

**BOARD OF TAXICAB
COMMISSIONERS**

ERIC SPIEGELMAN
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VICE PRESIDENT

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ANDRE COLAIACE
ALMA MARTINEZ

JASMIN SAN LUIS
ACTING COMMISSION EXECUTIVE ASSISTANT

CITY OF LOS ANGELES
CALIFORNIA



KAREN BASS
MAYOR

DEPARTMENT OF TRANSPORTATION

100 S. MAIN STREET, 10th FLOOR
LOS ANGELES, CA 90012

CONNIE LLANOS
INTERIM GENERAL MANAGER

ITEM #3

**BOARD OF TAXICAB COMMISSIONERS
BOARD MEETING
MINUTES
Thursday, June 22, 2023
10:00 AM**

CONVENED

The Board of Taxicab Commissioners convened a regular meeting on Thursday, June 22, 2023 at 10:06 AM in Los Angeles, CA.

ADMINISTRATIVE ITEMS

ITEM NO. 1 – WELCOME

President Spiegelman called the meeting to order and welcomed all those present noting that those wishing to testify before the Board must fill out a speaker's form and give it to the Commission Executive Assistant. He informed the audience that if anyone is a registered lobbyist, City ordinance requires that it should be indicated on the speaker's form. He also reminded everyone that this session is being broadcast on Council Phone, to speak into the microphone and to silence cell phones.

ITEM NO. 2 – ROLL CALL

Present: Commissioners Alma Martinez, Andre Colaiace, Andrea Martinez, and Eric Spiegelman; Jay Kim, Assistant General Manager; and Deputy City Attorney Michael Nagle

Arrived after roll call: Commissioner Jacqueline Kennedy

ITEM NO. 3 – MINUTES

Commissioner Colaiace moved, seconded by Commissioner Spiegelman to approve the Minutes of March 16, 2023. Unanimously APPROVED.

ITEM NO. 4 – COMMUNICATIONS

Commissioner Spiegelman reported that he received a communication from LAX that morning and asked him to inform the taxi companies that westbound Century Blvd between Avion and Vicksburg (feeder route to the airport) will be shut down that afternoon from 3pm – 6pm, due to a protest (unrelated to the airport) and asked that the drivers be informed.

ITEM NO. 5 – COMMISSION BUSINESS

No Commission business reported.

NEIGHBORHOOD COUNCIL COMMENT

No comments provided.

PUBLIC COMMENT

Comments were taken.

For the new Commissioners, President Spiegelman provided some context with regards to the permitting process and the QR code advertising in LAX. He will ask Taxicab Administrator Jarvis Murray to provide a report on the permit process issue.

Questions, requests, and comments were provided.

- Commissioner Colaiace asked if the staff report could include the following: how the taxicab element of the Department is structured; how many employees there are and what they do; and the historical staffing.
- On the issue of temporary permits, Commissioner Alma Martinez asked if it was something that has been offered currently or is there an opportunity to look into it.
- President Spiegelman did not have a response for Commissioner Martinez's questions.
- Additionally, with regards to the structural recommendation given by one of the public speakers, Commissioner Alma Martinez commented on how she thought it was a good idea and an excellent option to structurally deal with the efficiency if there is one.
- President Spiegelman will ask DOT staff to agendize a report on the items requested and questions raised at the first availability.

INFORMATIONAL ITEM**ITEM NO. 6 – Announcement of EV Rebate Program**

Joe Richard II presented the item.

ACTION ITEM**Item No. 7 – Approval of Amendments to the Taxicab Rules and Regulations Establishing a Schedule of Monetary Penalties for Specific Violations of the Taxicab Rules and Regulations**

Joe Richard II, Sr. Transportation Investigator, presented the report.

Questions and answers were provided.

- President Spiegelman stated that some of the penalties have "Major, IOS" and asked Mr. Richard to go through IOS.
- Mr. Richard described matters under immediate out of service "IOS", which would be a public safety.
- President Spiegelman stated that the penalty would be to take the taxicab off the road immediately.
- Mr. Richard confirmed President's statement was correct.
- President Spiegelman wanted clarity on the concern about who was being fined under the "major, minor" whether it was the cab company, the driver, or an app and stated that based on Mr. Richard's presentation, it sounded like the concern had been cleared up.
- Mr. Richard confirmed the concern was cleared up.
- Commissioner Alma Martinez asked if she could get more time to review this item given that she is new and suggested perhaps a separate sub-committee to review it in depth.

- Commissioner Colaiace supported Commissioner Martinez's suggestion and implied that he have a few questions for Mr. Murray when he returns.
- President Spiegelman took a straw poll and all Commissioners agreed to wait until Mr. Murray was present to discuss.

Public comments were taken.

Comments, questions, and answers were provided.

- President Spiegelman provided some context around the Board's options and the process. He concluded that it will be worth taking some more time to discuss this item when Mr. Murray is present. Lastly, he shared his perspective on the sub-committee process, raised the issue that a sub-committee can only have two members, and suggested considering another option and proposed scheduling a special Board meeting between meetings with this being the only item on the agenda and described how the meeting will be structured and who will be invited.
- Commissioner Colaiace supported President Spiegelman's suggestion and asked if the committee as a whole would be able to take action.
- Deputy City Attorney Nagle clarified that the Board is a Brown Act Body and could put it on the agenda to take action.
- President Spiegelman stated that it would be a formal and possibly a special meeting, and would be able to take action on it or could give DOT instructions to bring it back to the Board at a regular meeting.
- Commissioner Alma Martinez agreed with President Spiegelman's suggestions and front loaded some of the issues for staff that she had concerns about - 3rd party inspection, difficulties of time scheduling, and violation corrections and who is responsible; and for the taxicab folks and staff, she would like to make sure that it will be a structured conversation that will lead to a productive discussion and outcome.
- Commissioner Colaiace asked to clarify that there are no penalties being assessed currently.
- President Spiegelman stated that he believed Commissioner Colaiace's statement was correct.
- Commissioner Colaiace asked if the old penalty system was kept in place since the passage of the new rules.
- Mr. Richard explained that when the rules first came out, they were using the old penalty structure but changed over approximately three months ago and that they are citing the new companies and taxis but do not assess any fines.
- Commissioner Colaiace gave a general comment about how the staff report did not have a lot of context between the old and the new. He asked if the old system had its own penalty similar to what is being proposed.
- President Spiegelman asked CEA San Luis to send the Commissioners the old rule book with the old penalty schedule.
- Commissioner Colaiace would like to include for the staff report the current penalties for TNCs. In addition, he talked about how the Department should just approve or disapprove a taxi app but have all these penalties attached to it as opposed to having an approval process; and brought up a point about penalties for taxi companies regulating the behavior of their drivers.

President Spiegelman moved to ask DOT to work with everyone's schedule to figure out a time for a special meeting and if they would not mind proposing a structure for the special meeting such that we will not be bound by the 2-minute on public comments, perhaps inviting a representative from each company to present or something similar so we can have an open dialogue between LADOT, this Board, and the taxi industry in the context of the open session, seconded by Commissioner Alma Martinez. Unanimously APPROVED.

President Spiegelman moved, seconded by Commissioner Andrea Martinez to enter into Closed Session. Unanimously APPROVED.

EXECUTIVE SESSION**Item No. 8 – Appeal of Juan Emanuel Lococo Concerning the Department’s March 31, 2023 Decision to Deny the Taxicab Driver Application, Pursuant to LADOT Taxicab Rule Book, Section 600, Rule 607**

Joe Richard II, Sr. Transportation Investigator, presented the report.

Questions and answers were provided.

- President Spiegelman asked why there was no live scan in 2019.
- Mr. Richard explained why there was no live scan.
- President Spiegelman asked if the appellant was subject to standard drug testing during the three years he was driving.
- Mr. Richard confirmed that the appellant was subject to the standard drug testing.

Appellant Juan Emanuel Lococo was present and addressed the Board.

Questions and answers were provided.

- President Spiegelman asked to clarify the crime on November 3, 2008.
- Appellant Lococo responded that it was for possession of cocaine.
- President Spiegelman asked if the appellant was sponsored by Yellow Cab on the application.
- Mr. Richard confirmed that Yellow Cab sponsored the appellant on the application.
- President Spiegelman provided context on the rule that DOT found for which this qualifies under. He explained the City’s appellant process and the Board’s function in hearing an appeal, which is to decide whether in a particular situation that rule makes sense.
- Commissioner Colaiace asked if Rule 607 is different because it relates to felonies.
- Deputy City Attorney Nagle stated that they are crimes of moral turpitude which forgery is.
- President Spiegelman mentioned how a seven-year statute of limitation on crimes is applied but the crimes of moral turpitude technically under our rules, something that happened almost 30 years ago, is still considered.
- Commissioner Colaiace asked to clarify if 607 and 608 are similar types of crimes.
- Mr. Richard stated that 608 is for misdemeanors.
- Commissioner Alma Martinez asked to clarify if the charge was for possession and not intent to sell.
- Mr. Richard confirmed that the charge was for possession.
- President Spiegelman explained the Board’s situation as to whether or not the Board will grant the appeal; if the Board grants the appeal, the appellant gets reinstated as a driver; and if the Board does not grant his appeal, it is the Department’s determination that he should never be a driver.

Commissioner Alma Martinez moved, seconded by Commissioner Spiegelman to grant the appeal of Juan Emanuel Lococo. Unanimously APPROVED.

Commissioner Spiegelman moved, seconded by Commissioner Andrea Martinez to go back to normal session. Unanimously APPROVED.

Deputy City Attorney Nagle reported that in closed session, the Board granted the appeal of Mr. Lococo.

ADJOURNMENT – PURSUANT TO GOVERNMENT CODE SECTION 54956.7

With no further business before the Board of Taxicab Commissioners, President Spiegelman moved, seconded by Commissioners Alma Martinez to adjourn the meeting. Unanimously APPROVED.

The meeting adjourned at 11:25 AM.

Approved: 7/20/2023
Board of Taxicab Commissioners

Commission Executive Assistant

1. The first part of the document
describes the general situation
and the objectives of the study.