



Orange County Taxi Administration Program Steering Committee and Safety Committee Agenda

Thursday, July 19, 2012, 12:00 Noon
11800 Woodbury Road., 2nd floor, Room # 219-220
Garden Grove, CA 92843

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact OCTAP at (949) 654-8294, no less than two (2) business days prior to this meeting to enable OCTAP to make reasonable arrangements to assure accessibility to this meeting.

Agenda Descriptions

The agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Committees may take any action that they deem to be appropriate on the agenda item and are not limited in any way by the notice of the recommended action.

Public Comments on Agenda Items

Members of the public may address the Committees regarding any item. Please complete a speaker's card and submit it to the Steering Committee Chairman, or notify OCTAP staff regarding the item number on which you wish to speak. Speakers will be recognized by the Chairman at the time the agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes.

Public Availability of Agenda Materials

All documents relative to the items referenced in this agenda are available for public inspection at www.octap.net or through the OCTAP office at 11903 Woodbury Road, Garden Grove, California.

Call to Order and Introductions

Consent Calendar (Items 1 through 3)

All matters on the Consent Calendar are to be approved in one motion unless a Committee Member or member of the public requests a separate action on a specific item.

1. Approval of Minutes

Of the April 19, 2012 Combined Safety Committee and Steering Committee Meeting

2. Outreach Information on OCTAP Regulations Section 8.9.1 "Smoking Prohibited"

3. Staff Information Items – Receive and File the:

- a. Quarterly Operations and Financial Reports
- b. Administrative Fines Issued by OCTAP (July 2011 to June 2012)
- c. OCTAP Office Procedures

Regular Calendar

4. Consider Public Hearing for Taxi Fare Increase

At this time, members of the Committees may schedule a public hearing for the next meeting to consider a taxi fare increase.

5. Taxicab Color Scheme

Seeking clarification regarding OCTAP Regulation Section 8.2.5 "Color scheme, name, monogram...shall not be in conflict with other taxicab color scheme."

6. Discussion Related to Advertising on Taxicab Vehicles

7. Committees Representatives Reports

At this time, members of the Committees may report on any items within the subject matter jurisdiction of the Steering Committee and Safety Committee. No action may be taken on off-agenda items unless authorized by law.

8. Public Comments

At this time, members of the public may address the Committees regarding any items within the subject matter jurisdiction of the Steering Committee and Safety Committee. No action may be taken on off-agenda items unless authorized by law. Comments shall be limited to three (3) minutes per speaker, unless different time limits are set by the Chairman subject to the approval of the Steering Committee.

9. Adjournment

The next regularly scheduled meeting of the OCTAP Joint Meeting of the Steering Committee and Safety Committee will be held at 12:00 p.m. on October 18, 2012 at 11800 Woodbury Road., Annex 2nd floor, Room #219-220, Garden Grove, CA 92843.

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Steering Committee and Safety Committee Members Present

City of Aliso Viejo Safety and Steering Committees, David Haldeman
 City of Anaheim Safety Committee, Jesse Penunuri
 City of Anaheim Steering Committee, Matt Letteriello
 City of Brea Safety and Steering Committees, Mark Kane
 City of Buena Park Safety Committee, Ben Hartley
 City of Costa Mesa Safety Committee, Chris Brunt
 City of Costa Mesa Steering Committee, Raja Sethuraman
 City of Cypress Safety and Steering Committees, Rod Cox
 City of Fountain Valley Safety Committee, Rob Sweaza
 City of Fountain Valley Steering Committee, Matt Mogensen
 City of Fullerton Safety and Steering Committees, Lenny Ledbetter
 City of Garden Grove Steering Committee, Pam Gillis
 City of Huntington Beach Safety and Steering Committees, Jon Haveht
 City of Irvine Safety Committee, Scott Cronos
 City of Irvine Steering Committee, Matt August
 City of Laguna Beach Safety Committee, Robert Gifford
 City of Laguna Hills Safety and Steering Committees, Diana Rouwenhorst
 City of Laguna Woods Safety and Steering Committees, Douglas Reilly
 City of La Habra Safety and Steering Committees, Jim Tigner
 City of Lake Forest Steering Committee, James Wren
 City of Los Alamitos Safety and Steering Committees, Bruce McAlpine
 City of Mission Viejo Steering Committee, Brett Canedy
 City of Newport Beach Safety Committee, Jeff Lu
 City of Newport Beach Steering Committee, Monique Navarrete
 City of Orange Safety Committee, Jeff Gray
 City of Orange Steering Committee, Ken Adams
 City of Placentia Safety and Steering Committees, Michael Moore
 City of San Juan Capistrano Safety Committee, George Miller
 City of Santa Ana Safety Committee, Arthur Morales
 City of Santa Ana Steering Committee, Douglas McGeachy
 City of Seal Beach Steering Committee, Robert Luman
 City of Stanton Safety and Steering Committees, Kurt Bourne
 City of Tustin Safety Committee, Larry Seja
 City of Tustin Steering Committee, Clark Galliher
 City of Yorba Linda Safety Committee, Mark Kane
 County of Orange Safety Committee, Adam Moore
 County of Orange Steering Committee, Robert Holden
 Orange County Tourism Industry Steering Committee, Ann Gallagher
 *Large Taxi Cab Company Representative Steering Committee, William Gray
 *Large Taxi Cab Company Representative Steering Committee Alternate, Larry Slagle
 Small Taxi Cab Company Representative Steering Committee, Patrick Dreis

*Both members served, not concurrently, due to the member's late arrival.

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Others Present:

Sue Zuhlke, OCTAP
Patrick Sampson, OCTAP
Jo-Ann Gadia Bravo, OCTAP
Richard Girard, OCTAP
James Donich, Esquire, OCTA Legal Counsel
Tim Finneran, OCSD/OCTA
Paul White, OCSD/OCTA
Mike Crouch, OCSD/OCTA
Roger Williams, OCSD/City of San Juan Capistrano
Anthony Lee, Orange County Weights and Measures
Konstantinos Reditis, 24/7 Yellow Cab – 24/7 Taxi Cab
Tim Conlon, California Yellow Cab
Gulzar Singh, California Yellow Cab
Larry Slagle, Yellow Cab of Greater Orange County
Chris Lamb, Yellow Cab of Greater Orange County
Mehdi Sarreshtedari, Affordable Taxi
Jay Shukr, County Cab
Denise Patino, County Cab
George Kirakosian, Checker Cab
Sherry Kirakosian, Checker Cab
Pavlos Giangos, Metro Taxicab
Sam Ibrahim, 1st Taxi Road
Dani Zambrano, Jon Fleets

Call to Order

Chairman Letteriello called the April 19, 2012, regular meeting of the Orange County Taxi Administration Program (OCTAP) Steering Committee and Safety Committee to order at 12:10 p.m.

Introductions

Members of the committees and others in attendance introduced themselves for the record.

Consent Calendar (Items 1 and 2)

Chairman Letteriello stated that matters on the Consent Calendar would be approved in one motion unless a Committee Member or a member of the public requested separate action on a specific item.

Orange County Taxi Administration Program (OCTAP)
Steering Committee and Safety Committee Meeting Minutes – April 19, 2012

1. Approval of Minutes

A motion was made by Member Doug Reilly (Laguna Woods), seconded by Member Mark Kane (Brea), and declared passed by those present, to approve the minutes of the Orange County Taxi Administration Program Steering Committee and Safety Committee meeting of January 19, 2012.

2. Staff Information Items

A motion was made by Member Doug Reilly (Laguna Woods), seconded by Member Mark Kane (Brea), and declared passed by those present, to receive and file the staff information items identified below (a through c).

- a. Quarterly Operations and Financial Reports
- b. Implementation of the Required Interior Information Card
- c. Exterior Vehicle Markings and Color Scheme Documentation

Regular Calendar

3. Clarification of Regulation Section 8.9.1 “Passenger Compartment...Free of Offensive Odors”

Questions were raised by several Committee Members and members of the public. Committee Member Navarrete, Newport Beach, asked if any driver rights would be violated. Committee Member Dries, Small Company Representative, asked if there is a metering device to determine the odor in a vehicle. Member of the public Mehdi Sarreshtedari, Affordable Taxi, raised concerns that drivers may attempt to abuse the intent of the regulations by holding their lit cigarette outside the window of the taxicab. Member of the public Konstantinos Roditis, 24/7 Yellow Cab, asked if the issue had already been addressed in a previous subcommittee.

James Donich, Orange County Transportation Authority (OCTA) Legal Counsel, stated that there would be no violation of individual rights due to the fact that the taxicab is considered a workplace; and that each agency has the ability to regulate taxicabs. Larry Slagle, Large Taxicab Company Representative Alternate, added that his company’s legal counsel has determined that taxicabs are considered a workplace, and therefore subject to no smoking laws.

A motion was made by Member Doug Reilly (Laguna Woods), seconded by Member Ann Gallagher (Orange County Tourism Industry), and declared passed by those present, to approve clarifying language to OCTAP Regulation section 8.9.1 as follows:

“Passenger compartment, driver compartment, and trunk or luggage area shall be clean and free of foreign matter, offensive odors and litter. Smoking in a taxicab vehicle will leave an odor that may be considered offensive to others. Smoking of any kind, whether held by a passenger or driver inside or outside the vehicle, is prohibited inside any OCTAP permitted vehicle.”

Committee Member Patrick Dreis, Small Taxicab Company Representative, voted in opposition.

4. Proposed Draft Fiscal Year 2012-13 Budget

Sue Zuhlke, Director of Motorist Services and Special Projects, presented a summary of the proposed fiscal year 2012-13 OCTAP budget. Ms. Zuhlke indicated that, based on the proposed budget, staff plans to make a recommendation to the OCTA Board of Directors to waive the mandated four percent per year increase of OCTAP permit fees for fiscal year 2012-13.

Member Dreis, Small Taxicab Company Representative, raised concerns that seemed to him that OCTAP’s costs and expenses are going up. Mr. Dreis asked about the percentage of fine revenue versus regular permit fee revenue. Member Gray, Large Taxicab Company Representative, raised questions about staff availability for inspections, especially on Fridays, and the desire to allow drivers to pick up permits at OCTAP. Member of the public Konstantinos Roditis, 24/7 Yellow Cab, asked if we anticipate an increase in vehicle permit fees. Member of the public Pavlos Giangos asked who decides salary amounts for OCTAP staff and who determines the number of OCTAP staff.

James Donich, OCTA Legal Counsel, stated that OCTA is a contractor for all member agencies. Mr. Donich stated that the OCTA Board of Directors approves staffing levels, and annually approves a salary resolution that determines potential wage adjustments for that year.

Sue Zuhlke, Director of Motorist Services and Special Projects, stated that she would be meeting with the OCTA Chief Executive Officer to request that fees not be increased for the next year, and that staff would prepare a detailed revenue report covering the last year and a report on OCTAP operational standards for the next committee meeting.

5. Non-Emergency Medical Transportation Subcommittee Report

Report by Subcommittee Chairman Doug Reilly

Subcommittee Chairman Reilly, Laguna Woods, presented a report of the first subcommittee meeting on March 12, 2012, and stated that the subcommittee has no recommendation at this time.

Member Gray, Large Taxicab Company Representative stated that as part of the subcommittee, he located precedence where the County of Riverside deemed non-emergency medical transportation providers as taxicabs and began regulating them at the county level.

Member of the public Tim Conlon, California Yellow Cab, indicated that he has a letter from a former CPUC attorney that clearly outlines the intent of CPUC exemption for non-emergency medical transportation providers, and that the issue is being over-complicated. Mr. Conlon stated that if a service is charging people to go from point A to point B, you are either a CPUC, TCP operator, or a taxicab; and that there is no middle ground. Subcommittee Chairman Reilly stated that he would like to have Tim Conlon at the next subcommittee meeting (Mr. Conlon agreed).

Member of the public Pavlos Giangos, spoke to the committees and stated that OCTAP should have a hotline to report bandit cabs rather than trying to call the police.

Steering Committee Chairman Letteriello accepted and filed the subcommittee report.

6. Committees Representatives Reports

Steering Committee Chairman Letteriello announced that members of the Committees may report on any items within the subject matter jurisdiction of the Safety Committee and Steering Committee. No action may be taken on off-agenda items unless authorized by law.

Member Dreis, Small Taxicab Company Representative, spoke concerning the OCTAP Quarterly Reports and stated he did not understand why there are no reports of bandit cabs. Mr. Dreis asked for a report from staff on the number of bandit cabs prosecuted or fines compared to the amount of fines being levied against the taxicab companies in Orange County. Sue Zuhlke, Director of Motorist Services and Special Projects, stated that OCTAP could not provide this information because OCTAP does not regulate or prosecute bandit cab; and that we can only regulate permitted companies. Ms. Zuhlke stated that reports of bandit activities are

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turned over to our law enforcement partners in each city, and prosecuted at the City level.

Member Mr. Dreis commented that he only sees thirteen complaints over a period of 3 months, and that he feels that the taxicab industry is doing a fantastic job due to the low complaint rate. Mr. Dries stated, seeing that so few complaints were received, OCTAP should be looking for other stuff to do.

Member Gray, Large Taxicab Company Representative, requested an agenda item for the next meeting concerning expanded OCTAP hours on Fridays, with a possible surcharge or convenience fee, to make up for the expanded time in the budget. Mr. Gray also asked that the option of companies or drivers to pick up permits be considered.

7. Public Comments

Steering Committee Chairman Letteriello announced that members of the public may address the Committees regarding any items within the subject matter jurisdiction of the Steering Committee and Safety Committee. No action may be taken on off-agenda items unless authorized by law. Comments shall be limited to three (3) minutes per speaker, unless different time limits are set by the Chairman subject to the approval of the Steering Committee.

Member of the public Gulzar Singh, OCTAP permitted taxicab driver, raised concerns of TCP operators stealing business away from taxicab drivers.

8. Adjournment

The meeting was adjourned at 1:27 p.m. The next regularly scheduled meeting of the OCTAP Joint Meeting of the Steering Committee and Safety Committee will be held at 12:00 p.m. on July 19, 2012 at 11800 Woodbury Road., OCTA Garden Grove Bus Base Annex, 2nd floor, Room #219-220, Garden Grove, CA 92843.

Meeting signs will be posted on the day of the meeting. For additional information on meeting location, or for directions, please contact OCTAP at OCTaxi@octa.net or (949) 654-8294.



July 19, 2012

To: OCTAP Steering and Safety Committees

From: Jo-Ann Gadia Bravo, OCTAP Deputy Administrator

Subject: **Outreach Information on OCTAP Regulations Section 8.9.1
“Smoking Prohibited”**

On April 19, 2012, the Orange County Taxi Administration Program (OCTAP) Steering Committee approved clarifying language to OCTAP Regulations Section 8.9.1, that prohibits smoking inside a taxicab. Section 8.9.1., with the clarifying language, reads as follows:

“Passenger compartment, driver compartment, and trunk or luggage area shall be clean and free of foreign matter, offensive odors and litter. Smoking in a taxicab vehicle will leave an odor that may be considered offensive to others. Smoking of any kind, whether held by a passenger or driver inside or outside the vehicle, is prohibited inside any OCTAP permitted vehicle.”

On May 15, 2012, OCTAP notified all taxicab companies about the clarifying language, which is now in effect with all companies, drivers, and vehicles subject to enforcement.

To ensure sufficient notification, OCTAP developed outreach material that was distributed to all drivers that conduct business at the OCTAP office, and provided flyers to all taxicab companies with the request that they post and distribute the flyers to all their affiliated drivers. In addition, OCTAP inspectors distributed flyers during field enforcement and other outreach activities.

Attached is a copy of the flyer that can also be accessed in our website at www.octap.net.

Starting on September 1, 2012, OCTAP will start issuing administrative fines to all taxicab drivers and companies that are found in violation of this regulation.

Attachment:

1. Outreach Material (Flyer)



May 17, 2012

To All OCTAP Permitted Taxicab Companies and Drivers

IMPORTANT NOTICE

On April 19, 2012, the Orange County Taxi Administration Program (OCTAP) Steering Committee adopted clarifying language to OCTAP Regulation Section 8.9.1, "Offensive Odors." The clarifying language reads as follows:

"Passenger compartment, driver compartment, and trunk or luggage area shall be clean and free of foreign matter, offensive odors, and litter. Smoking in a taxicab vehicle will leave an odor that may be considered offensive to others. Smoking of any kind, whether held by a passenger or driver inside or outside the vehicle, is prohibited inside any OCTAP permitted vehicle."

THIS MEANS THAT SMOKING OF ANY KIND IS PROHIBITED WHILE OPERATING OR TRAVELING IN AN OCTAP PERMITTED TAXICAB VEHICLE.

As smoking will leave an odor at any time, smoking is prohibited whether the vehicle is in service or out of service. The clarifying language is effective immediately. All companies, drivers, and vehicles are required to comply.

For a copy of the OCTAP Regulations, please visit us at www.octap.net. or visit the OCTAP office at 11903 Woodbury Road, Garden Grove, CA 92843 from 9 a.m. to 2 p.m. Monday through Thursday.



July 19, 2012

To: OCTAP Steering and Safety Committees

From: Jo-Ann Gadia Bravo, Deputy OCTAP Administrator

Subject: OCTAP Quarterly Operations and Financial Reports

Attached are the Orange County Taxi Administration Program (OCTAP) Quarterly Operations and Financial Reports for the period of April 2012 through June 2012. The financial report provides a summary of revenue and expenditures for March 2012 through May 2012. June 2012 is not included in the report because June financial statements are not available until after the committees meet.

Please feel free to provide any comments or suggestions that you may have regarding report content or report format to OCTAP staff.

Attachments:

1. OCTAP Quarterly Operations Report – April 1, 2012 through June 30, 2012
2. OCTAP Financial Report, Fiscal Year 2011-12, March 2012 - May 2012

**OCTAP Quarterly Operations Report
April 2012 to June 2012**

OCTAP Revenue	Apr 2012	May 2012	Jun 2012	Quarter Total
Company Permit Fees	\$5,700	\$9,970	\$2,850	\$18,520
Annual Vehicle Inspection	\$35,841	\$53,734	\$49,323	\$138,898
Vehicle Re-inspection Fees	\$1,556	\$2,628	\$1,721	\$5,905
Vehicle Permit Late Fees	\$1,393	\$928	\$1,247	\$3,568
Vehicle Permit Transfer Fee	\$108	\$54	\$0	\$162
Vehicle Permit Replacement	\$0	\$54	\$0	\$54
Annual Driver Permit Fees	\$16,050	\$13,591	\$14,667	\$44,308
Driver Permit Re-Instatement	\$40	\$100	\$40	\$180
Driver Replacement Fees	\$65	\$125	\$90	\$280
Driver Permit Transfer Fees	\$360.60	\$401	\$500	\$1,262
Driver Permit Late Fees	\$580	\$377	\$928	\$1,885
Administrative Fines	\$725	\$100	\$0	\$825
Revenue Total	\$62,418.60	\$82,062	\$71,366	\$215,846.60

OCTAP Statistics	Apr 2012	May 2012	Jun 2012	Average or Total
Company Permits	33	33	34	33
Vehicle Permits	995	1027	1044	1022
Vehicle Re-inspections	13	25	13	17
Driver Permits	1,398	1,426	1420	1,415
Complaints and Incidents	4	6	2	12
Random Inspections	21	38	39	98
Random Inspection % Failed	19%	16%	10%	14%
Appeals Hearing	3	2	1	6
Appeals Hearing Upheld %	100%	50%	0%	67%
Administrative Actions	8	7	17	32
OCTAP Field Enforcement	67	38	112	217
Permit Action Taken %	0%	0%	9%	5%

Complaints And Incidents	Apr 2012	May 2012	Jun 2012	Total
Bandit Report	2	1	0	3
Fare Dispute	0	0	0	0
Lost and Found	0	0	0	0
Taxicab Driver Complaint	1	3	2	6
Taxicab Company Complaint	0	2	0	2
Other * (See Comments)	1	0	0	1
Total	4	6	2	12

* Other includes : No Business Tax License.

Complaint and Incident Areas Include:

Driver parking repeatedly in front of the Santa Ana Jail; permitted drivers lending their leased permitted vehicles to an unpermitted driver; smoking in the cab; passenger lost her money while in the cab; vehicle condition; duplicating driver permit; stealing cab fares from other drivers; driver refused to accept credit card as a form of payment; driver giving inappropriate gesture to the passenger; and bandit taxicab advertisement.

Random Inspections	Apr 2012	May 2012	Jun 2012	Total
24/7 Yellow Cab	1	3	1	5
A Taxi Cab	3	8	6	17
ABC Ride Taxi	1	0	1	2
Active Taxi	1	0	1	2
CABCO	6	7	12	25
Checker Cab Co.	1	0	0	1
Ciao Taxi	1	0	0	1
County Cab	0	3	0	3
Discount Cab	1	0	1	2
Fiesta Taxi	0	1	0	1
Huntington Beach Yellow	1	1	3	5
Long Beach Yellow Cab	0	2	0	2
Metro Taxi	0	1	2	3
Orange County taxi	1	0	0	1
Orange County Yellow Cab	0	1	0	1
Pier Yellow Cab	0	1	1	2
Saigon Taxi	1	0	0	1
Surf Side Taxi	0	0	1	1
Union Taxi	0	1	0	1
USA Green Group	1	1	0	2
YCGOC	2	8	10	20
Total	21	38	39	98
Random Inspection In-Service Failures	4	3	2	9
Random Inspection Out-Of-Service Failures	0	3	2	5
% Failed	19%	16%	10%	14%

Vehicles failed random inspections in the following areas:

Taxi meter was defective, it does not show the full amount of the fare; missing paper seal on the taxi meter; missing hubcaps; rear head rest missing; broken seat belts; left rear door is non-operational; missing molding on the side of the right front door; damaged front bumper; chipped paint; main brake lights and all windows are non-operational; 3rd brake light, left headlight, and high beam light were not working; interior lights do not auto-activate; license plate lights are not working; right side reverse light not working; parking brake does not hold in reverse; paint in poor condition; missing rear interior information card; trunk and driver area were cluttered with personal effects; vehicle interior and exterior need cleaning and washing; driver permit not posted; driver did not have the capability to electronically process credit cards; no exterior markings; no proof of insurance; and no proof of vehicle registration.

Appeals Hearings	Apr 2012	May 2012	Jun 2012	Total
Denials	1	0	1	2
Revocations	1	2	0	3
Suspensions	0	0	0	0
Fines	1	0	0	1
Violations	0	0	0	0
Other *	0	0	0	0
Total	3	2	1	6
Actions Upheld On Appeal	3	1	0	4
% Upheld	100%	50%	0%	67%

* Other includes :

Appeals hearing reversals occurred in the following areas:

In May and June, the committee overturned the revocation and a denial of a driver permit.

Administrative Actions	Apr 2012	May 2012	Jun 2012	Total
Administrative Hearing (No Action Taken)	0	0	0	0
Warnings	2	1	8	11
Fines	3	2	6	11
Suspensions (Includes suspension with fine)	0	1	1	2
Denials	2	1	2	5
Revocations	1	2	0	3
Total	8	7	17	32
Administrative action areas include: Failed criminal background check; failed driver license check; failed pre-employment drug test; failed to disclose criminal convictions; failure to submit to random drug test; failure to provide 24-hour live human response telephone service; failure to activate taximeter while in agency service; driver permit not properly posted; for covering pertinent information on the driver permit; vehicle interior condition; possession of other drivers driver permit; no proof of insurance; driver failure to cooperate with law enforcement officer during a random vehicle inspection; advertising violation; and late renewal on company permit.				

Other Enforcement	Apr 2012	May 2012	Jun 2012	Total
Company Compliance Check	1	10	5	16
Web Content Checks	6	0	0	6
Public Outreach	6	2	2	10
Bandit Enforcement	2	10	3	15
Observation Or Contact (No Violation/Warning Issued)	52	16	93	161
Warnings Issued	0	0	4	4
Violations Issued	0	0	5	5
Total	67	38	112	217
% OCTAP Permit Action	0%	0%	9%	5%
Activity Highlights: Company Compliance Checks: 24-hour Live Human Dispatch Check and DMV Pull Notice Check. Public Outreach: OCTAP staff spoke to the representative of the organization and discussed taxicab activities and problems that they may have from taxicab operators, and distributed public outreach materials and business cards to the following locations. Anaheim Marriott Hotel; Knott's Hotel in Buena Park; Anaheim Sheraton Hotel; Double Tree at the Block of Orange; and Best Western PCH at Huntington Beach. OCTAP staff attended the Transit Security Coalition Meeting; and the Crime Alert Network, Anaheim Tourism Oriented Policing (TOP) and conducted a presentation about OCTAP background and the permits issued to the operators. Bandit Enforcement: OCTAP staff contacted several Non-Emergency Medical Transportation Providers that supposedly provide services that would be other than medical services and are not licensed by the California Public Utilities Commission (CPUC). Mission Viejo and Transit Police Sheriffs Deputies conducted a sting operation, citing three companies and drivers for operating outside of their authorized capacity. Joint enforcement with John Wayne Airport officers and staff.				

**Orange County Tax Administration Program
Financial Report
Fiscal Year 2011-12 Third Quarter
March 2012 - May 2012**

	Budgeted	March 2012	April 2012	May 2012	Total to Date	Budget to Actual Under/(Over)
Revenues						
Company Permits	\$43,836.00	\$7,298.00	\$5,700.00	\$9,970.00	\$64,176.00	(\$20,340.00)
Vehicle Permits	\$389,690.00	\$39,476.00	\$38,898.00	\$57,398.00	\$432,732.00	(\$43,042.00)
Driver Permits	\$163,855.00	\$15,994.00	\$17,095.60	\$14,594.00	\$168,581.60	(\$4,726.60)
Interest/Investment Earnings	\$8,381.00	(\$1,180.06)	\$1,887.94	\$1,275.81	\$12,455.38	(\$4,074.38)
Other Misc. Revenue & Fines	\$1,000.00	\$100.00	\$725.00	\$100.00	\$4,425.00	(\$3,425.00)
Use of Reserves	\$67,037.00				\$0.00	\$67,037.00
Total Revenues	\$673,799.00	\$61,687.94	\$64,306.54	\$83,337.81	\$682,369.98	(\$8,570.98)

	Budgeted	March 2012	April 2012	May 2012	Total to Date	Budget to Actual Under/(Over)
Expenditures						
Salaries & Benefits	\$339,316.00	\$27,897.88	\$27,206.96	\$28,106.14	\$313,548.01	\$25,767.99
Professional Services - Legal	\$25,000.00	\$2,313.00	\$3,598.00		\$16,822.30	\$8,177.70
Professional Services - Other	\$40,000.00				\$14,593.25	\$25,406.75
Investment Fee - Portfolio Manager	\$611.00	\$161.27		\$155.09	\$488.88	\$122.12
Internet Expenses	\$500.00				\$250.20	\$249.80
Travel	\$2,218.00				\$0.00	\$2,218.00
Mileage	\$45.00			\$82.14	\$82.14	(\$37.14)
Training & Registration Fees	\$600.00				\$0.00	\$600.00
Printing	\$1,000.00				\$0.00	\$1,000.00
Office Supplies & Equipment	\$26,865.00	\$995.14	\$683.28	\$1,183.61	\$11,033.91	\$15,831.09
Subscriptions, Books, & Periodicals	\$500.00				\$0.00	\$500.00
Dues & Memberships	\$989.00				\$919.00	\$70.00
Business Expenses	\$1,955.00		\$118.53	\$362.60	\$1,568.93	\$386.07
General Equipment	\$2,535.00	\$2,556.14			\$2,556.14	(\$21.14)
Administrative Services	\$205,770.00	\$12,380.87	\$12,380.87	\$12,380.87	\$136,189.57	\$69,580.43
Security Services	\$25,895.00	\$4,231.32	\$2,115.66	\$4,261.57	\$23,284.30	\$2,610.70
Total Expenses	\$673,799.00	\$50,535.62	\$46,103.30	\$46,532.02	\$521,336.63	\$152,462.37

Change in Net Assets

\$11,152.32	\$18,203.24	\$36,805.79
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Beginning Fund Balance

\$654,897.83	\$666,050.15	\$684,253.39
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Change In Net Assets

\$11,152.32	\$18,203.24	\$36,805.79
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Ending Fund Balance

\$666,050.15	\$684,253.39	\$721,059.18
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July 19, 2012

To: OCTAP Steering and Safety Committees

From: Jo-Ann Gadia Bravo, OCTAP Deputy Administrator

Subject: Administrative Fines Issued by OCTAP

At the April 19, 2012, combined quarterly meeting of the Steering and Safety Committees, OCTAP was asked to provide information regarding administrative fines issued by OCTAP. The attached report shows all fines issued to companies and drivers during fiscal year 2011-12 (July 2011 through June 2012).

Attachment:

1. OCTAP Fines Issued FY 2011-12

Fiscal Year 2012 Administrative Fines

Section	Description	Number Issued	Fine Amount	Total Fines
5.10.2	Allowing Operation of a Taxicab by an Unpermitted Driver	1	\$250	\$250
9.6	No 24 Hour Live Human Response Dispatch Service	2	\$250	\$500
8.21.5	Expired Meter Seal	3	\$250	\$750
5.10.1	Company Permit Late Renewal Application	2	\$250	\$500
9.4	Not Activating Meter while Transporting Passengers	1	\$100	\$100
8.17 and / or 8.26	No (In Vehicle) Proof of Current Insurance and / or Vehicle Registration	11	\$100	\$1,100
6.8	No Valid Driver Permit in Possession While Operating	2	\$100	\$200
6.14.4	OCTAP Non-Cooperation During a Field Contact or Inspection - Driver	2	\$100	\$200
8.10.3	Driver Permit Not Displayed	25	\$50	\$1,250
Adjustments	Reduced Under Appeal		-\$25.00	-\$25.00
Totals		49		\$4,825



July 19, 2012

To: OCTAP Steering and Safety Committees
From: Jo-Ann Gadia Bravo, OCTAP Deputy Administrator
Subject: **OCTAP Office Procedures**

At the April 19, 2012, combined quarterly meeting of the Steering and Safety Committees, it was suggested OCTAP consider options that will allow taxicab companies to pick up driver permits affiliated with their respective companies, accept cash as a form of payment, and expand office and vehicle inspection hours.

DRIVER PERMIT DISTRIBUTION

Taxicab companies, as a mechanism to accurately track driver permits, have requested that driver permits be issued through the permitted companies, instead of being issued directly to the driver. Driver permits were originally mailed to taxicab companies via the U.S. Postal Service; this procedure sometimes causes delays in distribution.

To respond to the above request, OCTAP determined that it will be more efficient if driver permits are processed by a specific time each week; thus, offering companies the option of picking up driver permits during specific office hours. OCTAP will ensure that driver permits are processed each Monday for pick-up, between 9:00 a.m. and 9:30 a.m. Driver permits that are not picked-up by 9:30 a.m. will be mailed through the U.S. Postal Service.

A notification letter regarding this change in procedure was sent to all permitted taxicab companies on May 21, 2012. The process for driver permit transfers and reinstatements will remain the same. Permits for transfer or reinstatement will be issued on the next OCTAP business day.

METHOD OF PAYMENT

As a security measure and to simplify business processes, OCTA will only accept money orders or company checks as a method of payment. Money orders and company checks are the easiest and most secure payment instruments to manage and track. Because each check has a unique check number, it can be easily

matched with a specific transaction for record keeping and audit purposes. Maintenance of cash payment within the premises will create added security risk. Additionally, to receive credit card payments, OCTAP will have to establish and maintain merchant accounts and be exposed to additional cost and risk. Overall, this can lead to increased costs and eventually increased driver fees.

OCTA, through its Board of Directors, has determined that money orders and checks are the only allowable OCTAP payment transaction.

EXPAND OFFICE HOURS AND VEHICLE INSPECTION HOURS

Currently, the OCTAP walk-up window is open for business from 9:00 a.m. through 2:00 p.m., Monday through Thursday. This schedule has generally proven sufficient to allow for the scheduling of routine annual inspections and reinspections, and processing of driver permit applications. The scheduled hours also allow sufficient time for staff to perform back-office functions that are required as part of managing the permitting process. These functions include processing drug and alcohol results, processing Department of Justice background investigation results, monitoring vehicle insurance policies, processing permit applications, maintaining the OCTAP database, creating driver permits, performing and monitoring of enforcement activities, and other activities related to operations.

OCTAP regularly monitors the inspection schedule to ensure that inspections are available within a reasonable timeframe. It also periodically allows additional time beyond the regular scheduled hours (early, late, or Friday appointments) in order to ensure a reasonable turn-around for inspection requests or driver permit processing.

As there are a number of back-office processes required to complete the permitting process within limited number of staff hours, OCTAP must manage staff time effectively in order to maintain and reduce costs. OCTAP will continue to monitor the inspection schedule to ensure inspections are available within a reasonable timeframe (a few business days). OCTAP will continue to manage driver permit processing appropriately to ensure a reasonable turn-around time for areas that are within OCTAP control (background check results are not within OCTAP control). OCTAP will continue to schedule additional time outside of the regular posted schedule, as necessary, to ensure a timely turn-around.

OCTAP has no plans to expand OCTAP office hours at this time, as doing so on a regular basis would create additional expense to permit holders, and likely require an increase in OCTAP fees to cover the expense.



July 19, 2012

To: OCTAP Steering and Safety Committees
From: Patrick Sampson, OCTAP Administrator
Subject: Consider Scheduling Public Hearing for Taxicab Fare Increase

Overview

The Orange County Taxi Administration Program (OCTAP) Regulations require each member agency to accept the taxi fare schedule approved by the OCTAP Steering Committee. The OCTAP Administrator conducts a regular study of comparable taxicab fares, along with Consumer Price Index (CPI) and other consumer data, and presents the findings and a recommendation to the OCTAP Steering Committee. The OCTAP Steering Committee, based on staff recommendations, may pursue changes to the approved taxi fare structure, after conducting a public hearing. There have been five fare adjustments approved by the OCTAP Steering Committee since it was established in 1998.

Background

On July 7, 2011, the OCTAP Administrator presented an Interim Fare Study to the OCTAP Steering Committee. Based on the OCTAP Administrator's recommendation, the Steering Committee directed staff to schedule a public hearing to allow the public to comment on the recommended change.

On October 6, 2011, during the regular OCTAP Steering Committee meeting, a public hearing was held to allow the public an opportunity to provide input on the proposed increase. No members of the public commented on the proposed fare increase. As there were not enough members to satisfy quorum requirements to conduct business, action on the item was postponed until the January 19, 2012, Committee meeting.

At the January 19, 2012, Committee meeting, the Committee did not approve the proposed taxicab fare increase, after receiving comments from at least one taxicab company that expressed its opposition to the fare increase. The comment stated that the economy is more financially challenged than it was four years ago, and increasing the fare would discourage riders to utilize taxi service.

Discussion

The OCTAP Steering Committee has been considering a taxi fare increase since July 2011. At the January 19, 2012, meeting, after receiving input from several taxicab operators who were concerned about the soft economy, the Steering Committee denied a fare increase, and asked staff to bring the item back for consideration at the July 19, 2012, Committee meeting.

The Steering Committee has previously approved methodology that includes consideration of the Consumer Price Index (CPI), average fuel cost, and surrounding area pricing when developing recommended rates for taxicab services in Orange County. Staff has updated CPI, average fuel cost, and surrounding area taxicab rates to reflect changes since the last report.

Should the committee wish to consider an increase to the taxicab meter rate, the OCTAP Administrator's recommendation would be to adopt a taxi fare increase averaging 4.87 percent as follows.

- \$3.00 for the flag drop and first 1/6 mile
- \$0.45 for each 1/6 mile, after the first 1/6 mile (\$2.70 Per Mile)
- \$31.00 per hour wait time

Recommendation

Should the committee wish to consider an increase to the taxicab meter rate, it must (1) establish a proposed rate schedule and (2) direct the OCTAP Administrator to schedule a public hearing for the next Steering Committee meeting on October 18, 2012.

If directed to schedule a public hearing to consider a fare increase, staff would recommend using the previously considered rate schedule, representing an average 4.87 percent increase.

Attachments:

1. Orange County Taxicab Meter Rate Historical Data
2. CPI Historical Data
3. Fuel Price Historical Data
4. Peer Review Summary

OCTAP Metered Rate Historical Data

Effective Date	Adjustment %	Flag Drop (Includes First Increment)	Metered Rate Per Increment				Wait Time (Per Hour)	Fare By Number Of Miles (Does Not Include Wait Time)							
								1 Mile	2 Mile	5 Mile	10 Mile	15 Mile	20 Mile	25 Mile	30 Mile
7/1/2001	OCTAP Start	\$2.30	\$0.30	ea	1/7	Mile	\$24.00	\$4.10	\$6.20	\$12.50	\$23.00	\$33.50	\$44.00	\$54.50	\$65.00
8/22/2003	4.89%	\$2.30	\$0.45	ea	1/5	Mile	\$26.00	\$4.10	\$6.35	\$13.10	\$24.35	\$35.60	\$46.85	\$58.10	\$69.35
8/27/2005	6.87%	\$2.40	\$0.40	ea	1/6	Mile	\$27.60	\$4.40	\$6.80	\$14.00	\$26.00	\$38.00	\$50.00	\$62.00	\$74.00
8/27/2006	4.63%	\$2.65	\$0.50	ea	1/5	Mile	\$28.80	\$4.65	\$7.15	\$14.65	\$27.15	\$39.65	\$52.15	\$64.65	\$77.15
5/24/2008	4.43%	\$2.95	\$0.65	ea	1/4	Mile	\$30.00	\$4.90	\$7.50	\$15.30	\$28.30	\$41.30	\$54.30	\$67.30	\$80.30
07/01/2011 Proposed	4.87%	\$3.00	\$0.45	ea	1/6	Mile	\$30.00	\$5.25	\$7.95	\$16.05	\$29.55	\$43.05	\$56.55	\$70.05	\$83.55

Increase Percentage														
8/22/2003	Average 4.89%						0.00%	2.42%	4.80%	5.87%	6.27%	6.48%	6.61%	6.69%
8/27/2005	Average 6.87%						7.32%	7.09%	6.87%	6.78%	6.74%	6.72%	6.71%	6.71%
8/27/2006	Average 4.63%						5.68%	5.15%	4.64%	4.42%	4.34%	4.30%	4.27%	4.26%
5/24/2008	Average 4.43%						5.38%	4.90%	4.44%	4.24%	4.16%	4.12%	4.10%	4.08%
07/01/2011 Proposed	Average 4.87%						7.14%	6.00%	4.90%	4.42%	4.24%	4.14%	4.09%	4.05%

CPI Historical Data

Year	Jan.	Feb.	Mar.	Apr.	May.	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Annual Avg.	% Change Dec to Dec	Annual Avg % Change
2007	202.4	203.5	205.4	206.7	207.9	208.4	208.3	207.9	208.5	208.9	210.2	210.0	207.3	4.1	2.8
2008	211.1	211.7	213.5	214.8	216.6	218.8	220.0	219.1	218.8	216.6	212.4	210.2	215.3	0.1	3.8
2009	211.1	212.2	212.7	213.2	213.9	215.7	215.4	215.8	216.0	216.2	216.3	215.9	214.5	2.7	-0.4
2010	216.7	216.7	217.6	218.0	218.2	218.0	218.0	218.3	218.4	218.7	218.8	219.2	218.1	1.5	1.6
2011	220.2	221.3	223.5	224.9	226.0	225.7	225.9	226.5	226.9	226.4	226.2	225.7	224.9	1.5	1.6
2012	226.7	227.7	229.4	230.1	229.8										

% Change													
Year	Jan.	Feb.	Mar.	Apr.	May.	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Annual Avg.
2007 to 2008	4.10%	3.87%	3.83%	3.79%	4.01%	4.78%	5.30%	5.10%	4.70%	3.53%	1.06%	0.09%	3.70%
2008 to 2009	0.03%	0.24%	-0.39%	-0.74%	-1.30%	-1.45%	-2.14%	-1.51%	-1.30%	-0.18%	1.81%	2.65%	-0.36%
2009 to 2010	2.56%	2.10%	2.26%	2.19%	1.98%	1.04%	1.22%	1.14%	1.13%	1.16%	1.13%	1.47%	1.61%
2010 to 2011	1.61%	2.06%	2.61%	3.07%	3.60%	3.60%	3.60%	3.80%	3.90%	3.50%	3.40%	3.40%	3.18%
2011 to 2012	2.84%	2.79%	2.58%	2.25%	1.68%								

2008 to 2011 Change	4.15%	4.35%	4.45%	4.48%	4.13%	3.06%	2.64%	3.29%	3.57%	4.35%	6.10%	6.84%	4.28%
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Fuel Cost Historical Data

Year	Jan.	Feb.	Mar.	Apr.	May.	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Annual Avg.	% Change Dec to Dec	Annual Avg % Change
2007	\$2.616	\$2.713	\$3.105	\$3.339	\$3.485	\$3.329	\$3.174	\$2.948	\$2.922	\$3.112	\$3.394	\$3.353	\$3.124		
2008	\$3.296	\$3.231	\$3.609	\$3.846	\$4.015	\$4.531	\$4.511	\$4.128	\$3.842	\$3.440	\$2.507	\$1.871	\$3.569	-44.20%	14.24%
2009	\$2.051	\$2.265	\$2.239	\$2.377	\$2.531	\$2.969	\$2.920	\$3.057	\$3.169	\$3.062	\$3.006	\$2.964	\$2.718	58.42%	-23.86%
2010	\$3.065	\$2.993	\$3.104	\$3.138	\$3.136	\$3.134	\$3.171	\$3.186	\$3.064	\$3.146	\$3.205	\$3.297	\$3.137	11.23%	15.42%
2011	\$3.389	\$3.576	\$4.002	\$4.206	\$4.229	\$3.965	\$3.844	\$3.823	\$3.971	\$3.890	\$3.848	\$3.648	\$3.866	10.65%	23.25%
2012	\$3.747	\$4.027	\$4.414	\$4.292	\$4.353	\$4.133							\$4.161		7.63%

% Change													
Year	Jan.	Feb.	Mar.	Apr.	May.	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Annual Avg.
2007 to 2008	25.99%	19.09%	16.23%	15.18%	15.21%	36.11%	42.12%	40.03%	31.49%	10.54%	-26.13%	-44.20%	14.24%
2008 to 2009	-37.77%	-29.90%	-37.96%	-38.20%	-36.96%	-34.47%	-35.27%	-25.94%	-17.52%	-10.99%	19.90%	58.42%	-23.86%
2009 to 2010	49.44%	32.14%	38.63%	32.02%	23.90%	5.56%	8.60%	4.22%	-3.31%	2.74%	6.62%	11.23%	15.42%
2010 to 2011	10.57%	19.48%	28.93%	34.03%	34.85%	26.52%	21.22%	19.99%	29.60%	23.65%	20.06%	10.65%	23.25%
2011 to 2012	10.56%	12.61%	10.29%	2.04%	2.93%	4.24%							7.63%

2008 to 2011 Change	13.68%	24.64%	22.31%	11.60%	8.42%	-8.78%							16.59%
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Using Department Of Energy Retail Gasoline Pricing information, monthly average, for "All Grades - Reformulated Areas" gasoline.



July 19, 2012

To: OCTAP Steering and Safety Committees

From: Patrick Sampson, OCTAP Administrator

Subject: Clarification of Regulation Section 8.2.5 "Color Scheme"

Overview

Orange County Taxi Administration Program (OCTAP) Regulation Section 8.2.5 states "the color scheme, name, monogram, or insignia used upon Permittee Taxicabs shall not be in conflict with and shall not imitate any other color scheme, name, monogram, or insignia used by any other Permittee." Staff recommends a temporary prohibition on permitting new companies with yellow as their primary color, or as part of the company name.

Background

OCTAP regulation language related to color schemes and vehicle markings is designed to assure that taxicab companies may be clearly identified by OCTAP, enforcement partners, and by customers. OCTAP permitted taxicab companies also rely on this regulation language to protect them from operators who may attempt to implement similar color schemes and markings, in an attempt to imitate established taxicab companies.

Discussion

Applicants for OCTAP company permits, as part of the approval process, are required to specifically identify taxicab vehicle color schemes, logos, and other taxicab vehicle markings.

Fourteen of the 34 permitted taxicab companies utilize yellow as their predominant color. Three companies utilize yellow as a secondary color, with fifty-percent or less of the vehicle being yellow. Recently, OCTAP has been required to negotiate with some company owners to modify their color scheme requests; adding, for example, a colored stripe or accent, in order to provide a more obvious distinction between the requested color scheme and that of another company. In addition to vehicle color, permitted companies have registered 41 DBA's (doing business as) name variations using "yellow" as part of the name.

OCTAP continues to receive new company applications that request yellow as their primary taxicab color, or to use "yellow" as part of their primary DBA name.

Staff is seeking direction from the Steering Committee, as to the intent of the regulation language, and how the committee would like staff to manage this area of the regulations.

Recommendation

Place a temporary prohibition on permitting new taxicab companies using the color yellow as their primary color, and "yellow" as part of their company DBA name. The prohibition should be reviewed annually, at the July Steering Committee Meeting, and may be removed if/when the committee deems appropriate.