over to the industry to begin the discussion.

Bob Winner, on behalf of Deluxe and Steve Findlay. I guess I'm going to cover a little bit of ground. I don't want to bore you, but there is some background to the application. I'm going to talk about the northern boundaries of Deluxe's certificated area, those cabs that were restricted traditionally. I want to talk about the expansion of Deluxe, most recently the agreement that was reached, the progression, as well as phone conversations I had with the industry after the agreement, including George Balaban because, yeah, I just talked to George. I mean technically, I represent Deluxe, but I've done work with him, so he talked to me, and I said I want to make sure it's okay with you I tell the Board what we're talking about. George said yes. The hearing itself, some of the negotiations I heard about are nunc pro tunc requests and recent citations of Deluxe cabs at the airport and why we're here.

First, the northern border. When Deluxe was initially certificated, the northern border was Sunset Road, and it was only Sunset Road to the south properties of Sunset Road. You know why? Because on the north side is the airport. The application -- I was involved with that -- was for service pretty much to Green Valley and Henderson, and they didn't want the cabs getting to the airport. A problem occurred with that, in this respect, for Deluxe. They would serve properties on the south side, and then there are businesses on the north side who are calling them up saying what are you doing? So they're getting complaints of something because they couldn't pick up on the north side of Sunset.

The expansion filed by Deluxe -- I want to say it was in December or November, a year and a half ago -- it was the second or third expansion request by Deluxe, and it was done after A Cab had made their expansion request. We went through mediation. I think it was Mr. Harvey conducted it, and we reached an agreement in there which was 11 medallions. Deluxe said, well, okay, we want to use our 2:00 to 2:00s on Thursday to Sunday because that's 24/7. That's where the demand is. And the industry said no, you get 11, 24/7. Okay. We want to move our north end, the border, up to Russell Road to include properties that abut Russell Road. At that time, there was a new water park going in. Rick had experienced frustrations with customers he couldn't have on the north side road watching him pick up on the south side of Sunset, so he said move to Russell Road. Mr. Trafton, who I respect, said file another application for that. And I said something like blow it out your ear. We're here now. So we went forward. We reached an agreement. Part of the agreement to take it was we got Super





Bowl coming up New Year's. Get this thing done. You'll be serving those. You get the future allocations, the temporaries. Great. So we went to the prehearing conference, and our stipulation that we agreed to by letter and sent to everybody was unknown to some of the industry. Your lawyer probably knows this. Part of prehearing conference is to get stipulations, what can we agree to. So now we're delayed. I was annoyed, understandably, I think. So you got to do a stip and order on pleading paper, so we did that, went around. All the lawyers signed it. There is input from Mr. Gordon saying, well, what is this word for? Take that out. Do this, do that. I said, okay, fine. We finally got it signed, and I want to say a month or two later, sometime later, I got a call from Mark Trafton, the attorney for Whittlesea Bell. He said something like this. Bob, you know that northern border move? Arguably, you can serve the airport. We didn't intend for that. And I said I don't even know if Rick thought about it. His lawyer might have. I don't know. But he said I'm going to tell the Board when we get to the hearing that we didn't intend for you to serve the airport. I said, well, fair enough. I can't argue with that. So we go to the hearing. Most of you were here. And we put on our case, and nobody mentions it. Mr. Trafton, I'm not throwing rocks at him. I respect him Mark greatly. I do. But nobody mentions anything. So we get done with the hearing, and Rick's in my ear. He says does that mean I get the airport? And I said I don't know.

At the same time after our approval, we had the A Cab application going to expand, and I was involved for Desert Cab as a -- I was going to do the hearing. Other members of the industry were negotiating with Nady, A Cab's representative and principal, and working out the details on that. It got up to the eleventh hour, as I recall. It was like we were signing the agreement at the hearing day, but it worked out. I remember this conversation with George after -- oh, I should put this in as well. After Trafton told me -- I'm sorry -- when he called me initially after we reached an agreement and said we didn't mean for that, George had said to me listen -- because I thought what's the big deal? George said, listen, I wouldn't have made the deal if Rick had parked all of his cabs up at the airport. He said -- respectfully, I got to respect it. Even though I don't represent Desert in this case, I respect George and his feelings, and I think in fairness I should let you know what we talk about. And George allowed me to tell you. So as the A-Cab deal got done, I know George was involved and Trafton, I think, principally in negotiating that. They made the deal, as I recall it from talking to George, a little sweeter and gave Nady some 2:00 to 2:00s, I believe, downtown to work, which weren't necessarily in the deal with Deluxe. And what I remember is George saying because Rick got the airport. I said okay. I had done a nunc pro tunc. I think the Chairman remembers this.

Part of the deal with Nady was the handicabs could go to all the neighborhoods everywhere because it was frustrating for him to pick someone who needs a handicapped van. You go to the other side of town, and now you can't take them. You got to run the meter or something. He said can you fix that? And there was so much at the general allocation hearing, I think it was overlooked. So we asked the Board, hey, did you forget to do this, submitted it, and we got an order from the Board which says, in essence, the Deluxe handicap medallions, handivans, can serve everywhere in the county, except downtown and the Strip.

After some time, Deluxe Cab got cited, and I remember an application from A Cab, which was withdrawn, saying, hey, let me serve Terminal 3 as well. I understood from talking with George, in conversations just in general, that the industry thought well, Deluxe can serve Terminal 3, but not Terminal 1 and 2, because of the expansion to Russell Road. From talking with Mr. Trafton





more recently, he said do you remember I sent you an e-mail? I said I remember it well, yes. He said I'm going to bring that up. I said that's fair. He said, well, my principals don't think you get to serve any of the airport. I'm here representing Rick and Deluxe Cab, and there was something overlooked by a lot of lawyers. Rick wants to, of course, serve all he can. That's his interest. I mean, you know these owners. This is what they do. So Rick is in there saying what do I get to do? And his cabs are being cited.

I met Gary the first time -- I think it might have been his first day. I felt bad for him. I was here on the citation hearing, and it got continued. And then we met with others members of the industry on the enforcement side. They were looking at the order saying it's not clear. You got to go to the Board and get a clarification. Okay. Then the hearing got moved, the Agenda. All of the sudden there is no March. And I said, well, Gary -- I'm talking to the guy -- I said, Gary, we're serving at least Terminal 3. We're sending our cabs there. He said, well, we're going cite you. I said it's okay. I've been around this enough. I know if we don't try to serve at least Terminal 3 on Rick's behalf, if we get to a hearing a month later like we are now, one of these lawyers is going to say of course he can't serve any part of the airport. He hasn't even tried. This is stupid. Don't let him do it. I don't know if they'll do it today, but I've been around here long enough to know that would have been an argument.

So I'm here today on behalf of Deluxe saying what can we do? When you moved the northern boundary up to include properties that abut Russell Road, what does that include? Rick wants to know. Now, George, who I respect and work with Desert greatly, he said I wouldn't have made the deal, but then I heard from him it seemed like Terminal 3 was conceded, which I don't think he's going to concede today, but in the interests of Rick and others at Deluxe knowing what they can do, it makes sense. And when I heard through George when Rick got the airport, we made downtown for A Cab. They got a few more medallions. The service for A Cab downtown made sense. If you're at a slow part of the day out west you can park your cabs downtown, and if there is a call out west, you get on the 95 in Summerlin and you're there quick. Likewise, the service to parts of the airport for Deluxe made sense. If it's a slow time in Deluxe territory, we're at the airport waiting. You get a call, you're down in Henderson very quickly.

Chair Drobkin: Mr. Winner, can I -- would you...

Atty. Winner: Am I boring you? I'm almost done.

Chair Drobkin: Okay, please. If you can wrap up, I can call the rest of the intervenors, and we can...

Atty. Winner: Rick wants to know what was the deal? We made a deal. We were annoyed it took so long to get finalized. And, respectfully, what can we do here? Rick wants to serve the airport. We're asking you to clarify.

Chair Drobkin: Okay. I appreciate it.

Atty. Winner: Do you want us to -- if you have any questions, I'll answer them.





Chair Drobkin: If you can, I'm going to call up the intervenors, and then I'll call you back up. Okay?

Atty. Winner: All right. Fair enough.

Chair Drobkin: All right. Thank you. I'm going to allow interventions at this time.

Intervenors were Desert Cab, Whittlesea Blue/Henderson Taxi, Lucky Cab, Western Cab, Frias Companies, Nellis Cab, Yellow/Checker/Star, Deluxe, ITPE Union, A Cab, LLC.

George Balaban, Desert Cab Company. At the time that we were negotiating the expansion of Rick's certificate for Deluxe, the idea was that we were going to allow a certain percentage of his cars, which were 11 medallions, to be unrestricted. The rest of his fleet was going to be restricted to his old certificated area. It was as simple as that. In that negotiation, as Bob Winner said, Rick talked about some of the complications he had with a certain street, and he's correct. We went back and forth and decided if there is a couple businesses on that street that you need to serve, this water park and some of these things, we decided that was fine. But at no time was the industry agreeing to allow him to serve with his entire certificate the golden triangle, of which McCarran Airport is part of. The fact that Terminal 3 is on Russell Road, it's still in McCarran Airport. Our contention was that he can't service downtown, the Strip, or McCarran Airport with the unrestricted cabs, the ones that we were not expanding, so the fact that Terminal 3 is on Russell Road, at least in my opinion when we were negotiating it, was not what our intention was. And they should not be able to service Terminal 3 with the unrestricted. The 11 that were expanded obviously can go anywhere. The other ones should not, and that has always been what our interpretation of it was. Now, the whole legal battle as to the actual border and what abuts the border is a legal question, but that was not our intention. I don't believe they should be there. Do you have any questions?

Chair Drobkin: No.

Member Nolan: I have a quick question of logistics. It's just a north-south boundary? There is no east-west boundaries that were intended, right? Russell Road was to be the divide on north and south?

George Balaban: Member Nolan, in the negotiations, I just remember there was one street that he was complaining that it's -- you give us a boundary, and we can serve one side of the street but not the other side of the street, and that seems to be a problem. So can we move the boundary off of that street, so I don't have those restrictions on Sunset anymore? I was like, okay. So we'll pick another street, so we don't have that problem on Sunset. So we just moved over a street. I mean, it was to solve the Sunset problem. Now it created -- no one looked at a map and said, oh, what is on Russell Road? Oh, gosh, it runs right into the airport, so now he's going to contend the airport is on Russell Road. He can service that? I would never even have thought that because well, the airport is -- that's not -- it doesn't matter what that abuts. You're not serving the airport. That was not the deal, so it was to move it off of Sunset. So I don't know, you call that east-west, north-south. Honestly, I'm not good with that direction.





Member Nolan: Okay. And the airport discussion never came up in the discussions you were having (inaudible)...

George Balaban: Correct. It only came up in the discussion of removing the restrictions on the 11. Those 11 were going to be allowed to do everywhere. The other ones were going to be prohibited from the Golden Triangle.

Member Nolan: Okay. Thank you.

Member Aguilera: If I remember correctly, wasn't the other boundaries, the east-west was Eastern and Rainbow?

DAG Guerri-Nyhus: That's the Geo 2.

Member Aguilera: That's the other one. Okay.

DAG Guerri-Nyhus: Yeah, that's the other one.

Member Aguilera: All right. Sorry. Thank you. George Balaban: Thank you.

Chair Drobkin: Thank you. Whittlesea?

Mark Trafton, Vice President, General Counsel for the Whittlesea Bell companies, including Whittlesea Blue Cab Company and Henderson Taxi. This application was filed back in December of 2013. Shortly thereafter, I began having discussions with Mr. Winner, and the goal that Mr. Winner described to me was basically to get some of the Deluxe medallions to be able to serve us countywide. Honestly, that was the focus of the negotiation was how many medallions is the industry prepared to allowed him to serve countywide.

Eventually, an agreement was reached that Deluxe would be allowed to convert 11 of its restricted medallions to be unrestricted. And then sort of as a filler, if you will, the discussion changed to Mr. Winner asked me, hey, about the boundary for the restricted medallions, do you think the industry would have any problem allowing us to service the water park? I had no idea where the water park was, but I remember this conversation because Mr. Winner then said the water park is north of our current boundary, so that would require us moving the boundary to Russell. So I circled around with the other industry members about the water park. There was no objection to the water park. So that was the impetus of this moving the boundary was serving the water park. There was never any discussion about serving the airport. Then there was a letter that I received from Mr. Winner, basically outlining the terms that are in the order that was signed by the Board, and the date of the order is November 4, 2014. The terms in this order are what the terms were that Mr. Winner wrote in a letter to me saying this is what the industry agrees to, and that's where the ambiguity is. Obviously, that's why we're here today. I'm just going to cover a couple of quick points that I think shed some light on this and hopefully will clear up the ambiguity.

Everybody in the industry -- and I've surveyed a little bit this morning -- understands what the Golden Triangle is. The Golden Triangle includes the airport, the Strip, downtown, and the





Convention Center. That's commonly known in the taxicab industry as the Golden Triangle. Deluxe Cab, before this agreement, could not service the Golden Triangle, and then we agreed to allow 11 to go unrestricted. So those 11 can service anywhere. The question is what about the restricted now?

So if you look at the order that was signed by this Board in Subsection 5E, I'm just going to read it, and I'm going to leave out the words in parentheses, and it's referring to the restricted medallions, the ones that still have to service the area south of Russell. It says, "Those medallions that are restricted to pick up in Deluxe/Boulder's limited area shall stay in Deluxe/Boulder's geographically limited area for 15 years, and Boulder agrees not to apply to expand authority for the limited medallions to pick up in the resort corridor, commonly known in the taxicab industry as the Golden Triangle."

Now, why would that language be in there if the restricted medallions could service the airport? The answer is that that language would not be there. So I know that's not crystal clear, but that's the best evidence in this agreement that none of the parties agreed to allow Deluxe's restricted medallions to service any part of the golden triangle at least for 15 years. And to further that, when these letters, back in early 2014, were flying around between Mr. Winner and myself about what the terms of the agreement was, he sent me these basic terms. I sent him an e-mail, and I'm going to ask if I can approach and hand out a copy of it after I read it really quickly.

It's dated March 25, 2014, and it goes to the intent of whether the airport was to be included or not. I wrote to Bob, "This is to confirm our telephone conversation just minutes ago wherein we discussed the intent of the parties with respect to Deluxe's restricted medallions and in particular to moving Deluxe's boundary from Sunset to Russell (to only service the businesses that abut the northern side of Russell). You and I agreed that we did not intend for this boundary movement to allow for Deluxe's restricted medallions to be able to serve McCarran Airport. As such, during the next TA hearing, where the settlement is discussed on the Agenda, you and I will make a record that the airport should not be included as far as the allowable service for Deluxe's restricted medallions. Please let me know if any of the above does not comport with your understanding.

That, to me, makes it pretty clear what the intent of the parties was with respect to McCarran Airport and the restricted medallions. So if I may, can I approach to hand out copies of this? So with that, I'll wrap it up, and I think it's pretty clear.

Member Collins: Just one question, Mr. Trafton. Did he respond to this e-mail?

Atty. Trafton: No.

Member Collins: Okay.

Member Nolan: Just for a point of clarification. So the discussion about the movement of the boundary from Sunset to Russell centered around the water park. Now we have two water parks. So I'm assuming they're talking about the Wet 'n' Wild Water Park on the far west end of town, not Cowabunga which is out off of Galleria in Henderson. Is that right?





There was a discussion as to whether Cowabunga is in Henderson between DAG Guerci-Nyhus, Chair Drobkin, Atty. Trafton and Member Nolan and it was determined that yes it is in Henderson and Henderson is Deluxe's territory.

Chair Drobkin: Okay. Anybody else have anything? Okay. No further questions.

Chair Drobkin: Thank you. Lucky?

Desiree Dante, Lucky Cab: We have nothing further really to add, just that that original order needs to be upheld, because the airport was never part of the consideration.

Chair Drobkin: Okay. Thank you. And just for the record, this is a clarification. Western?

John Moran: We don't have anything at this time, Madam Chair.

Chair Drobkin: Oh, thank you, Mr. Moran. Frias?

John Hickman: Frias companies wholeheartedly support the testimony given by Mr. Trafton.

Chair Drobkin: Okay. Thank you. Nellis?

Jamie Pino: We have nothing to say about it.

Chair Drobkin: Okay. Thank you, sir. YCS?

Marc Gordon appearing as General Counsel for Yellow Checker Star: I was also involved in a lot of what has been discussed by Mr. Trafton and before that Mr. Balaban, and I can confirm to you that it was also our understanding that the water park was the central point of the whole discussion of the boundary. That the airport was never ever intended to be included, and we would have had some difficulty with that if that had been raised as an issue with Mr. Winner, and it wasn't. So we'd like to agree wholeheartedly, as well, with the testimony of Mr. Trafton and with George Balaban.

Chair Drobkin: Okay. Thank you. ITPE?

Unidentified Female: I'll give it to you. It's how you put in your introductions.

Member Nolan: I did not see them.

Unidentified Female: You did. You're on the list. You can (inaudible).

Chair Drobkin: That's how you intervened. Please go ahead, Mr. Moffitt.

Sam Moffitt, I represent ITPE Local 4873. Ever since I've been a cab driver, which has been 20 years, the one discerning factor between a restricted cab and a non-restricted cab was that a restricted cab cannot pick up at the airport, on the Strip, or downtown. Now, there are many companies that have restricted cabs that can pick up east of the Strip or west of the Strip, but





they can't pick up on the Strip. Just because the area that you're restricted to has been enlarged or whatever does not give you the right to start picking up at one of the places that a restricted cab is not allowed to pick up at. So it's our position -- we definitely think they have no right whatsoever to pick up at the airport. Thank you.

Chair Drobkin: Okay. Thank you, Mr. Moffitt. Okay, A-Cab?

Jay Nady: If you allow Ricky to go to the airport, then -- and we had this conversation about three months ago -- well, I'm going to tag along because I think it's only fair. But do you remember when I was here -- you wouldn't, but a couple of weeks or a couple of months ago -- it might even have been the last meeting -- where we simply looked at what the document said, the one that was written up that I think was authored by Mr. Trafton, who I think is a great attorney. But if you read the document, it says Russell Road. Now, I'm not any friend of Ricky Flaven's, but I'll tell you this, the document says Russell Road, and they agreed to it. Or they wrote it even, and I think that if you make a mistake and you're the author of it, you have to sort of live with your mistakes. It says Russell Road. I don't really have a dog in this fight, other than the fact that I'm going to chase it just like a car.

When Mark Trafton sent out his "this is to confirm," he didn't get a response. In order to make that binding in my non-legal eyes, I think a person who sends it out to confirm and doesn't get a response has the duty to follow up to get response. The document, as written, just like mine was a month or so ago when we got to take the ones with the double-double restriction, I think it's still there. I mean, it says what it says. It speaks for itself. The resort corridor. What's a resort? Well, it sure as heck isn't an airport. You can call it what you want, but "the resort corridor" is the choice of words in that, and the airport is not a resort or on the resort corridor. I think that as much as I believe that this might have been what they were thinking, I don't think that's what Bob Winner was thinking, and we didn't have a meeting of the minds. And so I think what you have is Bob Winner truly believes that that included it, and I did too, because if you remember on the last meeting, an Agenda item we pulled off asking us to get the same consideration, but we pulled it off of the Agenda. So at least some of the parties to it -- Joe -- wanted to have the same thing, but then we pulled it off the Agenda because it was strange. So there's Jay's opinion. Thank you.

Chair Drobkin: Thank you. Okay. Mr. Ely, what is staff's position?

Interim Administrator Ely: We're seeking clarification. The way we read it, as Mr. Trafton read it, was that under Item E, they're not to serve the Golden Triangle which includes the airport, and therefore our enforcement is continuing to cite their restricted cabs as we find them at the airport now. We're seeking clarification to resolve this issue.

Chair Drobkin: I'm going to go ahead and call back up Deluxe.

Bob Winner again. I want to touch on just a couple of things, and to the extent some of the language used by Mark or others made me sound nefarious, I don't know if I'm complemented or not, honestly. The deal we negotiated was not negotiating back and forth how many do we get. We filed an application and went to a mediation the same day A Cab's was. I know A Cab wanted to go countywide with everything,





and Rick didn't like that, and Rick wanted to get some. The mediation went forward, and it was a take it or leave it. You get 11. Live with it or don't. But if you make the deal now, you get the Super Bowl. You get the New Year's. You get all the allocations coming up.

Bob Winner did not mention the water park to Mark Trafton. Rick Flaven did when we were at the mediation and caucus thing. I didn't know anything about it. I knew we wanted to move the border up, so I didn't say this is for the water park. Rick Flaven did say there's a water park going in, and I'd sure like to be able to serve it. There's been a problem. I know he said that at the mediation.

I want to touch on the order and the language because there was a parentheses which may have been omitted by mistake. I don't know. Paragraph 5A, which when I went and met with enforcement, is the same thing that was read by Trafton. I mean, everybody has got phone numbers here. People have ideas. It's a unique industry. It really is. Now, E is a restriction. Paragraph E, which Trafton just read, is a restriction on expanding for 15 years, which I thought was a little onerous, but it's on the expansion in the future. You can't expand for 15 years. It says, and I'll paraphrase -- well, I better read exactly. Sorry. "That those medallions that are restricted to pick-up in the Deluxe/Boulder limited area (as amended by the expansion to Russell Road) shall stay in the Deluxe/Boulder geographically limited area for 15 years, and Boulder agrees not to apply to expand authority for the limited medallions..." This was left out by Mr. Trafton, "... (except as otherwise noted in the agreement) to pick up in the resort corridor commonly known as the golden triangle."

I do know what the Golden Triangle is. I think everybody does. It does include the airport, but this restriction was on futures. Now, you go back to the language as to the expansion, it goes to Russell Road and properties that about Russell Road. I'm trying to represent my client. There's a lot of lawyers involved. They've got a lot of experience here, but this is the same language that enforcement was pointing to me when I met with them because Rick got cited. I said this is a limitation on expanding for 15 years. It says we won't expand the rest of the fleet to the resort corridor for 15 years, and this part was left out by Mark, "(except as otherwise noted in the agreement)." It's noted in the agreement to expand to Russell Road.

The e-mail that I got from Mark, in fairness, was after we had the phone call. It was not when there was letters going back and forth discussing it. It was after we had a signed stipulation and the order done, and he said we didn't think of this. And I said, in all candor, Rick never mentioned the airport to me either. I don't know if he was thinking about it. I don't know. I never asked him. Mark said to me in our phone call, and it was before the e-mail, I'm going to bring this up to the Board. I said fair enough. It's his right. And it just never happened. So Rick asked me do we have the airport, and I said it sounds like it, I guess.

You're going to make decision. You just are, but to suggest that I said we wanted a water park, and I got the airport is not true. I have no idea what a water park is. Rick had mentioned that at the mediation. It was a take-or-leave-it deal, and we wanted Russell then to move up. I had thought, through discussions with other owners in the industry that I know well and respect, that Rick did get the airport. That's why we made the downtown for A Cab, negotiating that a little sweeter for him. Okay. We're good.





But then I thought the industry was looking at Terminal 3 only. They were saying no, Terminal 3, but not the other ones. So Rick says what do I do? I said serve the airport, and we'll fight it out, I guess. That's all I had to say. I'm not criticizing Mark for his ability to advocate for his client and get up and say some things, but the deal was not negotiated a certain way. It was take it or leave it, and the order language includes language that they're citing to is on the restriction for future expansion for 15 years, except as otherwise noted. That was left out, and I don't know why Mark didn't get up and say, hey, this is something when we had our hearing. I don't know if he felt like he was being overbearing, and the big industry is pushing around the little guy. Maybe he just forgot. I don't know if it was deliberate. All I know is it didn't happen. If he would have said that, I'd say that's true. He wrote that, in fairness. So here we are. Rick wants to serve as much as he can, but he's not going to be able to do it with enforcement citing him until you clarify, so please do.

Chair Drobkin: Thank you for that. Okay. I'm going to kind of lead off on this. It's my understanding that, historically, we've determined geographically-restricted medallions by address. Is that correct? Cheryl, is that correct?

Cheryl Knapp, Whittlesea Blue/Henderson Taxi - Permit, fee or (inaudible). It's not necessarily address, but geo restrictions are usually by street. This is not the same thing. And I would have to state that you would have to read the Board order that was signed with regards to this as properties that abut Russell Road, but when you're talking about geographical restrictions...

Chair Drobkin: Just in general, geographic medallions are usually by address. Is that... Because there's no clarification in any Board order that we know of that...

DAG Guerci-Nyhus: And it's my understanding it's not geographic location, so that even the Terminal 3 looks -- like we have the RAF, which is not on Las Vegas Boulevard, but it's considered Las Vegas Boulevard because its address is Las Vegas Boulevard. Similar with Terminal 3, its address is the same as Terminal 1 and 2. It doesn't have a separate address. So Terminal 3, you would look at it from a -- or the way the Agency looks at it from a geographical perspective, and correct me, Mr. Ely, if I'm wrong, is that because it has one address with Terminals 1 and 2, it's not that it's geographically located below Russell, but that its address is with the Terminal 1 and 2, so it's one component airport. So you wouldn't carve out Terminal 3 from Terminals 1 and 2.

Interim Administrator Ely: Correct. It's one airport.

Chair Drobkin: That's what I was trying to get at, because I know when we did the clarification for the geographically restricted locations the last time, it was by address, not by -- okay. So that, to me, is kind of the crux of the clarifications. Right? Well, let me hear from everybody else.

Member Nolan: Well, I think that a lot of times when you ink a contract, it's a done deal in the legislature, and we pass bills. But a lot of times we discover conflicts and ambiguity, and we have to go back and look at the intent and what the conversation was at the time. And just based upon the testimony, Mr. Winner's testimony, clearly I think he stated the intent when he said that at the time they did not realize that they had encompassed the airport in this





agreement. It was discovered later that nobody really in the process had intended to include the airport. There was no discussion at the time of this, and so I don't think there was any intent, according to them, at the time, to include any aspect of the airport. So with that, Madam Chair, I think that -- and based upon what you and our legal counsel had said, I couldn't support including the airport in the area that he could service.

Member Collins: I agree wholeheartedly with Member Nolan to that point, but to me, when I read the stipulation there, and I go back to Point C, "That Deluxe/Boulder shall immediately moved the northern end of its limited certificated area from Sunset to Russell Road to include service to properties that abut the north side of Russell Road." If it would have said including the airport, it would have been obviously much more clarified, but that wasn't the intent. So I kind of hang my hat on that. But then, additionally, Mr. Trafton's e-mail, to me, is very compelling that here was the agreement. Here's how we understand it. The folks at Deluxe had a chance to respond to that if they thought differently, and there was no response. So I don't necessarily agree with Mr. Nady's comment on that. To me, it's all about if somebody sends something to you, and you have a difference of an opinion, you should respond to that. And to me, there was no response, so I would agree that the airport should not be included.

Member Aguilera: I agree that the airport should not be included based on the intent of what was geographic.

Member Campos: I agree as well.

Chair Drobkin: Okay. All right. Does someone want to make a motion?

Member Nolan: Again, we'll probably ask legal to make sure we get this right, but would the motion then be for this Board to amend the... or are we just clarifying, make a point of clarification that the airport was not to be included in Deluxe's service zone?

Chair Drobkin: I think that it's a clarification, and the language on our Agenda says "whether they were approved to pick up at McCarran Airport terminals." So I think the motion would be to clarify the -- what's the date of this order?

DAG Guerri-Nyhus: The November 4, 2014, order that Deluxe company's geo-restricted medallions were not approved to pick up at McCarran Airport terminals.

Motion:	Per the November 4, 2014 Order - Deluxe Company's geo-restricted medallions were not approved to pick up at McCarran Airport terminals
By:	Member Nolan
Seconded:	Member Collins
Vote:	Passed unanimously

There was no further discussion. Chair Drobkin: Motion passes.





11. Discussion and Possible Decision regarding the new "Geo 2" Medallion Northern Geographic Boundary.

Chair Drobkin: We're going to dispense with this once and for all. Mr. Ely, this is your item.

Interim Administrator Ely: The Taxicab Authority is requesting consideration for the northern geographic border to be amended to exclude the downtown area for the Geo 2 medallions. It's very confusing for industry and for the investigators and for the cab drivers. We have cab drivers that one day will drive a Geo 1 restricted cab, and then another day they'll drive a Geo 2, and the borders don't match, so we're having some confusion. We're finding that it would be much easier if the Geo 2 matched the Geo 1s and were restricted from the downtown area.

Chair Drobkin: Okay. We're going to go ahead and call the intervenors at this moment. Desert?

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

George Balaban, Desert Cab. At the time that we, as an industry, came in here and applied for the Geographic 2 medallions, it was desired by our industry to experiment with a centralized dispatch, all of us companies cooperating to provide better service in outlying areas and places where we were having problematic service. The downtown area, for the last several years, has been a problem for us. We've joined the Downtown Alliance because of complaints about our service down there. The Chairman has got us involved, and we've met with the mayor. We've met with councilmen. Brent from Whittlesea started a secret shopper campaign downtown to try to get more cabs down there to take rides. We've tried a lot of different things to get ridership down there, and for lots of reasons cab drivers have been reluctant to go down there, whether they feel it's overly controlled by the police, there weren't enough stands which, again, the Chairman has helped us get more cab stands down there, but there has been a lot of problems with that area. So as we were creating this new Geo medallion, we thought this is a perfect opportunity for us to create more service with those cabs to allow them to service downtown. It was not an accident that we included that, that regular Geos that we already have do not pick up downtown. They're prohibited from the Golden Triangle. This, we intentionally added it there. The idea that we have drivers who get confused as to what the restrictions are, well, I have south medallions in my fleet that are restricted to Deluxe's area that cab drivers drive one day, and the next day they drive a geo-restricted medallion, which is restricted also but is completely different from that restriction. And now we have a Geo 2, which has other restrictions.

So I don't think that the fact that a Geo 1 and a Geo 2, that one includes downtown and one doesn't include downtown, is any more confusing than the fact that the Geo 1 is restricted at Eastern, and the other one is restricted at Rainbow. There's lots of differences in them. They're different. So, again, at least from Desert Cab's point of view, I believe that when the Board allocated these, this was a six-month trial. Why we would be going and now changing it when the trial comes up and we are back in here again if there is some statistics, and you decide downtown was a bad idea, then maybe then you'll change it. But we're in the middle of this trial, and to be perfectly honest with you, we're struggling to even get all those medallions





out because of equipment and drivers. We're building into this, but to fight over exactly where they can and can't go right now, I just don't think really makes any sense. Let us get them out there, provide the best service we can. The fact that they can pick up downtown at least helps us with getting drivers willing to drive them because there is some business there. I mean it's just a win-win all the way around, so again, from my point of view, I think it would be big mistake to carve out downtown.

I empathize with the Taxicab Authority and the fact that it's another medallion of a different color with different boundaries, and it is getting confusing. But, I mean, we have lots of already-restricted medallions, weekend medallions, 12:00 to 12:00 medallions, handicapped medallions. This is what we have chosen to do with this fine-tuning of everything, and that's what we need to do. We need to provide good service, and we need to get those cars out there. And I really feel comfortable since it's a six-month trial that what is the harm in leaving it the way it is?

Chair Drobkin: Thank you. No further questions. I do want to say that we started the downtown stuff about three years ago. Mayor Carolyn Goodman and I went and met, and then she called everyone in. And it was a great meeting, and from that there was a smaller meeting. They remeasured all the curbs for us. It took about two or three months, and we expanded the staging by 97% in order to provide good service, because it was such a problem. We even had Metro say that they needed to get more cabs downtown because it was a public hazard, because people were intoxicated, and they couldn't find rides. And so they were wandering the street, and they were very concerned people were going to get hurt or killed.

And so the work we've done down there collectively has been really great. I'm still in contact with City Hall pretty regularly. In fact, we're working on Zappos, on their issues at Carson and 7<sup>th</sup>. And as they build more bars, we're working on all those. So this is kind of a pet project of mine, so I appreciate all the industry's help in concentrating on downtown.

George Balaban: I left one thing out. I apologize. In the process of all this happening, the downtown is considered a little bit more of the Millennials and this whole e-hailing subject that is going on. One of the parts of this Geo 2, not only with being centralized dispatch, was these new meters, the DT5s and these e-hailing. And that was one of the other reasons we kind of wanted to include downtown is that they want e-hailing. They want to be able to have the availability to do this downtown. And getting e-hailing into every cab is going to take some time because that involves changing over a lot of meters, and it's a major project. But getting those meters into a smaller fleet of cars, like the Geo 2s as we're putting those cars into service, is much easier. We already have 30 and have 20 more going in. And I believe Whittlesea will address it, but I believe they have 50 or 60. And there's other companies that are testing them. So we're growing that, and we're intentionally having those in the cars that are geographically restricted to help with the e-hailing. So (inaudible). Thank you.

Chair Drobkin: But we're looking forward to the future here, not backwards. Whittlesea, please.





Brent Bell, Whittlesea Blue Cab, Henderson Taxi. I concur with everything George just said. We'd be happy to work with Tom and the staff about possibly marking the vehicles somehow differently to try to solve the problem, but the one thing I wanted to point out is I actually drew the boundaries. And I discussed them with the rest of the industry, and we purposely included downtown for everything that George just said. And the only other thing I would add is a critical point of why we need more cab service downtown is if you look at Tony Hsieh's new Shift program. They actually have their own little cars running around down there that we all know about. And that is a response to not having good enough service, so that's why we specifically made that boundary north of Charleston. So I agree with George. We need to continue this test. We're building this program. We have 55 meters that will now work with Ride Genie and they're on the road and they're working. And we want to be able to respond to our critics downtown, and we want to be able to provide the e-hailing service downtown. So I would urge you to leave it alone for now. Okay.

Chair Drobkin: Lucky?

Desiree Dante, Lucky Cab: We 100% support the comments of George and Brent.

Chair Drobkin: Okay. Western? John Moran: Nothing at this time.

Chair Drobkin: Thank you. Frias?

John Hickman, COO: Frias, as well, agree with the comments that have been made so far by the intervenors, but I'll pad an anecdote. We've been doing a lot of testing lately, during the day and on the weekends and at night, of the common industry dispatch 702-GET-TAXI and the multiple e-hailing apps that are being tested right now through the area. And what I'm finding is when I'm out testing both the apps and the 702-GET-TAXI, my service time in the outlying areas is fantastic. Within two or three minutes I know a cab is coming, and within seven or eight minutes I get service. And that's remarkably better than the reports we'd been getting before. Downtown is part of that, and I've had good success downtown. The reason for downtown, as explained by both George and Brent, I agree with, the desperate need. The evidence that we received for the need down there is great. So my anecdote is one day I was driving around, and I had my driver drop me off at Lola's on the south side of Charleston. Had lunch, tried to get a cab. Could not get a cab to come get me at Lola's. Well, why? I figured it out. There's no Geo cabs south of Charleston in that area. There's no Geo 2 cabs that can go there, and my dispatcher was talking to my Geo 2 cabs that were assigned to downtown. And they were telling her, I can't go there. It's Mr. Hickman. I don't care. I can't go there. So I walked across the street at the light, and I walked up to the parking lot of the Grant Sawyer Building and I -- 702-GET-TAXI, and I got a Geo 2 Frias cab to pick me up very easily. So if you're going to move the boundary, you're going to create Lola's everywhere else downtown during the rest of this test, and I would strongly recommend you don't do that. So that's my testimony. If there is any questions, I'll be happy to answer them.

Member Aguilera: Is the e-cabs, is that working on the Strip, too?

John Hickman: What's that?





Member Aguilera: The application.

John Hickman: No. No hail zones on the Strip.

Member Aguilera: That's what I thought.

Chair Drobkin: Because there are stands.

Member Aguilera: Well, I know there are stands. I just wanted to make sure that that was the case.

Chair Drobkin: Okay. Nellis?

Jamie Pino: We support Desert and Whittlesea.

Chair Drobkin: Thank you, Mr. Pino. YCS?

Atty. Marc Gordon, YCS: We support Desert and Whittlesea.

Chair Drobkin: Thank you. Deluxe?

Atty. Winner: Deluxe agrees begrudgingly with the others.

Chair Drobkin: Okay. ITPE?

Sam Moffitt, ITPEU. We support the staff's recommendation, and the reason is this is very similar to Agenda Item No. 10. You're wanting to change the boundaries for restricted cabs. Well, I'd like to bring up something that is a little bit baffling to me. I'd like to read part of this intervention letter. "Moving the north boundary to exclude downtown would be a mistake. Downtown was intentionally included in this Geo 2 to help improve service in the downtown area where we are regularly receiving service complaints."

Two months ago, one of the Agenda items before the TA was to do away with the blown shifts in the statistics. Now, at that time, the last time that there were blown shifts in the statistics were in January of this year. There were over 1,500 blown shifts. Now, the company's explanation for this was that they intentionally blew their shifts because they didn't feel that they needed the service. Now, two months later, they are having trouble servicing calls, and we have no idea how many blown shifts there are. So keeping the blown shifts out of this, I think, is a little bit of a mistake. But, also, I still want to say that you're still trying to put geo-restricted cabs in areas that are not supposed to be serviced by geo-restricted cabs. Thank you.

Chair Drobkin: Thank you. A-Cab?

Jay Nady, A Cab: I got beat up last time. I don't want to go back up there.

Chair Drobkin: Okay. Thank you, Mr. Nady. Okay, I'm going to start off on this because downtown has been my project, and everybody knows that. I keep going back to the Board's





mandate, and the Board's mandate is to protect the riding public. And for me, it's to ensure that people can get from point A to point B. Being not only that, I live in the downtown area, and so I had a couple (inaudible) Council members who were willing to come and testify today on the fact that service is needed downtown, and they also get the complaints. And it's very important to them that people be able to not only get into downtown but be able to get out of downtown or move around downtown. And the last thing we want is our people who are intoxicated trying to get into vehicles because they can't find alternate transportation, and I will tell you because we did expand the staging, there are fewer parking spaces downtown than there were prior. So I think that this is ridiculous. I think that then if the people are getting confused that they need to learn and they need to be better educated. This is not rocket science. Let's give people more credit than we do currently, and I do think we should -- there's a Board order already from December saying that this was going to be a six-month test. The Board agreed to that. It's ridiculous that this is even on the Agenda again, so that's kind of my take. Someone else want to weigh in?

Member Collins: Yeah, I would completely agree with Mr. Balaban's comments too, and yours as well, Madam Chair, that we agreed to a six-month test. Let's do the six-month test. Let's get the feedback. If we need to revisit, alter, change, what have you, at that period in time we can do so. To be able to interrupt it now and start making changes without fully having completed that process and getting all the additional feedback, I think, is premature. So I would support not changing that.

Chair Drobkin: And we need to look to the future and stop looking backwards or doing the same as we've always done which hasn't got us very far. So let's look ahead, forge ahead, dare to be different, dare to actually do our jobs. That's what I say.

Interim Administrator Ely: May I make another comment?

Chair Drobkin: Sure.

Interim Administrator Ely: The discussion we've had today was actually very thorough. George did a great job presenting the reasons for this. That was not included in the December meeting specifically regarding downtown. We didn't have that additional information, and there was no application ahead of time for staff to do any prior research. So that is why this has been placed on the Agenda was to get more information, to make this an informed opinion, but also to clarify for us. We needed that information in advance to be able to do our own research, and we didn't get it.

So I appreciate the fact that the industry has brought the information forward. There is more information now on the table and on the record, but personally I would still like to see it restricted to the same geo area. But we can wait until the six months. We'd like information from the industry on how well they have been performing in this area. I'm just concerned that we're going to end up with cabs downtown and not in the residential areas where this Geo 2 was supposed to put them. No problem working with the industry on it and getting the correct information in the future.

Chair Drobkin: Okay. The rest of the Board, please.





Member Nolan: Madam Chair, I agree, too. I appreciate the additional information. We have to complete the study. I respect Mr. Balaban's very candid testimony with regards to some operators can be confused by some of the Geo 2 restrictions and the times and the dates. And I get confused by it when I look at it. I'm not the sharpest tool in the shed, but it's one of those things that you better really understand when you're getting behind the wheel of a cab. And we have the legislative session wrapping up in June, which I think there will be about two months left in the six-month study. And there will probably some other -- hopefully we don't have too many more considerations that develop from the legislative process, but I think with regards to geo-hailing and other proposals, June will be a big month for us to take a look at all this together. I support no change.

Chair Drobkin: Okay. Just for clarification, for annual review there is no applications required, just for the record, of the industry in things that we are required to review, and these are part of what we're required to review just for that. Okay. Does someone want to make a motion?

Motion: That there would be no change to the Geo 2 medallions northern geographic boundary.  
By: Member Collins  
Seconded: Member Nolan  
Vote: Passed unanimously

Chair Drobkin: Motion passes.

## 12. Staff Report

Interim Administrator Ely: The industry statistics are provided for you. Where both Kelly and Annette are at -- they're doing audits since this was not a regularly scheduled meeting. They already had audits on their Agenda, so they are not here today. If you have any questions about the statistics, I can take notes and provide those to them, and we can get back to you.

Chair Drobkin: Okay. Anybody have any questions? No questions.

Chair Drobkin: Okay. Thank you. Member Collins, would you like to...

Member Collins: Yes, Madam Chair, if I may. For future Agenda items, I'd like to, in lieu of the ongoing application process for the permanent administrator's position, I'd like to put on record, get it on the next Agenda item, to add this item where we will take a look at a six-month performance review for the interim administrator. And the Board would do an evaluation on that next Agenda item for the next meeting per the Board's options under NRS 706.882. And this would help us kind of set the tone moving forward, because it appears that the process may take a lot longer than anticipated for the hiring of a permanent administrator. So I'd like to see an Agenda item where we do a six-month evaluation.

Chair Drobkin: Okay. Legal counsel?





13. Report of Legal Counsel

DAG Guerici-Nyhus: We don't have anything to report.

Chair Drobkin: Good. Can you help make sure that that Agenda item appears?

DAG Guerici-Nyhus: I'll help you word that Agenda item.

Chair Drobkin: Thank you. Okay. Let's take a five-minute recess, and then we'll go ahead and hear the Driver Appeal.

Chair Drobkin: Okay, we're back. Are we back on record, Eric?

Eric So: Yeah.

14. Drive Appeal – Tekle Kifle – TA # 101187

DAG Guerici-Nyhus: Okay. If I can get the Board members and the Administrator, we have an issue here because you were not provided with the transcript and the evidence ahead of time. It is the responsibility of the Agency to provide you with the evidence and the transcript so that when you get here to the hearing, you are able to have reviewed the record before you got here so you're able to understand the arguments and ask pertinent questions. You were not given the evidence ahead of time. I think that, Chris, you're passing out another copy of the transcript?

Investigator Chris Rivers: This is his evidence that he had, that he actually gives us.

DAG Guerici-Nyhus: Thank you, but we can't have transcripts given out at the hearing because there is no opportunity for the Board members to have read them ahead of time. Here in this hearing, the Board -- the Agency has actually failed their burden. It's the Agency's burden to provide you with the transcript and the evidence which is the record on appeal. Because you have not been given the record on appeal, you could actually now, at this point, rule in favor of Mr. Tekle...

DAG Guerici-Nyhus: ...because the Agency has failed to provide the record. We still don't have the record, so if you're going to proceed, we're going to need to have that evidence that is the record on appeal, and you're going to need some time to review that so that you can look for whatever inconsistencies and whatever information you would like to from the record.

Chair Drobkin: Okay.

Member Nolan: Just a point of clarification. I understand what you're saying. We could essentially elect to reverse the decision against Mr. Tekle based solely on an administrative issue. B, we could continue this for another day, or C, we could have some discussion about this, maybe with the approval of all parties, to at least get some information based on this appeal and make a determination whether we want to go back to A or B, overturn it based upon a technicality, or continue it for another day.





DAG Guerri-Nyhus: Right. I mean, those are all your options. I would advise against continuing it for another date because that prejudices your driver here, who through no fault of his, is now not being able to drive if you were in fact to give him back his permit for another 30 days or 15 days or however long it is until the next meeting. But as we go forward, we need to have the transcript, and you need to have the evidence that was introduced ahead of time. If there is confidential material in there, then that could be transmitted separately, or if you have NCIC or SCOPE you can give those out at the time of the hearing, give them out and hand them back. But there's other documents in evidence that were not confidential and that have not been provided to the Board members, and that is a serious breach by the Agency.

Member Nolan: Can I ask for one more other point of clarification? Then does that not give us the ability to uphold the decision of the hearing's officer in this case because there wasn't proper due process provided for the appellant?

DAG Guerri-Nyhus: You would overturn it. The hearing officer took away his permit. So proper due process was not afforded to the appellant, so that's why you would reverse her decision on that basis.

Member Collins: And my question was we couldn't do otherwise? We couldn't uphold it because ...due process was -- so in any case, whether we hear the facts of this case or not, our decisions are limited. One, we reverse the decision in this case, based upon an administrative oversight and failure for due process, or two, continuing this would be absolutely unfair to the appellant because he's already been compromised in his ability to earn a living. Is that right?

DAG Guerri-Nyhus: Right. And we can all agree if they were to provide the evidence now that you wanted to look at it, but it was an oversight because we've had discussions with the administrator for probably a week and a half that this material needed to be provided, and it was a failure to provide. It wasn't an oversight, so that's why I say to you you've got your options. If you want to look at the evidence now, then you can look at the evidence now and we can go forward, provided that Mr. Tekle agrees because it's his right. This is his appeal. It's his right to have hearing officers that are fully aware of what evidence was provided and had time to review the transcript. And, again, if there is confidential, if there is criminal records, we can look at those at the time because that's not stuff you would need. But there was other documentation, such as his application, his file history, all of those things that I believe were introduced that you haven't seen.

Chair Drobkin: Which we usually do see in other appeals, so this is kind of new. To Member Nolan's point, I would not support moving this hearing, postponing. The man has a family. From what I understand from his employer is that he has been a model employee for those six, eight years that you've been driving. Because I got that (inaudible)...

DAG Guerri-Nyhus: And I want to caution the Chair, remember we're not allowed to bring in new evidence, so unfortunately, Mr. Tekle, you didn't bring in evidence that you were a great employee at the time, and that's something you should think about if you're ever in this situation again or tell your fellow drivers they should be bringing somebody with them from their company to attest to whether they're a good employee.





Chair Drobkin: Does that make sense?

Mr. Tekle: Okay. It was...

Chair Drobkin: Do you understand a little? It's okay. You don't have to respond.

Mr. Tekle: Yeah.

DAG Guerci-Nyhus: And right now it's the Board's the decision...whether they want to go forward or what they want to do in light that they haven't gotten the appropriate information.

Interim Administrator Ely: Regarding the transcript, it was sent out in error attached to e-mail. That was attached to the e-mail that you all received.

DAG Guerci-Nyhus: They got the transcript, but we never received the evidence.

Interim Administrator Ely: Right, and we were restricted. According to the security requirements, we're not supposed to send that type of information via e-mail. It's unsecured.

DAG Guerci-Nyhus: Well, then you need to have your people deliver it to the Board members if it can't be sent via e-mail. And prior to six months ago, these things were hand-delivered, so if you want to have them hand-delivered to the Board members and have them sign for them, you can do that, but you cannot make the appellant -- and I know that's another argument that you want to have the appellant deliver these, you cannot be giving out the home addresses of the Board members and having the appellant deliver them to each individual Board member.

Interim Administrator Ely: We did not do that, and we have no intention of having the appellants deliver those. But it was not clear to us that it needed to be hand-delivered. We were under the impression that since you had already received the transcript in error, but you'd already received it, that we would present the rest of the evidence here at this hearing.

DAG Guerci-Nyhus: And Mr. Ely, respectfully, I asked Eric to provide the evidence again as well by e-mail, so this has been ongoing for a week and a half. And not to air our dirty laundry, but we asked for it several times, for the evidence to be transmitted to the Board members.

Interim Administrator Ely: And we can't.

DAG Guerci-Nyhus: Yes, you can. It's public documents except for that you can pull out the scope. You can pull out the criminal records, but the other evidence is all public documents, and those need to be provided ahead of time. It's part of the record on appeal.

Member Collins: So, Madam Deputy AG, are you saying there is additional documentation and evidence now that we would be able to look at if we wanted to proceed?

DAG Guerci-Nyhus: As long as they're now going to provide it to you. You should have been provided with it ahead of time. Yes.





Member Collins: I understand. Yeah, but they do have it here if we elect to go that route.

DAG Guerci-Nyhus: Do you have both of your exhibits and Mr. Tekle's exhibits, the entire record?

Unidentified Male: Whatever was presented at the hearing I have a copy of.

DAG Guerci-Nyhus: From your side, do you have what Mr. Tekle presented at the hearing?

Unidentified Male: If he provided something, it should be in -- this is...

DAG Guerci-Nyhus: Did you check?

Unidentified Male: Yes, it's all in there, Madam.

DAG Guerci-Nyhus: Okay. Good.

Unidentified Male: I'm not sure I have a copy of your driver's...

Interim Administrator Ely: Do we have to close the hearing?

Chair Drobkin: Why don't we...

DAG Guerci-Nyhus: No, we don't have to close.

Chair Drobkin: Is it the will of the Board that you want to move forward?

Member Collins: Well, just so I understand, really we have two options then?

DAG Guerci-Nyhus: Right.

Member Collins: Okay. To move forward, look at the rest of the evidence, hear the case type of thing. Or we say no, we weren't given the opportunity. There has been a mistake, an error, and we can dismiss it. Correct?

DAG Guerci-Nyhus: Because he's been denied his due process because you don't have a Board that has had time to review...

Member Collins: Prior knowledge, yeah, yeah.

DAG Guerci-Nyhus: ...prior... I mean, your responsibility is to review the record, and you haven't had an opportunity to do that.

Member Collins: Sure. Okay.

DAG Guerci-Nyhus: And that's not his fault. That's on the Agency, so you can then say, well, we're going to grant his appeal because the Agency has not provided due process to Mr. Tekle.





Chair Drobkin: Is that your advice to the Board?

DAG Guerri-Nyhus: Listen, it's going to be your call, but you're going to need to look -- you can't have appeals where you haven't reviewed the record. So you need either some time to look through the record, or you need to dismiss -- or you need to grant his appeal.

Chair Drobkin: Just for me, I would like to grant his appeal if we're really talking about this because there has been such an issue and because our AG is extremely diligent. And I know all of last week, her and another AG have been arguing with -- so it wasn't just merely an oversight or a mistake. It was intentional, and so I would like to grant this gentleman his appeal because we're not going to have -- unless we take a 30-minute break, we're really not going to have the due diligence that we should have in order to make sure that we're allowing him his due process. And I take great pride in going through the transcript line by line the night before a couple of hours, and I just don't feel comfortable that I have the time to really review this and give it the weight that is so due, that it so deserves.

Member Aguilera: The only concern that I have, because I did read the transcript when it was sent to me, is that the reasons behind the hearing officer denying his permit was because he failed to disclose on his application several felonies. One that really concerns me was an altercation with a police officer, and...

DAG Guerri-Nyhus: I think what I'd like to do now is ask that we go into attorney-client non-meeting so that I can discuss some legal issues with the Board that I cannot discuss in front of the respondent...or the appellant. So I would ask that we make a motion to go into attorney-client non-meeting, and then everyone else will need to be excluded from the room while we engage in attorney-client communication.

The Board agreed.

Motion:	To engage in attorney-client non-meeting, everyone else will need to leave the room so the Board and DAG can engage in an attorney-client communication
By:	Member Aguilera
Seconded:	Member Collins
Vote:	Passed unanimously

Chair Drobkin: Okay. Motion passes.

DAG Guerri-Nyhus: You guys are going to have to go, too. You don't record it because it's a non-meeting.

DAG Guerri-Nyhus: You make a motion to come out of the non-meeting.





Motion: I move that we reconvene the meeting and come out of the non-meeting meeting.  
By: Member Aguilera  
Seconded: Chair Drobkin  
Vote: Passed unanimously

Chair Drobkin: Motion passes. We're now on record. Do you want to start?

Member Nolan: Based upon some additional conversation that we've had in this case and the public's conversation and discussion that we had prior to convening in private, I think that this Board's decision in this matter is really very limited, and I think we're compelled to uphold Mr. Tekle's...

DAG Guerri-Nyhus: Grant.

Member Collins: I'm sorry. His what?

Chair Drobkin: Grant.

Member Aguilera: Grant.

DAG Guerri-Nyhus: Grant his appeal.

Motion: To grant his appeal based upon some technicalities which have arisen. Some of the ongoing discussion and what limited information we were provided would lead us to believe that he does not represent an imminent danger to the public, and therefore my motion would be to grant his appeal.  
By: Member Aguilera  
Seconded: Chair Drobkin  
Vote: Passed unanimously

Chair Drobkin: Congratulations.

Mr. Tekle: Thank you very much.

Member Collins: Good luck.

## 15. Public Comment

Chair Drobkin: I would ask for public comment, but we don't have a public.

DAG Guerri-Nyhus: But I'd ask for it, though.

Chair Drobkin: Okay. Nobody. Do I have a motion for adjournment?






16. Adjournment

Motion: To adjourn  
By: Member Collins  
Seconded: Member Aguilera  
Vote: Passed unanimously

Chair Drobkin: Motion passes. Thank you very much.


Meeting was adjourned at 11:39:21.

Respectfully submitted by:

  
Barbara A. Webb, Recording Secretary  
For Eric So, Administrative Assistant II

06-24-15  
Date

Approved by:

  
Ileana Drobkin, Chairman

07-23-15  
Date

  
Jennifer DeRose, Acting Administrator

6/24/15  
Date

