



STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
TAXICAB AUTHORITY
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TERRY JOHNSON
Director

LT. JOSEPH WINGARD
Acting Administrator

ILEANA DROBKIN
Chairman

VACANT.
Vice Chairman

Members
ROBERT FORBUSS
JOHN G. MARUSHOK
JOSHUA C. MILLER
JOSEPH P. HARDY, JR., ESQ.

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

January 25, 2011

The Board Meeting and Public Hearing of the State of Nevada Taxicab Authority was held on Tuesday, January 25, 2011. 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 Ileana Drobkin, Member John G. Marushok and Member Josh Miller. Member Robert Forbuss was on conference call throughout the meeting. Others present: were Lt. Joseph Wingard, Acting Administrator, Legal Counsel, Deputy Attorney General Scott R. Davis and Recording Secretary, Barbara A. Webb. Absent: Member Joseph Hardy.

2. Compliance with Open Meeting Law.

Lt. Wingard, Acting Administrator, stated that we were in compliance with the Open Meeting Law.

***3. Approval of the Minutes from the December 7th, 2010 Board Meeting and the December 14th, 2010 Board Meeting.**

Motion: To approve December 7th and December 14th, 2010 Minutes
By: Member Miller
Second: Member Marushok
Vote: Passed unanimously

4. Public Comment

Steve Lanett, driver for Whittlesea, talked about Frias' appeal to NTA regarding the Board denying their application for a change in rates and an allocation of medallions. He commented that he feels there was no industry support because the annual review is annual not whenever a company wants it. He also commented about New Year's Eve and CES stating that there were enough cabs on the road. He said with regard to WOC, the Administrator had the ability to remove cabs, but they were not removed. He said according to the newspaper, WOC attendance would be down and it was. He said that drivers look forward to making extra money during the holidays and there're too many cabs on the road. He commented on Mr. Tomlinson's comment about not using rides as a barometer, but feels it is hard when rides are down. He agreed with Mr. Tomlinson's remark that all rides that go through the tunnel are not long hauling and that is correct because there are destinations that the tunnel has to be used, but he said when 90% go to the Strip through the tunnel, then that is long hauling. When he takes a passenger back to the airport, they ask why it is cheaper than when they went to their hotel, that's when they realize they have been long hauled.

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Stephanie Edelman, driver for A NLV, said she is speaking on her own behalf, not for USW. She said that the fall MAGIC show was different stating that LVCVA now has limos at different areas. When everyone comes out the north hall, they walk past a sign that says there are free rides from the limos to Mandalay Bay. She said it is different when the conventions provide their own transportation, but when the limos offer free rides and the conventioners who are on per diem and the free limo ride is better for them, the cab drivers lose a lot of rides and money.

5. Discussion with Stephen Patterson, Traffic Manager for LVCVA regarding the taxicab service during the past month.

Steve Patterson brought a video from the opening day and closing day of CES at the LVCVA. He said that on opening day, the wait for cabs was approximately 10-15 minutes, but at 3:00 PM the wait was 25 minutes, after that it was one half hour wait. He showed video from January 6th at the time the show breaks at 4:30. There were company supervisors there, 350 people were in line, there were 5-6 cabs within 3 minutes of the show break, but 45 minutes later there were no cabs and a lot of people.

Member Miller asked if there barriers were up so that the pedestrians use the overhead. Mr. Patterson said they don't use it. He said that at the south hall, service was brutal the first 2 days. Chair Drobkin asked if they had called any of the companies and Mr. Patterson stated that they had and were told cabs would be sent. The Chair asked what is going to be done to resolve this and Mr. Patterson said there were enough cabs, but it is a problem getting them to the convention center until the supervisors call them. He said there were 135,000 people. He said south cab lines are dedicated lines for cabs, there's a huge line of people from the shows take the monorail. There are lanes only for cabs, but there were no cabs near the south hall.

Member Miller stated that he had seen Metro helping cabs at the Strip and Convention Center Drive and Mr. Patterson said that LVCVA pays Metro quite well for that – there are 2 officers on the Boulevard, 4 officers at Convention Center and Paradise, 2 officers at Joe W. Brown 2 at the Renaissance entrance, 2 at the Swenson entrance. He said he knew there were a lot of trips to the airport on Saturday and Sunday.

He said that WOC had 44,000 with 55,000 expected. He said that the show managers were very pleased with the cab service. He said that ConExpo will be there in March and that is the largest of trade shows that comes to Las Vegas every 3 years.

Member Miller asked him if he had any suggestions regarding CES cab service in the future and can the Board do anything to help out the situation. Mr. Patterson said that the Acting Administrator went there. He said that all cabstands were full on the Strip and the drivers will not go to the convention center because he said the drivers complaint they cannot access the LVCVA. If they go to LVCVA between 4:00 – 7:00, they'd be fine.

He said they will give the companies and Kelly Kuzik maps for ConExpo. He said the National Association of Broadcasters comes in April with projected attendance of 90,000.

Member Marushok asked if there is communication between LVCVA and the companies and Mr. Patterson said yes.



6. Discussion with Jeff Zamaria from the Sands Expo regarding taxicab service.

Mr. Zamaria commented that the Sands did have an issue getting cabs for CES. During the SHOT Show which had 120,000 at the Sands, there was very good cab service. He said he did notice that during the shift changes it was slow and then it picked up. The Sands has made some changes so that the cabs can get back out quickly. He commented that when the shows break it is the same time as during shift changes.

7. Discussion with Heidi Nizowitz from the Mandalay Bay Convention Center regarding taxicab service.

Not in attendance.

***8. Discussion on the Governor's Executive Order Establishing a Freeze on Proposed Regulations and possible decision on requesting an exception to the freeze in order to continue with the rulemaking process for proposed temporary changes to Chapter 706 of the Nevada Administrative Code relating to the use of Credit Cards and Debit Cards as means of payment for taxicab service.**

The Chair denied interventions at this time so the DAG could update the Board on this issue.

Deputy Attorney General Scott Davis commented that as the Board is aware, we are in the process of moving forward to the NACS and Regulations dealing with the use of credit and debit cards to pay for taxicab fares. He said that a public hearing was going to be scheduled which is the final step where the Board would make a vote on whether or not to adopt those regulations, but on January 3rd, Governor Sandoval issued an executive order which froze that process. It's a freeze on all proposed regulations and our regulation is part of that. With regard to the terms of the executive order, it establishes a process in which we could still move forward with the NAC and regulation. There are some exemptions to the freeze, the terms of the Executive Order establish a process in which we could still move forward with enacting the regulation. There are certain exemptions to the freeze – one is regulations that affect public safety and security and that was a big concern with the Board looking forward to drafting these regulations protecting the public protecting their payment information. The procedure that's contained within this Executive Order does state that within 90 days any regulatory body that's subject to the Order that intends to continue and move forward with the process is required to submit a report to the Governor's office detailing what the regulation is, how the regulation qualifies for one of the stated exemptions. He has discussed the matter with the Governor's office, they anticipate a fairly quick turnaround time once the report is submitted and they will let us know if we can go forward and when we get that approval we can move forward with the public hearing. But due to this Executive Order, it threw another step into the process and we are working through that and looking forward on enacting those regulations.

The Chair asked if the Board has to approve getting that exemption from the Governor's office and the DAG said yes. He said the process is frozen. He said it is always the Board's decision to move forward with enacting regulations or not so if the Board wishes to, he will submit the report to the Governor's office that outlines the procedure and get approval to move forward.

The Chair asked if there were any questions.



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The following motion was made:

Motion: To move forward
By: Member Marushok
Second: Member Miller
Vote: Passed unanimously

DAG commented that staff would prepare that report and submit it to the Governor's office immediately. The Chair stated that once the approval is received, she would like to direct Staff to schedule a special meeting to expedite this.

***9. Discussion and Possible Decision regarding the temporary allocation of medallions for Super Bowl Weekend from Friday, February 4th through Monday, February 7th, 2011.**

Ken Mangum made the presentation stating the following being staff's recommendation –

Friday, February 4 – 10 meds – 12 PM – 2 AM – any 12 hours
Saturday, February 5 – 10 meds – 7 AM – 7 PM and
10 meds - 12 PM – 2 AM – any 12 hours
Sunday, February 6 - 5 meds – 7 AM – 7 PM and
5 meds – 12 PM – 2 AM – any 12 hours

Staff requests that the Board allow the Administrator the discretion to remove any special event medallions if the demand for service is such that the medallions are no longer needed. Staff further requests that the Board direct the certificate holders to provide to the Taxicab Authority the number of daily shifts, trips, and revenue for each medallion type in the format prescribed by the Taxicab Authority.

Mr. Mangum stated that Kelly Kuzik had contacted the hotels and their numbers were about the same as last year.

Intervenors were Nellis, Lucky, YCS, Desert, Whittlesea Blue/Henderson Taxi, Western, United Steelworkers, ITPE Union, Frias Holding Company and A Cab.

George Balaban spoke on behalf of Jamie Pino of Nellis Cab – supports staff's recommendation.

Desiree Dante of Lucky Cab – supports staff and also stated that the 15 medallions that were allocated for CES worked out beautifully because their number of trips set records with averages at \$500-\$600.

Bill Shranko of YCS – supports staff and also agreed with Lucky regarding CES. He apologize Steve Patterson and said they would certainly look at it next year.

George Balaban of Desert Cab – supports staff.

Cheryl Knapp – Whittlesea Blue/Henderson Taxi – stated she asked for 12 medallions – her exhibits from prior Super Bowl – showing averages of \$370 which is high, is why she asked for 12 medallions. She probably would have agreed with staff had she received staff's recommendation prior to the deadline of the interventions. She commented about CES stating that some drivers were booking over \$500 – averages over \$460.

Marilyn Moran of Western Cab – supports staff.



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Richard Segerbloom of USW and ITPEU – opposes staff’s recommendation especially on Sunday. He feels that Saturday and Sunday – 10 and 10 medallions – will dilute the weekends. He agrees that data should be given to staff.

John Hickman – Frias Companies - supports staff and also agrees with Cheryl Knapp’s comments.

Sam Wood, Assistant General Manager of A Cab – supports staff.

Motion was made –

Motion: To support staff’s recommendation of –

Friday, February 4 – 10 meds – 12 PM – 2 AM – any 12 hours

Saturday, February 5 – 10 meds – 7 AM – 7 PM and

10 meds - 12 PM – 2 AM – any 12 hours

Sunday, February 6 - 5 meds – 7 AM – 7 PM and

5 meds – 12 PM – 2 AM – any 12 hours

By: Member Miller

Second: Chair Drobkin

Vote: Passed unanimously

The Chair asked that Agenda Items 10 and 11 be discussed at the same time.

***10. Discussion and Possible Decision regarding the temporary allocation of medallions for the NASCAR Races from Tuesday, March 2nd through Sunday, March 6th, 2011.**

Ken Mangum made the presentation of the following staff recommendation –

Saturday – 03-05-2011 – 16 medallions – 7:00 AM to 10:00 PM – any 12 hours

Sunday – 03-06-2011 – 16 medallions – 7:00 AM to 10:00 PM – any 12 hours

Staff requests that the Board allow the Administrator the discretion to remove any special event medallions if the demand for service is such that the medallions are no longer needed. Staff further requests that the Board direct the certificate holders to provide to the Taxicab Authority the number of daily shifts, trips, and revenue for each medallion type in the format prescribed by the Taxicab Authority.

Mr. Mangum stated that Investigator George Brazzale was meeting with traffic officials at Nellis Air Force Base that afternoon where their plan for cabs to go through the base. He will have maps available and send them to the companies.

***11. Discussion and Possible Decision regarding the temporary allocation of medallions for the M.A.G.I.C. Clothing Convention from Wednesday, February 16th through Friday, February 18th, 2011.**

Ken Mangum stated that staff recommended no temporary medallions be allocation for MAGIC.

Intervenors were Nellis, Lucky, YCS, Desert, Whittlesea Blue/Henderson Taxi, Western, United Steelworkers, ITPE Union, Frias Holding Company and A Cab. The Chair granted intervenor permission.



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Agenda Item 10 – NASCAR –

George Balaban on behalf of Jamie Pino of Nellis Cab is asking for 10 medallions on Friday, March 4th, from 12 PM to 2 AM (any 12 hours); Saturday, March 5th, 10 medallions from 7 AM to 7 PM and 10 medallions from 12 PM – 2 AM (any 12 hours); Sunday, March 6th, 18 medallions from 7 AM – 2 AM (any 12 hours).

Agenda Item 11 – MAGIC –

George Balaban on behalf of Jamie Pino of Nellis Cab is asking for 5 medallions on Friday, February 11th from 12 PM to 2 AM (any 12 hours); Saturday, February 12th thru Tuesday, February 15th, 5 medallions from 7 AM to 7 PM and 5 medallions from 12 PM – 2 AM (any 12 hours); Wednesday, February 16th, 5 medallions from 7 AM – 7 PM.

Agenda Item 10 – NASCAR –

Desiree Dante – Lucky Cab - 10 medallions on Friday, March 4th, from 12 PM to 2 AM (any 12 hours); Saturday, March 5th, 10 medallions from 7 AM to 7 PM and 10 medallions from 12 PM – 2 AM (any 12 hours); Sunday, March 6th, 18 medallions from 7 AM – 2 AM (any 12 hours).

Agenda Item 11 – MAGIC –

Desiree Dante – Lucky Cab - 5 medallions on Friday, February 11th from 12 PM to 2 AM (any 12 hours); Saturday, February 12th thru Tuesday, February 15th, 5 medallions from 7 AM to 7 PM and 5 medallions from 12 PM – 2 AM (any 12 hours); Wednesday, February 16th, 5 medallions from 7 AM – 7 PM.

Agenda Item 10 – NASCAR –

George Balaban – Desert Cab -10 medallions on Friday, March 4th, from 12 PM to 2 AM (any 12 hours); Saturday, March 5th, 10 medallions from 7 AM to 7 PM and 10 medallions from 12 PM – 2 AM (any 12 hours); Sunday, March 6th, 18 medallions from 7 AM – 2 AM (any 12 hours).

Agenda Item 11 – MAGIC –

George Balaban – Desert Cab - 5 medallions on Friday, February 11th from 12 PM to 2 AM (any 12 hours); Saturday, February 12th thru Tuesday, February 15th, 5 medallions from 7 AM to 7 PM and 5 medallions from 12 PM – 2 AM (any 12 hours); Wednesday, February 16th, 5 medallions from 7 AM – 7 PM.

Agenda Item 10 – NASCAR –

Cheryl Knapp – Whittlesea Blue/Henderson Taxi -10 medallions on Friday, March 4th, from 12 PM to 2 AM (any 12 hours); Saturday, March 5th, 10 medallions from 7 AM to 7 PM and 10 medallions from 12 PM – 2 AM (any 12 hours); Sunday, March 6th, 18 medallions from 7 AM – 2 AM (any 12 hours).

Agenda Item 11 – MAGIC –

Cheryl Knapp – Whittlesea Blue/Henderson Taxi - 5 medallions on Friday, February 11th from 12 PM to 2 AM (any 12 hours); Saturday, February 12th thru Tuesday, February 15th, 5 medallions from 7 AM to 7 PM and 5 medallions from 12 PM – 2 AM (any 12 hours); Wednesday, February 16th, 5 medallions from 7 AM – 7 PM.



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Agenda Item 10 – NASCAR –

Bill Shranko - YCS -10 medallions on Friday, March 4th, from 12 PM to 2 AM (any 12 hours); Saturday, March 5th, 10 medallions from 7 AM to 7 PM and 10 medallions from 12 PM – 2 AM (any 12 hours); Sunday, March 6th, 18 medallions from 7 AM – 2 AM (any 12 hours).

Agenda Item 11 – MAGIC –

Bill Shranko - YCS - 5 medallions on Friday, February 11th from 12 PM to 2 AM (any 12 hours); Saturday, February 12th thru Tuesday, February 15th, 5 medallions from 7 AM to 7 PM and 5 medallions from 12 PM – 2 AM (any 12 hours); Wednesday, February 16th, 5 medallions from 7 AM – 7 PM.

Agenda Item 10 – NASCAR –

Marilyn Moran - Western -10 medallions on Friday, March 4th, from 12 PM to 2 AM (any 12 hours); Saturday, March 5th, 10 medallions from 7 AM to 7 PM and 10 medallions from 12 PM – 2 AM (any 12 hours); Sunday, March 6th, 18 medallions from 7 AM – 2 AM (any 12 hours).

Agenda Item 11 – MAGIC –

Marilyn Moran - Western - 5 medallions on Friday, February 11th from 12 PM to 2 AM (any 12 hours); Saturday, February 12th thru Tuesday, February 15th, 5 medallions from 7 AM to 7 PM and 5 medallions from 12 PM – 2 AM (any 12 hours); Wednesday, February 16th, 5 medallions from 7 AM – 7 PM.

Richard Segerbloom – USW and ITPEU – for both NASCAR and MAGIC - strongly supports staff's recommendation and agrees with companies reporting numbers to the Taxicab Authority. Member Marushok asked him about the lack of cabs at the Convention Center and he stated that maybe the medallions could be allocated just for the conventions. Member Marushok asked him why he felt there should be no additional cabs for MAGIC and Mr. Segerbloom said it affects the amount of money the drivers can make.

The Chair commented that the media was stating that there will be more people in town for Super Bowl than ever before, that it will break all records. She asked him if he was given any information and he said no.

Member Marushok commented that MAGIC will be in town again and if cab service is not go here, it would be a big issue for them.

John Hickman – Frias – agrees with Friday being included for NASCAR. He said that in November when SEMA was here there was no allocation given and there was a big problem with the lack of cabs. Since then, cabs have been allocated and more people are coming to town, numbers and books have increased, therefore, he feels MAGIC should have an allocation. They agree with the industry's requests.

Mark James – Frias – commented that during CES buses were being loaded because of the lack of cabs and feels it is important to allocate for MAGIC because he doesn't want an inadequate number of cabs available for this convention. If there are too many cabs allocated, the Acting Administrator can take the cabs off the road.



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Member Miller asked Mr. James if he would make changes in his shift changes so there are cabs available in the future because that seems to be a problem. Mr. James said they are working on different technology i.e. GPS systems so they can get their cabs where they are needed. He said there is a lot more competition regarding transportation so they will do their part so they don't lose their market share.

A Cab – no one was there at this time.

A motion was made for NASCAR –

Motion: To support industry's request of –
Friday, March 4th - 10 medallions from 12 PM to 2 AM (any 12 hours)
Saturday, March 5th - 10 medallions from 7 AM to 7 PM and
10 medallions from 12 PM – 2 AM (any 12 hours)
Sunday, March 6th - 18 medallions from 7 AM – 2 AM
By: Member Miller
Second: Chair Drobkin
Vote: Passed unanimously

A motion was made for MAGIC -

Motion: To support industry's request of –
Friday, February 11th -
5 medallions from 12 PM to 2 AM (any 12 hours)
Saturday, February 12th thru Tuesday, February 15th –
5 medallions from 7 AM to 7 PM and
5 medallions from 12 PM – 2 AM (any 12 hours)
Wednesday, February 16th –
5 medallions from 7 AM – 7 PM
By: Member Miller
Second: Chair Drobkin
Vote: Passed unanimously

12. Staff Report

Acting Administrator Wingard commented that it is still being discussed due to Mr. Kuzik being hurt and he said they are trying to take the data from the cab companies and get a better recommendations which is still being modified as of today. He hopes in the future, Kelly will be able to report on the data that is received from the cab companies. Kelly wasn't able to complete it before he got hurt. That will be in the future meetings also focusing on revenue per shift is a better gauge than trips per shift.

Ken Mangum made his presentation regarding stats of December 2010 vs December 2009 of the 9 areas reported, 4 areas were up and 5 areas were down. December which usually is one of the slowest months was flat but sees growth taking place. Year-to-date for 2010 areas were up, but revenue per shift is down 1.6% which is about 20%; trips per shift were up over 6-3/4% which is good and sees that numbers are going up.



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***13. Discussion and possible action regarding the following individuals concerning their qualifications for the position of Administrator of the Taxicab Authority.**

The Chair did not grant intervenors permission.

The Chair stated that there were so few qualified applicants and asked the Board if they would agree to reopen the recruitment. She said that the Director of Business and Industry will reopen the recruitment to more areas to get more qualified people. Member Marushok asked if there was a time frame in which we have to have this finished by and the Chair said that the Director wants it as soon as possible but they want to open it in more areas rather than just the State so more applicants that are qualified can have the opportunity to apply. Member Miller agrees about being more aggressive and feels the last recruitment should have been done differently and done on the outside as well with the State. The Chair commented that it had nothing to do with the current applicants.

A motion was made –

Motion: Ask Director to repost the notice for 30 days and see what comes in
Motion by: Chair Drobkin
Second: Member Marushok
Vote: Passed unanimously.

Member Miller asked if the 16 applicants would still be eligible and she said yes. DAG Davis stated that he didn't see any reason they would have to resubmit, but that would be decided by the Director's office.

***14. Discussion and possible action regarding the creation of a three-name list of candidates to be submitted to the Director of the Department of Business & Industry for the position of Administrator of the Taxicab Authority.**

The Chair asked the Board what they wanted to do with this item. Member Miller said a process would be nice whether today or given more time. Chair asked if they wanted to put it off until the new recruitment is closed and all applications are received. Member Marushok stated that it couldn't be done during the February 10th Meeting and there is no meeting in March. The Chair said a special meeting would be for the credit cards. The DAG commented that talking about scheduling future board meetings is something that can be done by coordinating with the Administrator's office and the individual board members to find a date and time that works. The Chair asked if the agenda would allow them to.....the DAG said it would be the only item on the agenda. The Chair said to choose a process. The Acting Administrator said there would be ConExpo and another show that needs to be considered. It should be a shorter agenda.

15. Report of Legal Counsel

DAG Scott Davis said that Handicab is still pending, there was a hearing at the beginning of the month which was a motion to dismiss, that petition that was filed that motion was denied and the court set back the hearing until May to allow Handicab to correct some defects that had been identified in their brief. So that remains pending.

There was an appeal from the Board's decision to dismiss the complaint that was filed by Déjà vu and Little Darlings Club that appeal is before the NTA. He thinks it may be on the February 17th agenda.

Frias Companies have filed an appeal from the board's decision to deny their application for additional medallions and an increase in rates and fares. That appeal has just been filed.



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***16. Adjournment.**

Motion: Adjourn
By: Member Marushok
Second: Member Miller
Vote: Passed unanimously.

Meeting was adjourned at approximately 12:00 PM.

Respectfully submitted by:

Barbara A. Webb, Recording Secretary Date

Approved by:

Ileana Drobkin, Chairman Date

**Lt. Joseph Wingard Date
Acting Administrator**

