



MEMORANDUM
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EDHS
Agenda Item No. 6(C)

TO: Honorable Chairwoman Edmonson
and Members of the Economic Development
and Human Services Committee

DATE: June 11, 2008

Kay M. Sullivan
FROM: Kay M. Sullivan, Director
Clerk of the Board

SUBJECT: Approval of Commission
Committee Minutes

The following Clerk's Summary of Minutes is submitted by the Clerk of the Board for approval by the Economic Development and Human Services Committee.

➤ April 23, 2008

Attachment
KMS/msy



Stephen P. Clark
Government Center
111 N.W. 1st Street
Miami, FL 33128

**CLERK'S SUMMARY OF
Meeting Minutes
Economic Development and Human Services
Committee**

Audrey M. Edmonson (3) Chair; Katy Sorenson (8) Vice Chair; Commissioners
Barbara J. Jordan (1), Dennis C. Moss (9), and Javier D. Souto (10)

TAXICAB WORKSHOP

Wednesday, April 23, 2008

9:30 AM

COMMISSION CHAMBERS

Members Present: Audrey M. Edmonson, Barbara J. Jordan, Katy Sorenson.

Members Absent: Dennis C. Moss, Javier D. Souto.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Mary Smith-York, Commission Reporter
(305) 375-1598*

1A INVOCATION

Report: *The Economic Development & Human Services
Committee convened a taxicab workshop in the
County Commission Chambers, located on the 2nd
Floor of the Stephen P. Clark Government Center,
111 NW 1st Street, Miami, Florida, at 9:30 a.m.
Chairwoman Edmonson opened the meeting with
a moment of silent meditation, followed by the
Pledge of Allegiance.*

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *The following staff members were present:
Assistant County Manager Susanne Torriente,
Assistant County Attorney Bruce Libhaber,
Consumer Services Department Director Cathy
Grimes Peel, and Deputy Clerk Mary Smith-York.*

1D CHAIRPERSON REMARKS

Report: *Chairwoman Edmonson welcomed everyone present and noted this workshop was convened to discuss the challenges the taxicab industry currently faced in Miami-Dade County. She clarified the parliamentary procedures to be followed during today's meeting, noting speakers would be limited to three minutes each.*

Assistant County Attorney Libhaber requested Agenda Item 2D be withdrawn, pursuant to the State Statutes which pre-empted the County from setting or limiting taxicab lease prices.

Chairwoman Edmonson asked that Agenda Item 2D remain on today's agenda as a discussion item; however, she reiterated the County was pre-empted from taking action.

2 DISCUSSION ITEM(S)

2A

081221 Discussion ItemINCORPORATION- TAXICAB INHERITANCE AND
TRANSFER PROVISIONS- RIGHT TO RETIRE**Presented**

Report: *Ms. Cathy Peel, Director Consumer Services Department, provided a brief overview of the foregoing discussion item. She stated in 1998, the Board adopted changes to the Code to foster a system of owner-drivers. One mechanism implemented to provide economic opportunity for drivers, was to restrict the transfer of medallions to drivers, Ms. Peel noted. She stated owners of multiple medallions were permitted, under the Code, to gift one medallion to each family member and one medallion to one other person, and to transfer any remaining medallions to other drivers. Some gift exceptions existed, she added. Ms. Peel advised that these changes resulted in increased taxicab owner/drivers, pointing out that in 1998, only six percent (6%) of taxicabs were owned by owner/drivers versus a approximately thirty percent (30%) today. Regarding incorporation, she noted medallions issued after 1998 were required to be held in an individual person's name, rather than in a corporate entity's. Ms. Peel noted recipients of lottery medallions were required to hold the medallions for five (5) years before transferring them; however, if they retire, they must dispose of the medallion by sale or gift. She further noted the taxicab study recommended the restrictions on transfers and inheritance be eliminated to allow aggregation of taxicabs. The County Manager's report, accompanying the study, recommended the Board revisit the inheritance restrictions to allow medallion holders to leave their medallions to family members, regardless of the number of medallions; however, the report also recommended retaining the transfer restrictions, Ms. Peel noted.*

Chairwoman Edmonson opened the floor for public input and the following individuals appeared:

1) Mr. Danny Wood, President of American Paraplegic Association, 13000 S.W. 92nd Avenue, appeared in support of incorporation of individual taxicab drivers. He stated this would allow increased availability of wheelchair taxicab drivers by incorporated owners allowing their taxicabs to be operated by other drivers after their

shift was over.

2) Mr. Steve Oxenhaler (phonetic), South Florida Taxicab Association, appeared in support of the incorporation of drivers. He also spoke in support of taxi drivers' right to retire without being required to surrender their medallions, and taxicab inheritance. Mr. Oxenhaler (phonetic) recommended allowing up to 50 percent of owner/drivers (legacy license holders) to transfer their medallions.

3) Mr. Geoffrey Radlein, 21226 S.W. 97 Place, appeared in support of the right of owner/drivers to retire, and expressed his opposition to the requirement to sell their medallions. He also spoke in support of incorporation of drivers to protect them from potential lawsuits stemming from traffic accidents or catastrophes.

4) Mr. Diego Feliciano, President, South Florida Taxicab Association, 5507 Fillmore St, Hollywood, appeared in support of incorporation and the taxicab drivers' right to retire; and in opposition to the restrictions on medallion transfers.

5) Mr. Raul Fuentes, resident of North Miami Beach, appeared in support of incorporation and the right to retire, and spoke in opposition to the restrictions placed on the transfer of medallions.

6) Mr. Jorge Cortez, 10000 S.W. 84th Street, Miami, 10-year taxicab driver, appeared in opposition to taxicab inheritance and noted he preferred a program that allowed drivers to own medallions without being incorporated. He also requested the medallions be issued to individual drivers rather than multiple medallions to corporations to be passed on to their family members.

7) Mr. Powa Meus (phonetic), 16606 N.E. 3 Avenue, appeared in opposition to drivers being allowed to own up to fifty medallions.

Responding to Chairwoman Edmonson's question whether drivers existed who owned fifty medallions, Ms. Peel advised corporations that owned medallions prior to 1998 might now own multiple medallions. She noted one corporation/association owned over a hundred medallions.

8) Mr. Antonio Jean Charles, 480 N.E. 136 Street,

North Miami, appeared in support of the right to retire and retain the medallions own to transfer to family members or lease to other drivers. He also expressed a need for the issuance of more medallions.

In response to Commissioner Jordan's request for clarification of whether some speakers were opposed to inheritance, yet were in support of transferring medallions to family members, Assistant County Attorney Libhaber noted his understanding was that some drivers were advocating for medallion holders to be able to lease or gift their medallions as an inheritance. He explained that those who were legacy license holders, but not taxicab drivers, were opposed to non-license holders being able to gift medallions as an inheritance.

Chairwoman Edmonson suggested the number of medallions issued to each driver be limited in order to address the issue of drivers owning fifty or more medallions. She advised she would be bringing an ordinance before this Committee for discussion.

9) Ms. Mercedes Gonzalez, 4218 S.W. 9th Street, Miami, appeared and spoke in support of inheritance. She explained the process by which she earned her permits and emphasized her desire to gift them to her offspring.

10) Mr. Jerry Moskowitz, President, Coral Cab and Mosko Cab, 2284 N.W. 36th Street, Miami, appeared in support of incorporations. He also expressed concern that the inheritance clause contained in the current ordinance contained errors and should have stated the restriction limiting the number of taxicabs that could be given as inheritance to one, applied only to "a significant other." He pointed out that he could not leave his four cabs to his children because his father had previously left his cabs to them.

There being no further questions or comments, the Committee proceeded to the next item.

2B

081222 Discussion ItemENTREPRENEURSHIP- FINANCING (LENDING)
MECHANISMS**Presented**

Report: *Ms. Cathy Grimes Peel, Director Consumer Services Department, provided a brief overview of the foregoing discussion item.*

Chairwoman Edmonson opened the floor for public input and the following individuals appeared:

1) Mr. Steve Oxenhaler (phonetic), South Florida Taxicab Association, spoke in support of enabling entrepreneurs that allowed taxicab drivers to own or lease out more than one taxicab. Regarding financing mechanisms, he explained that bankers were unwilling to finance taxicabs because the medallions/licenses would be returned to the County for public auction, if the loan defaulted. Mr. Oxenhaler (phonetic) requested the code be changed to allow banks to operate and sell the medallions, in the event of a foreclosure.

2) Mr. Diego Feliciano, President, South Florida Taxicab Association, 5507 Fillmore Street, Hollywood, appeared in support of entrepreneurship.

3) Mr. Raul Fuentes, resident of North Miami Beach, appeared and spoke on financing mechanisms for taxicabs. He recommended the County guarantee loans for the purchase of medallions, so that if a default occurred, the loan could be taken over by another driver.

4) Mr. Leslie Eisenberg, 3600 N.W. 37th Court, Miami, appeared and addressed the issue of financing mechanisms. He noted medallions were categorized as high-risk loans and the interest rate was extremely high. Mr. Eisenberg concurred with Mr. Oxenhaler's (phonetic) request to allow banks to operate and sell the medallions, in the event of default.

5) Mr. Jerry Moskowitz, President, Coral Cab and Mosko Cab, 2284 N.W. 36th Street, Miami, appeared in support of enabling entrepreneurship among taxicab drivers.

6) Mr. Powa Meus (phonetic), 16606 N.E. 3rd Avenue, Miami, appeared and recommended the

County Code be changed to assist with the financing of taxicabs.

7) Mr. Pierre Ceac, 2001 N.W. 32nd Street, Miami, appeared and spoke on financing mechanisms.

8) Mr. Antonio Jean-Charles, 480 N.E. 136th Street, Miami, appeared and spoke on financing mechanisms. He recommended lenders extend the length of loans and lower the interest rates.

9) Mr. Terry Eisenberg, representing Yellow Cab & Metro Taxi, appeared and explained the reason medallion financing was considered a "high risk" loan. He reiterated the recommendation that in the event of default, the lender should have the right to operate the medallion, rather than returning it to the County to be auctioned.

In response to Commissioner Sorenson's inquiry regarding legal limits on revising the code, Assistant County Attorney Libhaber advised the current code could be amended to allow for a lending institution to take over operating the medallion. He added that the issue of how long a lender would be allowed to operate the medallion prior to a mandated sale was a policy decision.

Ms. Peel advised that currently, a medallion auctioned by the County and purchased by a non-owner driver, could be operated by that person for a period of ninety days, after which time, that person must sell it to a driver. Regarding Commissioner Sorenson's question regarding the department's relation with lenders, Ms. Peel noted every security agreement was filed with the CSD and many lenders were associated with taxicab companies. She indicated the concept of lenders leasing the medallions would work operationally, but cautioned that a time limit would need to be established for operating it this way.

Commissioner Jordan expressed concern with the process of medallions returned to the County in the event of a loan default, rather than remaining with the lender. She noted it appeared the County was retaining ownership of the medallions awarded in the lottery and leasing them to the drivers.

10) Mr. Seguro Aroch (phonetic), 2000 Island Boulevard, Miami Beach, appeared and spoke in opposition to the current financing mechanisms and requested the County protect the taxicab

industry by giving security to lenders.

11) Mr. Aaron Richmond, 20191 E. Country Club Drive, Aventura, appeared and noted he was personally acquainted with the Chief Financial Officer of Medallion Financial, the largest lending institution for taxicabs in the United States. He advised this company made loans in New York at approximately 7.5% interest, but would not make loans in Florida until there was full transferability of the underlying medallions. He urged the Committee to amend the code to allow for transferability of medallions, and noted his willingness to provide the names and/or references of lenders outside of New York, if the Committee desired this information.

2C

081223 Discussion Item
FUEL SURCHARGE**Presented**

Report: *Ms. Cathy Grimes Peel, Director Consumer Services Department, provided a brief overview of the foregoing discussion item. She noted the County Code contained a formula for creating a fuel surcharge whenever unforeseen increases in the price of gasoline occurred. Ms. Peel advised that this mechanism was inefficient in providing a realistic fuel surcharge amount for a driver to collect. She noted models from Seattle and Chicago were being reviewed and a report of the findings would be brought back to the next Committee meeting.*

Chairwoman Edmonson opened the floor for public comment and the following individual(s) appeared:

1) Mr. Antonio Jean-Charles, 480 N.E. 136th Street, Miami, appeared and noted whenever drivers added a fuel surcharge to fares, the leaseholder would also increase the amounts of the vehicle's lease payment amounts. He asked that the County issue regulations regarding taxicab leases to prevent this from happening.

2) Mr. Leslie Eisenberg, 3600 N.W. 37th Court, Miami, appeared and noted the last cost of living evaluation for taxicab fare increases was done in 2005, and recommended fares be increased.

3) Mr. Muhammad Saul (phonetic) 4925 S.W. 136th Place, Miami, appeared and noted any increase in fares would trigger an increase in other fees charged to drivers. He further noted if the drivers requested an additional fee from passengers, that fee was usually taken from their intended tip amount. Mr. Saul (phonetic) asked that the fuel surcharge amount be set at \$1.00 to enable drivers to earn an additional tip.

4) Mr. Jean Lamour (phonetic), 2421 Desoto Drive, Miami, appeared and spoke about the rising fuel costs.

5) Mr. Jorge Cortez, 10000 S.W. 84th Street, Miami, asked that taxicab lease amounts be frozen and a fuel surcharge of \$1.00 be imposed.

6) Mr. Diego Feliciano, President, South Florida

Taxicab Association, 5507 Fillmore Street, Hollywood, appeared and spoke in connection with the discussion on fuel surcharge.

7) Ms. Odalys Ferdin (phonetic), representing Florida Taxi, appeared and recommended the fuel surcharge be incorporated in an increase of the meter rates.

8) Mr. Raul Fuentes, resident of North Miami Beach, appeared and spoke in connection with this issue.

9) Mr. Geoffrey Radlein, 21226 S.W. 97th Place, appeared and recommended the fuel surcharge amount be reflected in the meter rates, similar to the two-zone fare system.

10) Mr. Terry Eisenberg appeared and spoke in support of displaying the fuel surcharge on the meter by one of two methods: 1) increase fare rates or 2) use the extras button.

2D

081224 Discussion Item

TAXICAB LEASE PRICES

Presented

Report: *Following Commissioner Edmonson's comment that the Commission had no control over lease prices, Mr. Terry Eisenberg, representing Yellow Cab & Metro Taxi, advised that the County had the ability to change its ordinance and control lease prices. He noted language in the code could be changed to restrict changes in lease contracts from thirty (30) days to one (1) year.*

Commissioner Jordan asked Cathy Peel, Director, Consumer Services Department, to explore the possibility of amending the code to include a requirement that all taxicab drivers be provided copies of the leases for the vehicles they operate. She asked Ms. Peel to also investigate whether leases on taxicab expired within a prescribed timeframe and if so, when.

Mr. Libhaber noted the code provided that the written chauffeur's agreements shall only be terminated with at least thirty (30) days' prior notice. He advised no language in the code addressed the duration of the agreement.

Mr. Eisenberg advised that drivers were provided copies of their leases and pointed out they were required to present the lease at the vehicle's initial inspection. He further noted the code was recently changed to provide that the tenets of the lease be posted on a wall in the leasing company's office.

Mr. Diego Feliciano, 5507 Fillmore Street, Hollywood, informed Committee members that a copy of the lease was also required for permit renewal. He spoke in opposition to regulating chauffeur's agreements.

Chairman Edmonson opened the floor for public input, and the following individuals appeared in connection with the discussion on taxicab lease prices:

- 1) Mr. Lavener Alexis (phonetic), 12790 N.E. 12th Avenue, Miami;*
- 2) Mr. Antonio Jean Charles, 480 N.E. 136th Street, North Miami;*
- 3) Mr. Sylfredo Belotte (phonetic), 3260 S.W. 66th Way, Miramar;*
- 4) Mr. Jean Lamour (phonetic), 2421 Desoto*

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Drive, Miami; and

*5) Mr. Jerry Moskowitz, President, Coral Cab
and Mosko Cab, 2284 N.W. 36th Street, Miami.*

2E

081225 Discussion Item

INSURANCE COVERAGE FOR DRIVER & VEHICLE

Presented

Report: *Discussion ensued among Committee members and staff regarding whether the insurance coverage required in the Code covered taxicab drivers. Ms. Peel advised the insurance required by the Code under State law was third-party coverage and was provided by the medallion holder. She explained this insurance was for the safety of the passenger(s) in the taxicab or any other vehicle that might be involved in an accident with the taxicab, and any pedestrians. Ms. Peel noted the insurance did not cover the taxicab vehicle or the driver; however, the cost was passed down to the driver in the lease fees.*

Assistant County Attorney Bruce Libhaber stated the driver or the medallion holder had the option to secure insurance coverage that covered the driver.

Advising that there were no provisions for personal injury protection or health insurance for drivers, Mr. Eisenberg introduced Mr. William Saldariada (phonetic), a man crippled in a traffic accident on November 2, 2007 while operating a Yellow Cab. He provided several examples of health conditions that many drivers encounter once they retire, emphasizing the fact that they had no health insurance. Mr. Eisenberg stated he believed advertising revenues were an untapped resource that could help provide healthcare insurance to taxicab drivers. Indicating that advertising revenues would greatly increase when computer-generated signs were installed on taxicabs, he recommended those funds be directed towards a healthcare program for taxicab drivers.

Chairwoman Edmonson asked Ms. Peel, Director, Consumer Services Department, to conduct a study on the feasibility of using the advertising revenues or other alternatives to assist with the healthcare insurance cost for taxicab drivers.

Ms. Peel agreed to conduct research and report back the findings to this committee.

Commissioner Jordan asked Ms. Peel to include in her report, the findings as to the personal liability protection aspects of the drivers countrywide.

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Chairwoman Edmonson asked Ms. Peel to consult with representatives of the General Services Administration (GSA) to explore the possibility of taxicab drivers being insured through the County's insurance plan.

Mr. Ramon Vizcayeta, 6109 Flagler Street, Hollywood, appeared and expressed his appreciation to the Committee for exploring these issues. He informed that he was an injured taxicab driver without insurance.

2F

081230 Discussion ItemDISABLED TAXICAB AVAILABILITY FOR FUTURE
LOTTERY

Report: *Chairwoman Edmonson opened the floor for public input and the following individual(s) appeared:*

1) Mr. Pierre Francois appeared and spoke in opposition to the lottery process and noted, in 1998, he attended a lottery planned for 300 permits, but was reduced to 125 permits at 25 per year. He also commented that in an effort to end the black market for permits, the County Commission decided to allow only one permit per driver.

2) Mr. Jean Lamour (phonetic), 2421 Desoto Drive, Miami, appeared and spoke in support of the lottery being continued and noted it should be held for a longer period than three years so everyone could have a chance to win.

3) An unidentified speaker appeared on behalf of senior drivers, and asked that a mechanism be developed to ensure senior drivers won permits in the lottery.

4) Mr. Danny Wood, President of American Paraplegic Association, 13000 S.W. 92nd Avenue, appeared and spoke in connection with the forgoing lottery issue. He recommended the following provisions be incorporated as amendments to the ordinance regarding the taxicab license lottery:

- The next 36 medallions be set aside for wheelchair taxis only;*
- The 38 new wheelchair taxis be prohibited from picking up passengers at the airport;*
- Taxis dropping off passengers at the airport be prohibited from entering the line of taxis;*
- The existing 65 wheelchair taxi owners be allowed to incorporate, if radio-equipped and have a Global Positioning System (GPS);*
- The 38 new wheelchair taxi owners be required to incorporate and have two shifts;*
- The wheelchair taxi medallion owners be eligible to lease out their licenses after driving for five years;*
- The cap limiting wheelchair taxi medallions to*

two be eliminated; and

- The 38 new wheelchair taxis be radio-dispatched and have a GPS installed.

5) An unidentified speaker appeared and spoke in opposition to paying \$25,000 to activate a medallion after winning the lottery;

6) Mr. Antonio Jean Charles, 480 N.E. 136th Street, North Miami;

7) Mr. Dawood Akhtar, 1735 N.E. 142nd Street, North Miami;

8) Mr. Diego Feliciano, 5507 Fillmore St, Hollywood, appeared and recommended the next lottery provide a category for wheelchair accessible taxis equipped with a GPS;

9) Mr. Felipe Emanuel, 12550 N.W. 11th Avenue, appeared and questioned why a winner of the lottery was not really the owner of the medallion;

10) Ms. Elizabeth McNally, Chair, Commission on Disability Issues (CODI), appeared and clarified that Mr. Danny Wood was not speaking on behalf of her organization. She advised that the CODI would submit its opinions in a letter to the Committee members the following day (4/24);

11) Mr. Terry Eisenberg reappeared and recommended the components of the new lottery ordinance include some of the issues addressed today, including incorporation and taxicab drivers' right to retire. He pointed out that this would be the first lottery after the completion of the taxicab study and emphasized the importance of taxicab drivers being informed before participating in this event.

Following Chairwoman Edmonson's summary of the results of today's workshop, Commissioners Sorenson and Jordan expressed their appreciation to all participants in today's workshop and advised the issues discussed would be addressed.

2G

081231 Discussion Item

DRIVERS PROTECTION- CAMERA & PARTITION

Not presented

3 DEPARTMENT(S)

3A

073743 Ordinance

ORDINANCE AMENDING SECTION 31-82 (O) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, REGARDING THE TAXICAB LICENSE LOTTERY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Consumer Services Department)

Withdrawn

3A SUBSTITUTE

080377 Ordinance

ORDINANCE AMENDING SECTION 31-82 (O) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, REGARDING THE TAXICAB LICENSE LOTTERY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 073743] (Consumer Services Department)

4 ADJOURNMENT

Report: *There being no further consideration of today's agenda, the workshop was adjourned at 12:38 p.m.*