



PRIVATE FOR-HIRE TRANSPORTATION BOARD OF REVIEW

Minutes for January 26, 2011 meeting

1. Call to Order: 1:35pm by Kathleen Butler

Roll Call

Present: John Case, Kirk Foster*, Raye Miles, Michael Huggins, Red Diamond, Muzafar Rasheed, Ramon Corona, Gail Bauhs, Yassin Mohammed, Jeff Blosser, Jon Putman, Al Ochoa, Ken McGair, Kathleen Butler, Frank Dufay, and Patrick Kramer

Absent: Ryan Hashagen

* Alternate

Others/Audience: The list of other attendees is available from the Revenue Bureau.

2. Agenda

Mr. Case suggested moving Board Member comments to follow committee reports since there is often Board comment from those reports.

Motion to move Board Member comments to number 7 on the agenda: Mr. Case

Seconded: Mr. Ochoa

Motion passed unanimously

Motion to add discussion of Shuttle Subcommittee Meeting to 6 c) on the Agenda: Mr. Ochoa

Seconded: Mr. Putman

Motion passed unanimously

Motion to accept Agenda as written and amended: Mr. Putman

Seconded: Mr. Corona

Passed unanimously

3. Approval of Minutes

Mr. Blosser was present at the meeting. Also, Mr. Foster was present as alternate to Ms. Wilkes.

Motion to approve minutes: Mr. Corona

Seconded: Mr. Case

Discussion: None

Passed unanimously

4. Public Comment

None.

5. Committee Reports

- a) Company Standing Committee: November 30th meeting discussed enforcement issues. Mr. Dufay went into detail about the development of more enforcement tools. Need for additional code changes to address safety concerns regarding the loading and unloading of passengers from limousines. Allowing limousines to utilize Truck Loading Zones were brought up as possibly being part of the solution. Items discussed in the January 18th meeting included: vehicle change fees, SAT ASE inspections and a fuel surcharge. Mr. Corona spoke briefly about the safety issues at the Nines Hotels. A 6 month pilot program will be instituted beginning February 1st. Parking signs will be installed which will create a pull up and drop off zone only-permit required.
- b) Taxi Driver Standing Committee: Jan 19th meeting had three agenda items: fuel surcharge including history of the surcharge, will it scare away customers, possible correlation between kitty increase and fuel surcharge, possibility of dropping kitty instead of adding fuel surcharge so as to not affect the consumer. There was a motion to adopt a 10 cent fuel surcharge but did not carry. A motion to form a taxi driver association was carried. The name of the association is Cab Drivers Alliance of Portland Oregon and will be referred to as C.A.P.O. A formal petition to the City to adopt an anti bribery ordinance was discussed. A suggestion was made to make it a requirement for the Taxi Driver Representative to be an active cab driver.
- c) Shuttle Subcommittee meeting: Surveys of permitted shuttle companies has been completed. Another shuttle subcommittee meeting was suggested to come up with a formal proposal for a solution to the shuttle issues which will then be brought back to the Board.

6. Board Member Comments

Mr. Foster discussed his concerns about communications regarding any rule or procedure changes. He expressed that there is not adequate notification of procedural or rule changes. He suggested 6 months notice be given for any rule or procedure changes. A Board discussion followed. It was acknowledged that this is a time of transition and patience is needed. It is already the Revenue Bureau's policy to send out notification via email and post procedures on their website as appropriate. The Revenue Bureau continues to work on improvements to communications to permittees. It was noted that it is also the permittee's responsibility to read communications that are sent.

Motion for the Revenue Bureau to provide email notification immediately of any procedural or rule changes: Mr. Foster
Seconded by: Mr. Ochoa

Discussion: This is the current policy of the Revenue Bureau. The Revenue Bureau does endeavor to provide notification in a timely manner. It was suggested that read receipt be used to verify recipients have received the email however this is not practical as it is not 100% effective and would take too much staff time.

Mr. Ochoa withdrew his Second to the Motion. No others seconded. Motion failed.

7. Requests for Relief from the Moratorium

The option was offered of staying the consideration of applications if Board Members were not comfortable considering a request because they feel they need more time to consider an application. It was decided that the Board would hear from the applicants who are present at the meeting. Decisions on applications will be considered on a case by case basis and a separate work session could be held on specific applications if deemed necessary by the Board.

- **21st Century Towncar and Limousine Service**

Request: 1 Executive Sedan permit.

Recommendation: 1 Executive Sedan permit conditional upon a review of Portland Town Car's (PTC) permit utilization. Should the review find the PTC permit underutilized the PTC Executive Sedan permit would be retired, resulting in a net of zero gain to the moratorium numbers.

Discussion: Christina Burnside addressed the Board stating 21st Century's intent of utilizing the Executive Sedan permit along with their existing limousine permit. Currently the owner of 21st Century is operating his vehicle under PTC's vehicle permit.

Motion to hold decision until a review of PTC permit utilization and verify that the PTC permit will be retired: Ms. Miles

Seconded by: Mr. Huggins

Motion passed unanimously

- **Airport Shuttle Late Night**

Request: 2 Shuttle permits

Recommendation: Deny application, business plan does not meet fixed route and schedule City Code requirement.

Discussion: Applicant Koy Saepharn addressed the Board regarding her request. She and her business partner currently lease permits from permitted companies White Van Shuttle and Tee to Green Transportation. They would like to operate vehicles under their own company.

Motion to deny all applications for shuttle permits until the shuttle issues are resolved: Ms. Miles

Seconded by: Mr. Putman

Discussion: It was brought to the Board's attention that Lakeside Airporter was incorrectly listed as a shuttle request when it is actually a reservation only Executive

Sedan category permit. They operate on reservation only transporting customers from Lake Oswego to the Airport and would like to provide return transportation from the Airport to Lake Oswego. Secondly, the Revenue Bureau is recommending approval for Allied Airbus to continue to be permitted to service Delta Airlines crews at the Airport.

Friendly amendment to exclude Lakeside Airporter and Allied Airbus application by Mr. Corona.

Ms. Miles withdrew previous motion and made subsequent motion to deny all shuttle permits applications until the shuttle issues are resolved with the exception of applications 3 and 8 (Lakeside Airporter and Allied Airbus).

1 opposed: Mr. Putman. Motion carried.

- **Allied Airbus**

Request: 3 Executive Sedan reservation only permits

Recommendation: Approve 3 Executive Sedan reservation only permits

Discussion: These permits were issued under the Revenue Bureau's discretion and this decision was discussed at the November 2010 Board Meeting. As discussed in that meeting, their request for permits is now being brought to the Board. These permits will be solely used to service a contract with Delta Airlines to provide transportation for Delta flight crews to and from the Airport. Bryan Hettinga was present to represent Allied Airbus. He confirmed that these permits will be solely used to transfer Delta crews to and from the Airport and will not be used for any other purpose. They are compliant with all local and State laws related to interstate commerce. A member of the audience mentioned that Allied Airbus had a place on their website for the public to make a reservation. Mr. Hettinga said that the website is run by corporate in Florida and that function may be utilized in other states. It was suggested that removing that function from their website be a condition of approval. Mr. Hettinga did say that a contract with another airline is possible; however he is not aware of any plans for that. Mr. Hettinga has also confirmed that the permits thus far have only been used to transport Delta flight crews. The Port of Portland supports approving the application. Should Allied Airbus expand service to include other airline contracts the Port of Portland would be aware of it.

**Motion to approve the application: Mr. Case
Seconded by: Mr. Huggins**

Motion passed unanimously.

- **Amore Executive**

Request: 1 Executive Sedan permit

Recommendation: 1 Executive Sedan permit conditional upon the review of permit utilization of Aloha Executive's permit currently being used by Amore.

Discussion: Burhan Ahmad was present to discuss his application. The vehicle he currently uses under a permit issued to Aloha Executive is a GMC Yukon XL. Mr. Diamond mentioned that he has observed Amore Executive operating on what appears to be on an on demand basis at the Courtyard Marriot. Mr. Diamond has stated that other taxi drivers have mentioned the same observations. There is an open complaint of operating on demand by Amore. This complaint is under investigation. No violation has been found on other complaints made against Amore Executive. Mr. Ahmad stated that he only works on a reservation basis. He at times is at the hotel for longer periods of time due to clients running late. The Revenue Bureau has been working with this company to ensure knowledge of regulations and there have been no recent violations found.

Motion to postpone a decision on this application until it is determined if Aloha Executive's permit will be turned in: Mr. Case

Seconded by: Mr. Corona

Motion Passed Unanimously

- **Aspen Limo Tours**

Request: 3 Executive Sedan permits

Recommendation: Approve 3 Executive Sedan permits with the condition of Aspen Limo Tours obtaining an on demand contract with Hotel Lucia.

Discussion: There is letter of agreement for Aspen Limo Tours to provide exclusive executive sedan service for Hotel Lucia guests.

Motion to postpone a decision on this application until the owner of the company can be available to answer questions: Mr. Case

Seconded by: Mr. Putman

Discussion: It is the intent to only issue the permits if an on demand contract is procured.

Motion Passed Unanimously

- **Grand Cru Wine Tours LLC**

Request: 1 Executive Sedan permit

Recommendation: Approve application for 1 Executive Sedan permit

Discussion: The Revenue Bureau is currently are working on getting greater compliance from the Wine Tour industry. They have been in contact with Travel Portland to help spread the word that wine tour transportation service is regulated in Portland and permits are required. There is no representative present for Grand Cru Wine Tours LLC.

Motion to postpone a decision on this application until the owner of the company can be available to answer questions: Mr. Case

Seconded by: Mr. Putman

Motion passed unanimously.

- **Lakeside Airporter**

Request: 2 Executive Sedan Reservation Only permits

Recommendation: Approve application for 2 Executive Sedan Reservation Only permits

Discussion: They provide transportation from Lake Oswego to the Airport. They would like permits so they can provide their customers the return trip to Lake Oswego.

Motion to approve the application for reservation only transportation between Lake Oswego and PDX only: Mr. Corona

Seconded by: Ms. Bauhs

2 Opposed: Mr. Putman, Mr. Diamond. Motion carried.

- **Northwest Navigator**

Request: 2-4 Executive Sedan permits

Recommendation: Approve 2 Executive Sedan permits

Discussion: Joe Gillis, representing Northwest Navigator, was present to address the Board. These permits would be used to supplement their motor coach service that they currently provide. Their clients are requesting smaller vehicles for transport of their executives. These smaller vehicles will be a more environmentally responsible option to avoid carrying 15 passengers in a 30 passenger bus. The vehicles they would purchase would be luxury vehicles with high end amenities.

Motion to approve 2 Executive Sedan permits for luxury vans of SUVs: Mr. Case

Seconded by: Mr. Corona

1 opposed: Mr. Putman. Motion carried.

- **Sochi Transfer**

Request: 1 Executive Sedan permit

Recommendation: Deny

Discussion: Applicant did not give sufficient evidence of increased demand to necessitate an additional permit.

Motion to deny application: Mr. Corona

Seconded by: Ms. Bauhs

Motion passed unanimously

Motion to consider the fuel surcharge agenda item during this meeting and postpone the remainder of the agenda items to a meeting in February. The

agenda for the February meeting would include Requests for Relief from the Moratorium that were not voted on at this meeting: Mr. Case
Seconded by: Mr. Corona

Motion passed unanimously

Applications for Relief from the Moratorium held over from this meeting which will be considered at the February meeting:

21st Century Limousine
Amore Executive
Aspen Limo Tours
Grand Cru Wine Tours LLC

Green Cab
Portland Taxi
New Rose City Cab Company

8. Request for Fuel Surcharge

Motion to approve \$.10/per mile Fuel Surcharge to taxi rates: Mr. Putman
Seconded by: Mr. Case

Mr. Diamond recommended the fuel surcharge not be instituted based on the feedback he has heard from drivers. He has heard that some feel that taxi companies raise the kitty in reaction to a fuel surcharge being instituted. There is also concern that higher fares may scare off customers. Pat Montgomery from New Rose City Cab stated that the fuel costs really impact drivers and that the fuel surcharge should be instituted. It was mentioned that even if the fuel charge is allowed cab companies have the option of not raising their rates. This led to discussion about the effects of that rule possibly negatively impacting customers. The inconsistent rates could cause confusion with customers.

1 Nay: Mr. Diamond. Motion carries

9. Adjourn

Motion to adjourn: Mr. Ochoa
Seconded by: Mr. Case

Motion passed unanimously

Meeting was adjourned at approximately 4:00pm. The next meeting will be in February to complete this meeting's agenda (later scheduled for February 23, 2011).

Minutes submitted by:
Patrick Kramer, Regulatory Program Specialist