



**Wednesday, February 22, 2012
12:00 Noon**

(Lunch Provided for Board Members)

**Kelly Board Room
32-505 Harry Oliver Trail
Thousand Palms, CA 92276**

NOTE: IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT SUNLINE AT (760) 343-3456. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE SUNLINE TO MAKE REASONABLE ACCOMMODATION TO ENSURE ACCESSIBILITY TO THIS MEETING.

**THE CHAIR REQUESTS THAT ALL CELLULAR PHONES
AND PAGERS BE TURNED OFF OR SET ON SILENT
MODE FOR THE DURATION OF THE BOARD MEETING.**

AGENDA TOPICS

RECOMMENDATION

1. **Call to Order**
Chairman Eduardo Garcia
2. **Flag Salute**
3. **Roll Call**
4. **Presentations**
 - a) Employees of the Quarter (Naomi Nightingale)
5. **Finalization of Agenda**
6. **Correspondence**
None.

7. Public Comments **Receive Comments**

(NOTE: Those wishing to address the Board should complete a Public Comment Card and will be called upon to speak.)

NON AGENDA ITEMS

Anyone wishing to address the Board on items not on the agenda may do so at this time. Each presentation is limited to 3 minutes.

AGENDA ITEMS

Anyone wishing to address specific items on the agenda should notify the Chair at this time so those comments can be made at the appropriate time. Each presentation is limited to 3 minutes.

8. Board Member Comments **Receive Comments**

Any Board Member who wishes to speak may do so at this time.

----- **ACTION** -----

9. Consent Calendar **Approve**

All items on the Consent Calendar will be approved by one motion, and there will be no discussion of individual items unless a Boardmember requests a specific item be pulled from the calendar for separate discussion. The public may comment on any item.

- a) Minutes of the January 25, 2012 Board of Directors Meeting (Pages 1-4)
- b) Checks over \$1,000 for January, 2012 (Pages 5-6)
- c) Credit card statement for January, 2012 (Pages 7-9)
- d) Monthly Budget Report for December, 2011 (Pages 10-11)
- e) Contract Report – nothing to report.
- f) Ridership Report for January, 2012 (Pages 12-13)
- g) SunDial Operational Notes for January, 2012 (Page 14)

10. Purchase of Fuel Cell Bus Components **Approve
(Tommy Edwards)**

Request to the Board to grant authorization to the General Manager to negotiate and execute contracts with EIDorado National California and BAE Systems. (Page 15)

11. **Award of Contract for Janitorial Services** **Approve**
(Tommy Edwards)
Request to the Board to grant authorization to the General Manager to issue a Request for Proposal for janitorial services. (Page 16)

12. **Approval of New ACCESS Advisory Committee** **Approve**
Member (Apolonio Del Toro)
Request to the Board to approve new member of ACCESS Advisory Committee. (Page 17)

----- **INFORMATION** -----

13. **Bus Stop Improvement Program – Phase 4** **Information**
(Joseph Forgiarini)
Information item providing the Board an overview of Phase 4 of the Bus Stop Improvement Program. (Pages 18-20)

14. **Swearing In of Interim General Counsel** **(Carolyn Rude)**
Clerk of the Board to swear in as SunLine Transit Agency/SSG Interim Legal Counsel, Jeffrey Goldfarb, Rutan & Tucker, LLP.

15. **General Manager's Report** **(C. Mikel Oglesby)**

16. **Next Meeting Date**
March 28, 2012
12 o'clock Noon – Kelly Board Room
32-505 Harry Oliver Trail
Thousand Palms, CA 92276

17. **Adjourn**

MINUTES
SunLine Transit Agency
Board of Directors Meeting
January 25, 2012

A regular meeting of the SunLine Transit Agency Board of Directors was held at 12:00pm on Wednesday, January 25, 2012 in the Kelly Board Room at SunLine Transit Agency, 32-505 Harry Oliver Trail, Thousand Palms, CA 92276.

1. **Call to Order**
The meeting was called to order at 12:00 p.m. by Chairman Eduardo Garcia.

2. **Flag Salute**
Tommy Green, Director of Safety & Security, led all in a salute to our flag.

3. **Roll Call**
Completed.

Members Present

Eduardo Garcia, Chairman, Mayor, City of Coachella
Robert Spiegel, Vice Chairman, Mayor, City of Palm Desert
Yvonne Parks, Mayor, City of Desert Hot Springs
Rick Hutcheson, Councilmember, City of Palm Springs
G. Dana Hobart, Mayor, City of Rancho Mirage
Bud England, Councilmember, City of Cathedral City
Bill Powers, Mayor Pro Tem, City of Indian Wells
Don Adolph, Mayor, City of La Quinta
Glenn Miller, Mayor, City of Indio
John J. Benoit, Supervisor, County of Riverside

Members Absent

None

Guests:

Iris Smotrich - Council member, City of Rancho Mirage
Joe Paradetto - Supervisor Benoit's Office
William Nelson - Supervisor Benoit's Office
Steven Quintanilla - City Attorney, Rancho Mirage
Kathleen Bennett - Resort Marketing
Gadi Srulovitz- Yellow Cab
Michal Brock- Yellow Cab
Bill Meyer- Yellow Cab
Ricardo Cruz - Yellow Cab
Kadi Labana - Airport taxi
Mabu Hossein - Airport Taxi
Scott Russo - Legal Counsel for American Cab

Harry Incs – American Cab
Illya Pike - American Cab
Janet Kheres - American Cab
Andrea Link - American Cab
Peter Kurzon - American Cab
Gregory Kennedy - American Cab
Arti Nehru - Reporter, Channel 2 News
Dante Walker - Cameraman, Channel 2 news
Keith Matheny - Reporter, Desert Sun
Terri Berger - Express transportation
Mesfin Shawel - Express Transportation
Edik Elyasii - Bell Cab
Caitlan Alexander - Bell Cab
Tom Smotrich - Public
Peter Angone - Public
Kimberly Webb - Public
Nick Hermsen Public

Staff:

C. Mikel Oglesby, General Manager
Jeffrey Goldfarb, Interim Legal Counsel
Carolyn Rude, Special Asst. to the General Manager/Clerk of the Board
Tommy Edwards, Director of Maintenance
Tommy Green, Director of Safety & Security
Polo Del Toro, Director of Operations
Joe Forgiarini, Director of Planning
Dennis Miura, Director of Finance
Rudy LeFlore, Procurement Consultant
Jack Stevens, Human Resources Manager
Michael Jones, Manager Taxicab Administration
Ivanna Samokish, Safety, Risk Assessment & Training Coordinator
Joe Gomez, Security Officer
David Manriquez, Safety Specialist
Dave Robin, Assistant Taxicab Supervisor II
Stephanie Buriel, Administrative Assistant
Francine DePalo, Administrative Assistant
Diann Chumney, Desktop Publisher
Vanessa Mora, Administrative Assistant
Karen Thomas, Administrative Assistant

4. Presentations

None.

5. Finalization of Agenda

No changes were made.

6. Correspondence

None.

7. Public Comments**NON AGENDA ITEMS:**

None.

AGENDA ITEMS:

None.

8. Board Member Comments

None.

9. Consent Calendar

Vice Chairman Spiegel moved for approval of the consent calendar. The motion was seconded by Mayor Miller and approved by a unanimous vote with the exception of Mayor Don Adolph and Councilmember Rick Hutcheson who abstained.

10. General Counsel

General Manager C. Mikel Oglesby addressed the Board requesting that they accept Legal Counsel's (Maria Aarvig) request to be relieved from the remainder of their contract with SunLine Transit Agency/SunLine Services Group and to approve appointment of Interim Legal Counsel, Jeffery Goldfarb of Rutan & Tucker, LLP. Vice Chairman Spiegel moved for approval. The motion was seconded by Mayor Adolph and approved by a unanimous vote.

Supervisor Benoit asked Jeffrey Goldfarb to provide background information. Mr. Goldfarb stated that he works for Rutan & Tucker. He has been a lawyer for 25 years and graduated from the University of California, Hastings College of Law and went to the University of California Berkley for his under-graduate work. He stated that he is the City Attorney for the City of San Clemente and has represented numerous governmental entities up and down the State. He also represents some private clients in development of shopping centers.

Mayor Hobart stated that in the General Manager's report, it was stated that Mr. Goldfarb's hourly charges exceed what we have been paying. Mayor Hobart asked Mr. Goldfarb to address the rate. Mr. Goldfarb stated that the firm has had a chance to represent at least one other transit district and that district, confidentially, is paying more than what is being proposed here. The hourly rate is about \$100 or so higher. Mr. Goldfarb stated that the charge is \$300 per hour for representation on this particular matter regarding the franchise issue. For general representation, it is \$290.

11. General Manager's Report

Mikel Oglesby addressed the Board stating that as we begin the celebration of providing public transit to the Valley for 35 years, staff is optimistic about this year

and the goals set forth. He stated that he has no doubt that the goals will be met. Oglesby informed the Board that the Agency's first big event of the year, the 5th annual "State of Public Transit" Luncheon, is fast approaching and we are very pleased to have as keynote speaker, the California State Controller, Mr. John Chiang, and returning guest speaker, Dr. John Wu of the California State University, San Bernardino. The event takes place Thursday, February 9th at 11:30am at the Palm Springs Convention Center. Oglesby asked the Board to RSVP to Carolyn Rude. Oglesby stated that valuable information will be provided. He encouraged Board members to talk to the cities to sponsor a table as it will be a great opportunity to ask questions of the State Controller. Oglesby stated that seven years ago Director of Safety and Security, Tommy Green joined the Agency to create a much needed safety program. He stated that at the time, Mr. Green agreed to give the Agency a couple of years and to then go back into retirement. Oglesby stated that the Agency is very fortunate that Mr. Green stayed the past seven years as his expertise, direction and commitment were very much needed. Oglesby stated that not only is the Agency a safer place for all employees here at SunLine, but the residents and visitors throughout the Valley have felt the affects of Mr. Green's work as well. Oglesby stated that Mr. Green has decided to move on down the road back into retirement. Oglesby thanked Mr. Green for his service and wished him well on his new journey.

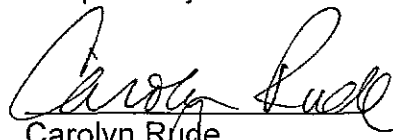
12. **Next Meeting Date**

Chairman Garcia announced that the next regular meeting of the Board of Directors will be held on February 22, 2012 at 12 noon – Kelly Board Room, 32-505 Harry Oliver Trail, Thousand Palms, CA 92276.

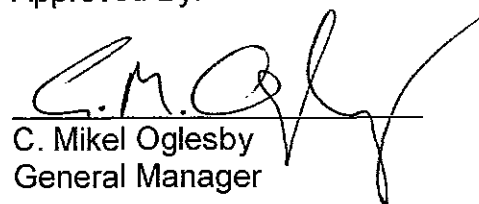
13. **Adjourn**

Chairman Garcia adjourned the meeting at 12:07p.m.

Respectfully Submitted


Carolyn Rude
Clerk of the Board

Approved By:


C. Mikel Oglesby
General Manager

Date: 2/10/12

SunLine Transit Agency
Checks \$1,000 and Over
For the month of January 2012

NOTE: 1). Bold check payments represent "pass through" payments that were, or will be reimbursed to SunLine under the provisions of specific grants or contracts. 2). Underlined check payments represent "shared" payments with SunLine and specific vendors/employees.

Vendor Name	Description	Check #	Check	Amount
HEALTH NET	Group Health Ins Prem	653211	1/12/2012	\$202,389.28
BAE SYSTEMS CONTROLS, INC.	Fuel Cell Bus	653305	1/25/2012	\$154,037.00
UNION BANK	Pension Deposits	653300	1/23/2012	\$80,585.11
UNION BANK	Pension Deposits	653268	1/12/2012	\$79,147.44
SO CAL GAS CO.	Utilities	653136	1/4/2012	\$74,658.46
PERMA	Gnrl Liab / Wker Comp	653127	1/4/2012	\$74,464.05
SO CAL GAS CO.	Utilities	653249	1/12/2012	\$74,424.52
AVAIL TECHNOLOGIES	ITS Implementation	653277	1/23/2012	\$48,327.50
ST. BOARD OF EQUALIZATION	Fuel Taxes #58-100972	653253	1/12/2012	\$23,085.00
GOODYEAR TIRE & RUBBER COMPANY,	Bus Tire Lease	653094	1/4/2012	\$22,415.12
IMPERIAL IRRIGATION DIST	Utilities	653214	1/12/2012	\$17,680.70
ELDORADO NATIONAL (CALIFORNIA),	Fuel Cell Bus	653149	1/9/2012	\$14,573.19
ST. BOARD OF EQUALIZATION	Fuel Taxes #58-400124	653252	1/12/2012	\$13,808.00
LEFLORE GROUP LLC, THE	Projects Management	653219	1/12/2012	\$12,251.72
ADVANCED WEB OFFSET, INC.	Printing Rider's Guide	653155	1/12/2012	\$11,470.00
AVAIL TECHNOLOGIES	ITS Implementation	653008	1/3/2012	\$11,200.00
HARTFORD LIFE	Employee Benefits	653098	1/4/2012	\$10,341.04
BLUWAYS USA, INC.	Fixed Rt Buses	653163	1/12/2012	\$8,750.00
CREASON & AARVIG, LLP	Legal Services	653306	1/25/2012	\$7,946.65
HAWKINS COMPANY, THE	Recruiting Employees	653209	1/12/2012	\$7,500.00
CREASON & AARVIG, LLP	Legal Services	653179	1/12/2012	\$7,056.00
TURBO IMAGES	Bus Decals/Logos	653267	1/12/2012	\$6,529.64
COLONIAL LIFE & ACCIDENT	Supplemental Insurance	653017	1/3/2012	\$6,344.76
METLIFE SBC	Dental Insurance	653221	1/12/2012	\$6,094.77
FERRELLGAS	Propane Service	653200	1/12/2012	\$5,689.79
G & K SERVICES	Uniform service	653309	1/25/2012	\$5,564.15
MIKE COX ELECTRIC, INC. THE	WIP-Seismic Warning System	653116	1/4/2012	\$5,360.40
PERMA	Gnrl Liab / Wker Comp	653237	1/12/2012	\$5,311.24
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	653182	1/12/2012	\$5,299.72
IMPERIAL IRRIGATION DIST	Utilities	653107	1/4/2012	\$5,222.75
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	653025	1/3/2012	\$5,031.76
KENNY STRICKLAND, INC.	Lubricants & Oils	653113	1/4/2012	\$5,001.60
PALM SPRINGS CONVENTION CENTER	State of Transit Luncheon	653274	1/18/2012	\$4,878.50
SOUTHWEST NETWORKS, INC.	Network Consultants	653297	1/23/2012	\$4,650.00
MOORE MAINTENANCE	Janitorial Services	653222	1/12/2012	\$4,633.00
AMALGAMATED TRANSIT UNION	Union Dues	653159	1/12/2012	\$4,231.12
AMALGAMATED TRANSIT UNION	Union Dues	653276	1/23/2012	\$4,209.78
ELLSWORTH TRUCK & AUTO	Repair Parts	653186	1/12/2012	\$3,978.02
ACCONTEMPS	Temporary Help	653154	1/12/2012	\$3,896.00
CARQUEST OF THE DESERT	Repair Parts	653174	1/12/2012	\$3,633.89
TRANSIT PRODUCTS & SERVICES	Repair Parts	653265	1/12/2012	\$3,032.31
HOME DEPOT CRD SRVS	Facility Maintenance	653106	1/4/2012	\$2,869.15

SunLine Transit Agency
Checks \$1,000 and Over
For the month of January 2012

NOTE: 1). Bold check payments represent "pass through" payments that were, or will be reimbursed to SunLine under the provisions of specific grants or contracts. 2). Underlined check payments represent "shared" payments with SunLine and specific vendors/employees.

Vendor Name	Description	Check #	Check	Amount
ALEXANDER COHN, ESQ	Legal Services Labor Counsel	653157	1/12/2012	\$2,716.25
OPW FUELING COMPONENTS	CNG/Hydrogen Station Parts	653125	1/4/2012	\$2,554.68
SOUTHWEST NETWORKS, INC.	Network Consultants	653139	1/4/2012	\$2,437.50
<u>CALIFORNIA STATE DISBURSEMENT</u>	<u>Employee Garnishment</u>	<u>653278</u>	<u>1/23/2012</u>	<u>\$2,362.89</u>
<u>CALIFORNIA STATE DISBURSEMENT</u>	<u>Employee Garnishment</u>	<u>653167</u>	<u>1/12/2012</u>	<u>\$2,362.89</u>
CIS LeROY	Interim Finance Director	653176	1/12/2012	\$2,352.20
<u>EYE MED</u>	<u>Employee Benefits</u>	<u>653192</u>	<u>1/12/2012</u>	<u>\$2,211.24</u>
MAGELLAN BEHAVIORAL HEALTH	Employee Assistance	653114	1/4/2012	\$2,132.79
TOTALFUNDS BY HASLER	Postage Supplies	653263	1/12/2012	\$2,058.51
GRAINGER	Facility Maintenance	653208	1/12/2012	\$2,051.55
FLEET-NET CORPORATION	Software & Licenses	653280	1/23/2012	\$2,040.00
IVANNA SAMOKISH	Tuition Reimbursement	653216	1/12/2012	\$2,000.00
NAME WITHHELD	Insurance Losses	653148	1/4/2012	\$1,967.16
SAFETY-KLEEN CORPORATION	Solvent Tank Service	653246	1/12/2012	\$1,896.79
<u>SHERIFF'S COURT SERVICES - EAST</u>	<u>Employee Garnishment</u>	<u>653248</u>	<u>1/12/2012</u>	<u>\$1,790.36</u>
NEW FLYER	Bus Parts	653227	1/12/2012	\$1,753.58
AMERICAN CAB	Taxi Voucher Program	653160	1/12/2012	\$1,750.00
FERMIN FIGUEROA	Payroll Correction	653089	1/4/2012	\$1,740.94
FACTORY MOTOR PARTS COMPANY	Repair Parts	653197	1/12/2012	\$1,733.95
KENNY STRICKLAND, INC.	Lubricants & Oils	653218	1/12/2012	\$1,733.53
<u>SHERIFF'S COURT SERVICES - EAST</u>	<u>Employee Garnishment</u>	<u>653296</u>	<u>1/23/2012</u>	<u>\$1,649.40</u>
VERIZON WIRELESS	Wireless Cell Serv	653303	1/23/2012	\$1,548.22
FIESTA FORD, INC.	Repair Parts/Support	653091	1/4/2012	\$1,545.69
VERIZON	Communications	653302	1/23/2012	\$1,527.17
PARKHOUSE TIRES INC	Revenue/Non-Rev Tires	00653234	1/12/2012	\$1,425.45
RENOVA ENERGY CORP.	Bus Stops & Zones Supplies	00653130	1/4/2012	\$1,400.00
HOME DEPOT CRD SRVS	Facility Maintenance	00653287	1/23/2012	\$1,397.63
OFFICE DEPOT	Office Supplies	00653230	1/12/2012	\$1,380.29
CSA GROUP	Repair Parts	00653023	1/3/2012	\$1,370.00
OFFICE DEPOT	Office Supplies	00653123	1/4/2012	\$1,323.97
ROMAINE ELECTRIC CORP.	Repair Parts	00653133	1/4/2012	\$1,323.53
VALLEY OFFICE EQUIPMENT, INC.	Fax/Copier Supplies	00653146	1/4/2012	\$1,246.88
EPLER COMPANY, THE	Pension Consultant	00653189	1/12/2012	\$1,176.86
OPW FUELING COMPONENTS	CNG/Hydrogen Station Parts	00653232	1/12/2012	\$1,138.15
ACCONTEMPS	Temporary Help	00653002	1/3/2012	\$1,116.00
TOTALFUNDS BY HASLER	Postage Supplies	00653143	1/4/2012	\$1,000.00

Total of Checks Over \$1,000	\$1,120,789.18
Total of Checks Under \$1,000	\$48,593.74
Total of All Checks for the Month	\$1,169,382.92

Total Amount of Checks Prior Years Same Month	\$1,634,764.22	6
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January Statement for activity from Dec. 22, 2011 through Jan. 23, 2012
 SUNLINE TRANSIT
 C MIKEL OGLESBY

Inquiries: 1-866-552-8855
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Your Visa® Business Card account at a glance ... Account

Activity Summary	
Previous Balance	\$695.00
Payments	\$695.00CR
Other Credits	\$0.00
Purchases	\$983.20
Balance Transfers	\$0.00
Advances	\$0.00
Other Debits	\$0.00
Past Due Amount	\$0.00
Fees Charged	\$0.00
Interest Charged	\$0.00
New Balance	\$983.20
Credit Line	\$34,000.00
Available Credit	\$33,016.80
Statement Close Date	Jan. 23, 2012
Days in Billing Cycle	33

Payment Information	
New Balance	\$983.20
Minimum Payment Due (Current Month)	\$10.00
Minimum Payment Due (Past Due)	\$0.00
Total New Minimum Payment Due	\$10.00
Payment Due Date	Feb. 17, 2012
<p>Late Payment Warning: If we do not receive your minimum payment by the date listed above, you may have to pay up to a \$39.00 Late Fee and your APRs may be increased up to the Penalty APR of 28.99%.</p>	

To reduce or avoid paying additional fees and interest charges on your purchase balance, pay the total new balance of \$983.20 by 02/17/12. Any cash balance or balance transfer balance will continue to accrue daily interest until the date your payment is received.

Transactions

Post Date	Trans Date	Ref. Nbr	Description of Transaction	Amount	Notation
Payments and Other Credits					
01/04			PAYMENT THANK YOU	\$695.00CR	-----
Purchases and Other Debits					
01/09	01/05	9085	UNITED AI0167009249946 MANKATO MN	\$358.20	-----
			OGLESBY/CHARLE 01/27/12		
			PALMSPRINGS TO HOUSTON		
			HOUSTON TO ORLANDO FLA		
			ORLANDO FLA TO HOUSTON		

Continued on Next Page

No payment is required, however please use coupon when making additional payments. CPN 000648533

Automatic Payment

Your Account Number:
 Your new full balance of \$983.20 will be automatically deducted from your account on 02/06/12.

To change your address or for Cardmember Service please call: 1-866-552-8855 **Every Hour! Every Day!**

000032196 1 MB 0.404 106481440404517 P

SUNLINE TRANSIT
 C MIKEL OGLESBY
 32505 HARRY OLIVER TRL
 THOUSAND PLMS CA 92276-3501





January Statement for activity from Dec. 22, 2011 through Jan. 23, 2012
 SUNLINE TRANSIT
 C MIKEL OGLESBY

Inquiries: 1-866-552-8855
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Transactions

Post Date	Trans Date	Ref. Nbr	Description of Transaction	Amount	Notation
01/09	01/06	3623	HOUSTON TO PALMSPRINGS AMERICAN PUBLIC TRANS 202-4964800 DC	\$625.00	-----

2012 Totals Year-to-Date	
Total Fees Charged in 2012	\$0.00
Total Interest Charged in 2012	\$0.00

Company Approval *(This area for use by your company)*

Signature/Approval: _____ Accounting Code: _____

Interest Charge Calculation

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

**APR for current and future transactions.

Balance Type	Balance By Type	Balance Subject to Interest Rate	Variable	Interest Charge	Annual Percentage Rate	Expires with Statement	Interest Free Period
**BALANCE TRANSFER	\$0.00	\$0.00	YES	\$0.00	13.99%		NO
**PURCHASES	\$983.20	\$0.00	YES	\$0.00	13.99%		YES
**ADVANCES	\$0.00	\$0.00	YES	\$0.00	20.99%		NO


Important Messages

Your payment of \$983.20 will be automatically deducted from your bank account on 02/06/2012


Save time and money by consolidating your debt into one monthly payment. Check your mail for a great offer or call Cardmember Service today for information on a great rate.

To contact us regarding your account.

 **By Telephone:**
Every Hour! Every Day!
 Voice: 1-866-552-8855
 TDD: 1-888-352-6455
 Fax: 1-866-807-9053

 **Send Inquiries to:**
 Cardmember Service
 P.O. Box 6353
 Fargo, ND 58125-6353

 **Send Payments to:**
 Cardmember Service
 P.O. Box 790408
 St. Louis, MO 63179-0408

 **Online**
 visit our website:
myaccountaccess.com

Pacific Western Bank
SunLine Transit Agency Visa Credit Card Statement
Closing Date: January 23, 2012

Detail:

01/09/12	United Airlines	APTA CEO Conf. Airfare – General Manager	\$ 358.20
01/09/12	APTA	APTA Legislative Conf.-Registration – General Manager	\$ 625.00

Credit:

01/04/12	Payment		\$ 695.00CR
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Note: All travel is currently funded in the Board approved FY 2012 budget.

**SunLine Transit Agency
Statement of Activities
December 2011**

	Unaudited FY 10/11	Total FY 11/12 Budget	Current Month			Year to Date		
			Actual	Budget	Favorable (Unfavorable)	YTD Actual	YTD Budget	Favorable (Unfavorable)
Operating Revenue:								
Passenger Fares	2,893,849	2,950,000	256,007	245,833	10,174	1,534,555	1,475,000	59,555
Advertising Revenue	27,024	25,000	0	2,083	(2,083)	16,983	12,500	4,483
Rebate for CNG Production	1,035,857	375,000	59,673	62,500	(2,828)	390,064	375,000	15,064
Interest Revenue	8,573	10,000	245	833	(588)	1,585	5,000	(3,415)
Outside Fueling Revenue (SunFuels)	219,868	180,137	19,149	16,101	3,048	148,292	89,749	58,543
Pass-Through Operating revenue	69,777	258,800	0	21,567	(21,567)	32,371	129,400	(97,029)
Other Operating Revenue	107,833	343,137	8,761	28,595	(19,834)	51,223	171,569	(120,345)
Grant Revenue	17,004,918	19,225,376	1,752,135	1,752,135	0	9,148,072	10,512,808	(1,364,737)
Total Operating Revenue	21,367,700	23,367,450	2,095,970	2,129,647	(33,678)	11,323,144	12,771,026	(1,447,881)
Expenses:								
SunFuels (10)	219,868	180,137	19,149	16,101	(3,048)	150,143	89,749	(60,394)
Operations-Fixed Route (11 & 12)	8,453,305	8,670,062	459,521	792,143	332,622	3,994,609	4,390,632	396,023
Operations-Dial-A-Ride (13 & 14)	2,232,339	2,450,562	119,395	215,984	96,589	1,099,555	1,215,186	115,632
Security (15)	514,549	458,833	27,341	45,305	17,964	214,556	231,886	17,331
Maintenance (21 & 22)	5,212,682	5,517,967	333,795	489,639	155,843	2,538,168	2,768,868	230,701
Facility Maintenance-T.P. (23)	567,807	573,218	42,573	51,524	8,951	294,513	288,597	(5,916)
Facility Maintenance-Indio (24)	81,905	83,472	5,238	6,956	1,718	36,175	41,736	5,561
Bus Stops/Shelters (25)	416,057	459,965	31,006	45,945	14,938	203,300	234,136	30,836
Marketing (31)	261,442	356,354	66,589	30,805	(35,784)	180,088	177,549	(2,540)
Human Resources (32)	451,763	407,998	18,823	36,904	18,081	147,510	104,465	(43,046)
General Administration (40)	1,032,497	1,483,415	24,677	124,492	99,815	609,920	739,286	129,366
Finance (41)	755,754	753,377	42,115	66,398	24,283	337,052	355,365	18,313
Information Technology (42)	289,135	367,125	18,719	30,582	11,864	139,257	183,256	43,999
Planning & Agency Development (49)	599,879	851,833	32,624	78,610	45,986	210,641	407,190	196,550
Total expenses	21,088,982	22,614,318	1,241,566	2,031,388	789,822	10,155,488	11,227,902	1,072,414

Minimum Farebox ratio = 17.80%

YTD Farebox ratio

21.42%

Preliminary Statement Prior To Audit Field Work

SunLine Transit Agency

Statement of Revenues and Departmental Expenditures For Month ended December 31, 2011

Operating Revenue	12/31/11	YTD
Passenger Fares	256,007	1,534,555
Advertising Revenue	-	16,983
Rebate for CNG Production	59,673	390,064
Interest Revenue	245	1,585
Outside Fueling Revenue (SunFuels)	19,149	148,292
Pass-Through Operating Revenue	-	32,371
Other Operating Revenue	8,761	51,223
Total Operating Revenue	\$ 343,835	\$ 2,175,073
Grant Revenue		
Local Transportation Funds (LTF)	777,166	5,873,207
Measure A Funds	354,740	2,128,440
FTA Section 5304	-	4,077
FTA Section 5307 ¹	125,000	625,000
FTA Section 5311	-	-
FTA Section 5316	416,014	416,014
FTA Section 5317	74,791	74,791
CMAQ	-	-
Other Grant Revenue	4,424	26,542
Total Grant Revenue	\$ 1,752,135	\$ 9,148,072
TOTAL REVENUE	\$ 2,095,970	\$ 11,323,144
Operating Expenditures by Department		
SunFuels (10)	19,149	150,143
Operations-Fixed Route (11 & 12)	459,521	3,994,609
Operations-Dial-A-Ride (13 & 14)	119,395	1,099,555
Security (15)	27,341	214,556
Maintenance (21 & 22)	333,795	2,538,168
Facility Maintenance-T.P. (23)	42,573	294,513
Facility Maintenance-Indio (24)	5,238	36,175
Bus Stops/Shelters (25)	31,006	203,300
Marketing (31)	66,589	180,088
Human Resources (32)	18,823	147,510
General Administration (40)	24,677	609,920
Finance (41)	42,115	337,052
Information Technology (42)	18,719	139,257
Planning & Agency Development (49)	32,624	210,641
TOTAL OPERATING EXPENDITURES	\$ 1,241,566	\$ 10,155,488
OPERATING INCOME/(LOSS)	854,404	1,167,656

¹ Includes \$125,000 monthly accrual of Preventative Maintenance funds totalling \$1,250,000 and Grant Revenues were recognized this month from June to present.



**SunLine Transit Agency
Monthly Ridership Report
January - 2012**

FY
2011 & 2012

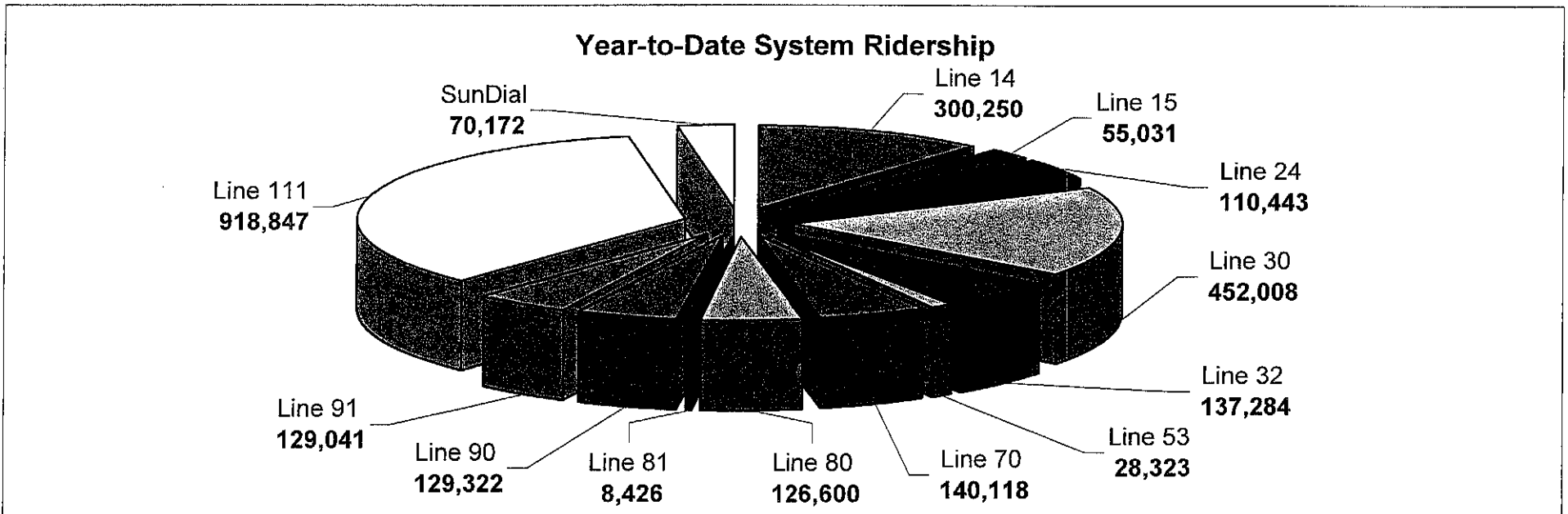
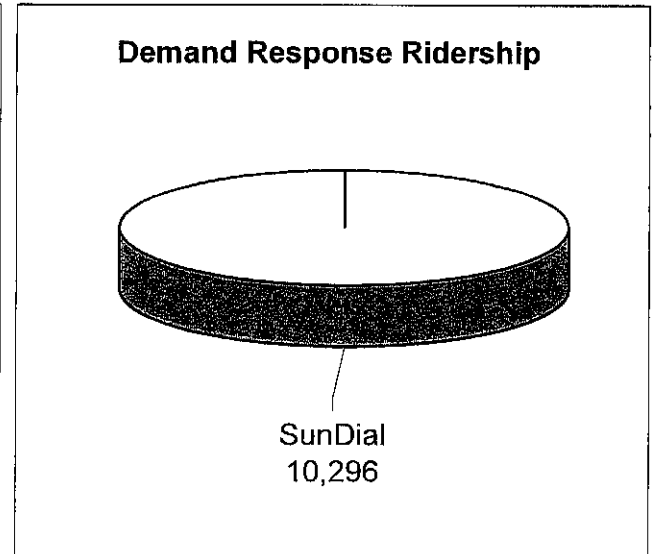
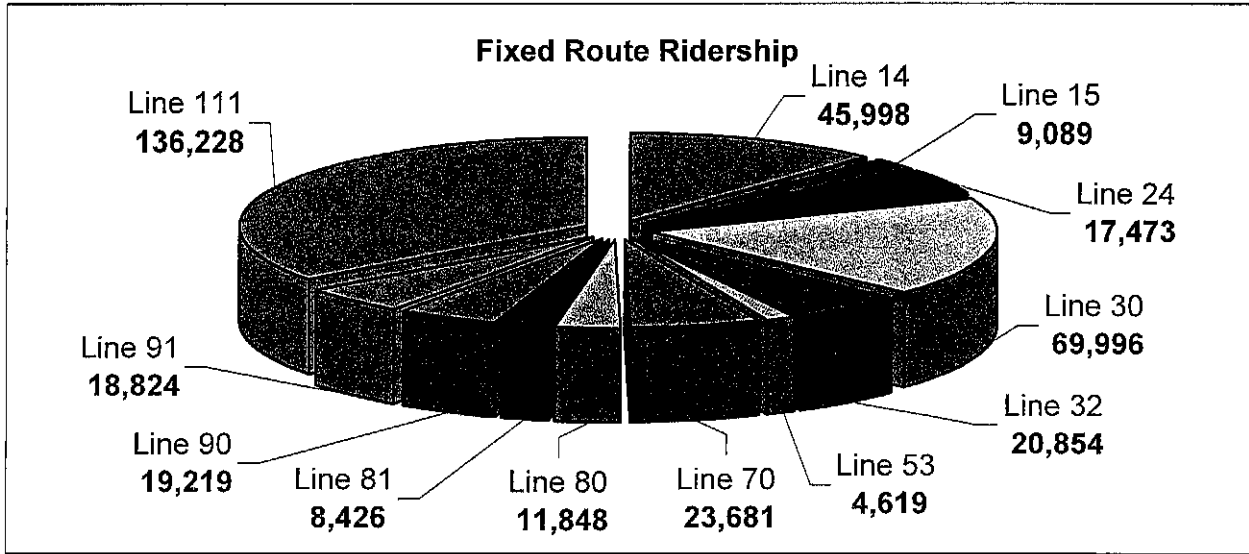
		Jan 2012	Jan 2011	Dec 2011	Month Var.	% Var.	FY 2012 YTD	FY 2011 YTD	YTD Var.	% Var.	Bikes		Wheelchairs		
Fixed Route												Monthly	YTD	Monthly	YTD
Line 14	DHS/PS	45,998	44,199	42,160	1,799	4.1%	300,250	282,264	17,986	6.4%	1,060	8,283	374	3,028	
Line 15	DHS	9,089	7,042	7,550	2,047	29.1%	55,031	32,472	22,559	69.5%	91	843	71	697	
Line 24	PS/CC	17,473	15,023	15,228	2,450	16.3%	110,443	95,128	15,315	16.1%	294	1,980	96	883	
Line 30	CC/PS	69,996	65,693	63,763	4,303	6.6%	452,008	412,921	39,087	9.5%	1,726	12,734	576	3,645	
Line 32	PD/TP/PS	20,854	17,089	19,380	3,765	22.0%	137,284	111,895	25,389	22.7%	674	5,203	43	584	
Line 53	PD/IW	4,619	4,041	4,095	578	14.3%	28,323	19,132	9,191	48.0%	123	738	26	109	
Line 70	La Quinta	23,681	21,157	19,527	2,524	11.9%	140,118	120,960	19,158	15.8%	682	5,287	16	92	
Line 80	Indio	11,848	18,940	17,419	(7,092)	-37.4%	126,600	128,658	(2,058)	-1.6%	194	1,841	121	1,340	
Line 81	Indio	8,426	-	-	8,426	0.0%	8,426	-	8,426	0.0%	115	115	53	53	
Line 90	Coachella/Ind	19,219	17,582	18,872	1,637	9.3%	129,322	116,443	12,879	11.1%	401	3,186	146	1,088	
Line 91	Cch/Th/Mecca	18,824	16,473	18,610	2,351	14.3%	129,041	99,114	29,927	30.2%	384	2,718	42	316	
Line 111	PS/Indio	136,228	125,120	134,206	11,108	8.9%	918,847	829,284	89,563	10.8%	3,999	30,756	933	6,394	
Fixed route total		386,255	352,359	360,810	33,896	9.6%	2,535,693	* 2,258,837	276,856	12.3%	9,743	73,684	2,497	18,229	
Demand Response															
SunDial		10,296	8,630	9,610	1,666	19.3%	70,172	62,666	7,506	12.0%					
System total		396,551	360,989	370,420	35,562	9.9%	2,605,865	2,321,503	284,362	12.2%					

Please note:

Line 80 was separated into Lines 80 and 81 in January 2012. The percentage variances for Line 80 is calculating ridership before the routes were separated.

* FY 2011 YTD total ridership includes data for Line 50 (10,566 passengers). Line 50 was discontinued on September 4, 2010; fixed route and system totals are accurate.

SunLine Transit Agency Monthly Ridership Report January - 2012





Complimentary Paratransit Service
Serving Persons with Disabilities Throughout the Coachella Valley

SunDial Operational Notes
January 2012

1. ON-TIME PERFORMANCE

<u>Last Year</u>	<u>This Year</u>	
92.6%	90.8%	Total trips carried in the on-time window
623	927	Total trips late during the month
8,008	10,086	Total trips

2. RIDERSHIP and MILEAGE

<u>Last Year</u>	<u>This Year</u>	
8,630	10,296	Total passengers for the month
72,084	88,169	Total miles traveled for the month

3. SAFETY

<u>Last Year</u>	<u>This Year</u>	
1	1	Total preventable accidents

4. RIDE-A-LONG & ONBOARD EVALUATIONS

<u>Last Year</u>	<u>This Year</u>	
0	10	Total Ride-a-Long Evaluations
4	8	Total Onboard Inspections
0	6	Total safety evaluations

5. DENIALS

<u>Last Year</u>	<u>This Year</u>	
0	0	Total Denied Trips

6. WHEELCHAIR BOARDINGS

<u>Last Year</u>	<u>This Year</u>	
1,125	1,534	Total Mobility Device Boarding's

cc: Mikel Oglesby, Carolyn Rude, Polo Del Toro, Mannie Thomas, Jim Rayl, Diane Beebe

SunLine Transit Agency

DATE: February 22, 2012 **ACTION**

TO: Finance Committee
Board of Directors

FROM: Director of Maintenance

RE: Purchase of Fuel Cell Bus Components

Recommendation

Recommend that the SunLine Board of Directors authorize the General Manager authority to negotiate and execute contracts with ElDorado National California and BAE Systems, subject to review and approval as to form by SunLine Legal Counsel.

Background

The Federal Transit Administration (FTA) awarded SunLine Transit Agency two additional fuel cell buses modeled after the American Fuel Cell Bus. The total project budget is \$5,464,307.27. This amount includes SunLine project administration and taxes. All contracts awarded by SunLine for these fuel cell buses are subject to receipt of full funding from the Federal Transit Administration.

As with the American Fuel Cell Bus, SunLine has managed to reduce the cost of the program by providing certain components as SunLine Furnished Equipment. This arrangement preserves the responsibility for integration to BAE Systems.

- The total Not To Exceed budget for the BAE contract is \$2,808,000 for integration of the drive and propulsion systems. This amount also includes \$68,000 for the Air Supply System.
- The total Not To Exceed budget for the El Dorado contract is \$1,033,166, which includes the Glider and the Hydrogen Storage System.

SunLine expects that these buses will be delivered 18 months after the receipt of the funding from the Federal Transit Administration, which is anticipated in March 2012.

Financial Impact

SunLine was awarded 90 percent of the funding for this project from the Federal Transit Administration. The remaining 10 percent will come from budgeted local funds.


Tommy Edwards

SunLine Transit Agency

DATE: February 22, 2012 **ACTION**
TO: Finance Committee
Board of Directors
FROM: Director of Maintenance
RE: Award of Contract for Janitorial Services

Recommendation

Recommend that the Board of Directors authorize SunLine General Manager to approve award of a contract for Janitorial Service upon review as to form and legality by Legal Counsel.

Background

SunLine Transit Agency contracts with an outside provider for its janitorial services. In May of 2008, SunLine Board of Directors approved an agreement between Moore Maintenance (now KBM Facility Solutions) and SunLine for janitorial services. The current agreement will conclude June 30, 2012. SunLine staff has prepared an RFP asking for these services for a period of two (2) years, with three (3) single year options available.

Fiscal Impact

SunLine's estimated cost for this service is \$60,000-\$70,000 per year. These expenditures will be included in the operating budget of 2012/2013 and in succeeding years.


Tommy D Edwards

SunLine Transit Agency

DATE: February 22, 2012 **ACTION**
TO: Board of Directors
FROM: Director of Operations
RE: Approval of New ACCESS Advisory Committee Member

Recommended Action

Recommend that the Board of Directors approve new member of the ACCESS Advisory Committee as approved and presented by the current members.

Background

At the January 10, 2012 ACCESS Advisory Committee meeting, currently seated members unanimously approved one new member as presented to the Committee by the Membership Subcommittee.

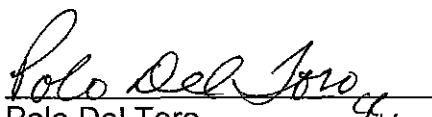
The recommended member is:

Scott Shriner, Marketing person for Mirage Inn Brookdale Senior Living in Rancho Mirage. He is interested in volunteering his time to the committee to gain knowledge of transit.

There are no known conflicts of interest.

Fiscal Impact

None.


Polo Del Toro

SunLine Services Group

DATE: February 22, 2012 **INFORMATION**
TO: Board of Directors
FROM: Director of Transit Planning
RE: Bus Stop Improvement Program – Phase 4

Background

SunLine Transit Agency is please to announce the commencement of the Agency's Bus Stop Improvement Program Phase 4. This project is designed to add new passenger amenities (primarily new bus shelters) to bus stops throughout the SunLine service area.

SunLine has five hundred and nineteen (519) bus stops located throughout its service area which are cleaned and maintained on a regular basis. Of these, two hundred and ninety-one (291) bus stops (56% of all stops) have a shelter shed. The previous three phases of the Bus Stop Improvement Program were completed during fiscal years 2008/09 and 2009/10. During these phases, SunLine installed one hundred and fifty-one (151) new bus shelters at selected bus stops using American Reinvestment Recovery Act funds.

Other improvements completed include the installation of ninety six (96) I-stops with special lighting to enhance safety and security at bus stops without shelters throughout the Coachella Valley.

Phase Four Plan

Sunline has \$830,000 of Federal funds allocated and available for funding improved bus stop facilities. SunLine is proposing to use this funding to install shelter sheds at up to eighty (80) existing bus stop locations throughout the SunLine service area that lack this amenity.

Sixty-five (65) of these shelters would be newly purchased, and fifteen (15) will be existing shelters relocated from bus stops that are no longer served by SunLine. On completion of these installations, seventy-one percent (71%) of all bus stops within the Coachella Valley will have a shelter shed.

Plans for installations recommended by SunLine Planning staff are summarized in the attached table, as well as a more detailed sheet for each city and the county. The selection of bus stops to receive a shelter shed was based on bus stops having at least an average of ten (10) passenger boardings per day, excepting a small number of locations where this threshold is exceeded but cannot physically accommodate a shelter. Some of the selected locations will require some work to improve the area to sustain a shelter.

The list is provided as a starting point for SunLine to conduct discussions with each jurisdiction during March/April 2012, in order to finalize a recommended list of locations for shelter sheds and address any other concerns.

SunLine will also install benches and waste containers at bus stops that lack these amenities and cannot accommodate a bus shelter shed. Proposition 1B money once available (likely first half of FY 2013) will be used to install more I-stops with enhanced lighting for improved passenger safety and security.

TimeLine:

The following timeline is planned for the Phase Four improvements:

- March/April 2012 - Consult with each City on recommended list of bus stops to receive bus shelters.
- May/June 2012 – Preparation for Request for Proposal (RFP).
- July/August 2012 – RFP release, response period,
- September 2012 - Review of submissions.
- October 2012 - Recommendation to Board for Contract.
- November 2012 - Contract issued.
- December 2012 – June 2013 Installation of shelters contract completed.

Conclusion:

This item is provided for Board information. The program is considered a key activity for SunLine in providing the best quality of transit experience for its customers throughout the Coachella Valley.



Joseph Forgiarini



SUNLINE BUS STOP IMPROVEMENT PROGRAM PHASE 4

1/6/2012

OVERALL BUS STOP IMPROVEMENT RECOMMENDED LOCATIONS

<u>Jurisdiction</u>	<u>Total Number of Existing Active Bus Stops</u>	<u>Total Number of Existing Bus Shelters</u>	<u>Existing Percentage of Stops with Shelters</u>	<u>Total Number of Recommended New Bus Shelters</u>	<u>Proposed Percentage of Stops with Shelters</u>	<u>Proposed Total Number of Stops with Shelters</u>	<u>Proposed Number of Stops Remaining without Shelters</u>
Cathedral City	66	46	70%	7	80%	53	13
Coachella	31	22	71%	4	84%	26	5
Desert Hot Springs	41	21	51%	7	68%	28	13
Indian Wells	15	13	87%	0	87%	13	2
Indio	71	40	56%	13	75%	53	18
La Quinta	46	23	50%	11	74%	34	12
Palm Desert	47	32	68%	7	83%	39	8
Palm Springs	130	62	48%	18	62%	80	50
Rancho Mirage	33	16	48%	6	67%	22	11
Riverside County Areas	39	16	41%	7	59%	23	16
	519	291	56%	80	71%	371	148

Note: The 80 recommended new bus shelters includes the 15 relocated bus shelters, as well as two shelters replaced due to damage, and one for a new site at Cathedral City downtown.

SUNLINE SERVICES GROUP BOARD MEETING AGENDA

Wednesday, February 22, 2012
12:00 Noon
Kelly Board Room
32-505 Harry Oliver Trail
Thousand Palms, CA 92276

NOTE: IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT SUNLINE AT (760) 343-3456. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE SUNLINE TO MAKE REASONABLE ACCOMMODATION TO ENSURE ACCESSIBILITY TO THIS MEETING.

The Chair requests that all cellular phones and beepers be either turned off or set on silent mode for the duration of the Board Meeting.

AGENDA TOPICS

RECOMMENDATION

1. Call to Order
Chairman Eduardo Garcia

2. Roll Call

3. Finalization of Agenda

4. Presentations

5. Correspondence
None.

6. Public Comments

(NOTE: Those wishing to address the Board should complete a Public Comment Card and will be called upon to speak.)

Receive Comments

NON AGENDA ITEMS

Anyone wishing to address the Board on items not on the agenda may do so at this time. Each presentation is limited to 3 minutes.

AGENDA ITEMS

Anyone wishing to address specific items on the agenda should notify the Chair at this time so those comments can be made at the appropriate time. Each presentation is limited to 3 minutes.

7. **Board Member Comments** **Receive Comments**
Any Board Member who wishes to speak may do so at this time.

----- **DISCUSSION** -----

8. **Discussion Concerning Taxi Ordinance Revisions** **Discussion**
(Jeffrey Goldfarb)
Discuss process for moving forward to create Taxi Ordinance revisions.
9. **Transfer of Taxi Regulation to Another Agency** **Discussion**
(C. Mikel Oglesby)
Discuss request to the Board for direction on moving forward with transfer of taxi regulation to another agency.
(Pages 1-35)

----- **ACTION** -----

10. **Consent Calendar** **Approve**
All items on the Consent Calendar will be approved by one motion, and there will be no discussion of individual items unless a Boardmember requests a specific item be pulled from the calendar for separate discussion. The public may comment on any item.
- a) Minutes of the January 25, 2012 Board of Directors Meeting (Pages 36-47)
 - b) SSG/SRA checks over \$1000 issued January, 2012 (Pages 48)
 - c) SSG/SRA Monthly Budget Report for December, 2011, (Page 49)
 - d) Taxi Vehicle/Rides Analysis (Pages 50-51)
11. **Issuance of Ten Additional Taxicab Permits** **Approve**
(Naomi Nightingale)
Request to the Board to grant approval of the issuance of ten additional taxicab permits. (Pages 52-53)

12. Next Meeting Date

March 28, 2012, or meet as needed.
12 o'clock Noon – Kelly Board Room

13. Adjourn

SunLine Services Group

DATE: February 22, 2012 **DISCUSSION**
TO: Taxi Committee
Board of Directors
FROM: General Manager
RE: Transfer of Taxi Regulation to Another Agency

Background

In April of 2004, the then SSG Board of Directors began looking at the possibility of transferring the regulation of the taxi industry to the Coachella Valley Association of Governments (CVAG). On February 22, 2006, after many discussions by the Board of Directors, there was a decision of the Board, by a four to five vote, to keep taxi regulation under SunLine Services Group.

The suggestion to again look at the option of transferring taxi regulation to CVAG has been made. This item is up for discussion to provide staff direction as to how to proceed. Included with this report are copies of Board reports and minutes that provide information as to the process that was taken leading up to the vote by the Board in 2006.



C. Mikel Oglesby

SunLine Services Group

DATE: April 28, 2004 **ACTION**
TO: Taxi Committee
Board of Directors
FROM: Acting General Manager
RE: Taxi Regulation Duties

Recommendation

Recommend that the Taxi Committee and the Board of Directors direct the Acting General Manager to write CVAG, requesting that they discuss accepting, or returning to the cities, the duties of taxi regulation.


Background

SunLine Transit Agency began regulating taxicabs in 1990. This duty was eventually transferred over to SunLine Services Group, which has continued to perform these statutorily required duties for the Coachella Valley through an Implementation Agreement. Recently, the Riverside County Transportation Commission reported on a dial-a-ride demonstration project in western county which uses taxicabs on a contractual basis to supplement transit services. The demonstration has shown to be very effective at adding capacity and reducing costs for the transit operators. The Coachella Valley has historically had greater need for dial-a-ride services than western county based on population trends. SunLine Transit Agency would like to become a part of this demonstration project to add capacity and reduce per passenger costs using taxi cabs. If SunLine were to participate in this program, it would add rides to the taxi industry and reduce transit costs. We feel the taxi regulatory duties should be moved to either CVAG, another JPA, or be returned to each individual city. We'd like to accomplish this before 2004 ends.

The letter to CVAG would quickly review the history of SSG's regulation, and suggestions on ways that the regulation could be done by contracting with outside parties.

Fiscal Implications

None from taking these actions.


Dennis Gilman

MINUTES
SunLine Services Group
Board of Directors Meeting
April 28, 2004

A Regular meeting of the SunLine Services Group Board of Directors was held immediately following the SunLine Transit Board Meeting on Wednesday, April 28, 2004 in the Kelly Board Room at SunLine Transit Agency, 32-505 Harry Oliver Trail, Thousand Palms, CA 92276.

1. Call to Order

The meeting was called to order at 12:28 p.m. by Chairman Richard Kelly.

2. Roll Call

Members Present

Richard Kelly, Chairman, Councilmember, City of Palm Desert
Matt Weyuker, Mayor, City of Desert Hot Springs
George Stettler, Mayor, City of Cathedral City
Alan Seman, Councilmember, City of Rancho Mirage
Percy Byrd, Mayor Pro Tem, City of Indian Wells
Don Adolph, Vice Chair, Mayor, City of La Quinta
Gene Gilbert, Councilmember, City of Indio, Alternate
Rosanna Contreras, Councilmember, City of Coachella, Alternate
Roy Wilson, Supervisor, Riverside County

Members Absent

Ron Oden, Mayor, City of Palm Springs
Mike Wilson, Councilmember, City of Indio
Richard Macknicki, Mayor, City of Coachella

Guests Present

Jeff Donaldson, *The Desert Sun*
Rick Hoffman, Supervisor Venable's Office - 3rd District
Brian Hunt, DPI
Tanya Love, Riverside County Transportation Commission
Sergio Santo, CVTOA
Theresa Trevino, RCTC
Bruce Williams, Rancho Mirage
John Wohlmuth, CVAG

10. Code of Ethics

Ms. Swan-Draper and Ms. Malcolm-Valente jointly presented a code of ethics for the Board's approval. Supervisor Wilson pointed out that the policy needed to be revised for SSG because it appeared to be written for SunLine Transit. Mayor Weyuker moved to approve the policy, subject to it being changed to clearly relate to SSG. His motion was seconded by Mayor Adolph and passed unanimously.

11. Taxi Regulation Duties


Mayor Pro Tem Byrd reported that the Taxi Committee had met and recommended to the Board that staff write a letter to Coachella Valley Association of Governments and ask CVAG if they will be the taxi regulator for the Coachella Valley.

Chairman Kelly acknowledged Sergio Santo, President of the Coachella Valley Taxi Owners Association, and Mr. Santo asked the Board if they had each received a handout from the CVTOA. Several Board members accepted copies at this time. He reported that he talked to Mayor Oden and asked for a meeting regarding creating a new taxi agency. That meeting never took place, so CVTOA put together the document he handed out with suggestions to create a new taxi regulator for the valley. Mr. Byrd said that if we could find a new regulator SunLine would have no problem relinquishing their responsibilities to that agency. This document was also provided to the City Council of the City of Palms Springs and the CVAG Executive Committee. The City of Palm Springs might be interested in regulating taxis. CVTOA wants to set up a stand-alone regulator. This document shows what the majority of the taxi owners want and it will answer many of the owner's problems.

Councilmember Seman asked if the largest operator supports CVTOA's position. Mr. Santo explained that City Cab is including all of his independents and most of the independents are members of CVTOA so City Cab is not the largest. 80% of the cabs on the streets are in the association. Yellow cab just joined CVTOA in the last ten days. City Cab, Ace and Independent are not in the association, everyone else is.

Mayor Adolph made a motion to approve sending a letter to CVAG that makes a recommendation from the SunLine Board that CVAG take on the job of taxi regulation. Mayor Weyuker seconded the motion.

Supervisor Wilson suggested that the letter state that if CVAG doesn't want to do it, they find someone else to do it. Chairman Kelly said that there are many different ways of handling it. The Chairman then asked if there was any additional discussion and since there was no response, he announced that the motion carried. There were no dissenters.

- 
10. **Payment for Professional Services (C.Mikel Oglesby)** **Approve**
Request Board to determine if SSG should finance an analysis of taxi services requested by CVAG. (Pages 9-13)
11. **General Manager's Report (C. Mikel Oglesby)**
12. **RCTC Update (Tanya Love)**
13. **Next Meeting Date**
- Wednesday, June 22, 2005
12 o'clock Noon – Kelly Board Room
32-505 Harry Oliver Trail
Thousand Palms, CA 92276
14. **Adjourn**



Note: The Sun symbol denotes new procedures or actions put into effect since the May 2003 board meeting. Placement of the symbols helps to easily identify progress being made to address board concerns and suggestions. This lets you know that we're "moving in the right direction."

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SunLine Services Group

DATE: May 25, 2005 **ACTION**
TO: Taxi Committee
Board of Directors
FROM: General Manager
RE: Payment for Professional Services

Recommendation:

Recommend that the Board of Directors determine if SSG should fund an analysis of taxi operations.

Background:

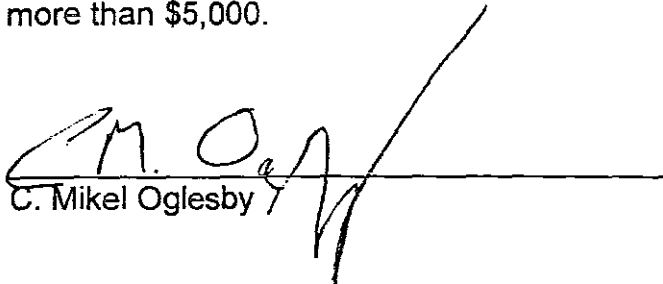
In March, the CVAG Executive Committee approved the staff recommendation for CVAG staff to retain the services of Brian Hunt to analyze the state of the taxicab industry in the Coachella Valley. Per a letter to the General Manager dated March 31, 2005, CVAG has requested that SSG pay for this study. Per the attached contract dated March 28, 2005, these professional services will include:

- Analysis of the Coachella Valley Taxicab Industry and different taxicab regulation structures
- Development of regulator/oversight structure options
- Analysis of regulation costs; and
- Participation in stakeholder meetings

The contract is for services at the rate of \$125 per hour, not to exceed \$5,000.

Fiscal Implications:

The cost of the contract would be funded by taxi revenues, in the amount of no more than \$5,000.


C. Mikel Oglesby

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CVAG

COACHELLA VALLEY ASSOCIATION of GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

March 31, 2005

C. Mikel Oglesby
General Manager
SunLine Transit Agency
32-505 Harry Oliver Trail
Thousand Palms, CA 92276

Dear Mikel:

At their meeting last Monday evening the Executive Committee approved the recommendation for CVAG staff to retain the services of Brian Hunt, a taxi and transportation consultant, to analyze the state of the taxicab industry in the Coachella Valley. The Executive Committee agreed to a Not-to Exceed cost of \$5000 for this work. I have now been authorized to request this funding from SunLine Services Group, as the recognized taxicab regulator of the Coachella Valley, in order to complete this project. It is intended that the work by Mr. Hunt will be completed by June 30, 2005, as directed by the Technical Advisory Group and the Executive Committee.

Please consider my request for \$5000 from SunLine Services Group, Taxi Regulatory Fund, in order to complete the CVAG process of determining the appropriate form of taxicab regulation in the Coachella Valley. An early response to our request is appreciated. Should you have any questions, please contact me or John Wohlmuth.

Very truly yours,

Allyn S. Waggle
Deputy Executive Director

XC: John M. Wohlmuth, Executive Director

CVAG

COACHELLA VALLEY ASSOCIATION of GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Agua Caliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martinez Desert Cahuilla Indians

March 28, 2005

Brian Hunt
1400 E. Mission Boulevard
Pomona, CA 91766

Dear Mr. Hunt:

This letter will serve as an agreement that CVAG will contract with you for the purpose of rendering professional services at the rate of \$125 per hour, not to exceed \$5,000 for the period of April 1, 2005 through June 30, 2005, unless unforeseen extensions are mutually agreed upon. CVAG will be charged only the hourly rate for actual time consultant spends analyzing, researching, attending meetings, making presentations, writing, and working on the project. CVAG will not be charged the hourly rate for driving to and from the Coachella Valley or other expenses. These professional services, under the direction of CVAG will include:

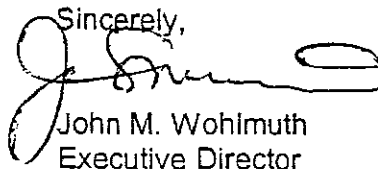
- Analysis of the Coachella Valley Taxicab Industry and different taxicab regulation structures;
- Development of regulator/oversight structure options;
- Analysis of regulation costs; and
- Participation in stakeholder meetings.

It is our mutual intent that you shall be an independent contractor and not an employee of CVAG. This agreement excludes absolutely any employer-employee relationship between CVAG and yourself. CVAG will not provide workers compensation, nor pay state disability, unemployment insurance benefits, social security, or other disability compensation. You will be fully responsible for paying Federal and State income tax responsibilities, social security, and any other payroll obligations you may owe as a result of compensation received under this agreement.

CVAG shall not be liable for any damages or injuries caused that are not clearly the sole responsibility of CVAG, nor costs or expenses incurred by you in the performance of the tasks or services under this agreement, unless otherwise agreed upon.

By approving and accepting this letter agreement, you agree not to provide taxi services in the Coachella Valley for a period of five years from the date of signing. In addition, if CVAG prepares a Request for Proposal (RFP) for taxi regulation services, you will not be allowed to participate in the preparation, review, and selection process at CVAG. By retaining your professional services to analyze and provide education on the taxi industry in the Coachella Valley, CVAG agrees to go to an RFP or competitive process to retain regulation services.

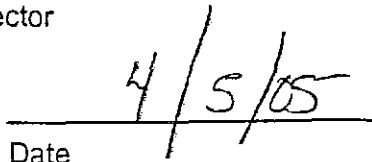
Sincerely,


John M. Wohlmut
Executive Director

Approved and Accepted:



Brian Hunt, Esq.


Date

**BRIAN HUNT
PRESIDENT
DIVERSIFIED PARATRANSIT, INC.**

1/1994 to Present Owner, Diversified Paratransit, Inc.

Purchased company on terms, responsible for growth and growth financing, operations, internal controls, financial strength, and all issues for the health of the company.

12/92 to Present: President, Diversified Paratransit, Inc.

Primary responsibility for safety, operations, and financial stability of paratransit and taxi cab operations. Responsible for management team selection and supervision, company representation to municipal customers, and management of transportation operations with annual sales of \$9 Million and 400 employees.

1990 to 1992: Law Student/Paratransit Bus Sales, Ca Bus Sales

Sales of paratransit and school bus equipment in Southern California for California Bus Sales and Service while attending law school.

1984 - 1990: Vice President and General Manager, A-Z Bus Sales

Responsible for start-up and growth in company sales and leasing of paratransit and school bus equipment in Southern California. Primarily responsible for management of sales and office staff, development of sales in territories, contract negotiation and bid preparation/presentation to municipal buyers, sales forecasting, bus preparation and delivery.

1982 - 1984: General Manager, Arizona Charter Enterprises, A-Z Bus Sales

Start-Up and management responsibility for a charter enterprise operating buses, school buses and fixed route shuttles in Phoenix, Arizona. Company growth and major contract sales led to sale of company to East Coast bus company and subsequent investment in start-up of A-Z Bus Sales.

EDUCATION

Texas Tech University, Lubbock, Texas.

Bachelor of Science in Management, 1981

University of La Verne, La Verne, California.

Jurus Doctorus, 1992

Member of California Bar Association

PROFESSIONAL MEMBERSHIPS

California Association of School Bus Transportation

California Association of Coordinated Transportation

California Department of Transportation Advisory Committee (DTAC), 1996-2000

International Taxicab and Livery Association,

Vice President, Executive Committee

Member, Board of Directors

Chairman, Paratransit Committee

Chairman Taxicab Committee

Winner, Operator of the Year, 1999

Ontario Transportation Advisory Committee

Taxicab Paratransit Association of California, Past President and Current Board Member

COMMUNITY MEMBERSHIPS

Ontario-Pomona Retarded Citizens Association, Board Member

Pomona Valley YMCA, Board Member

Rotary Club of Pomona, Board Member

Salvation Army, Board Member

Project Sister, Past Board Member

Community Service Award, Pomona Chamber of Commerce

Community Service Award, African Village Celebration

Brian Hunt, continued, Projects Experience

Dial A Ride Service.

Have designed and implemented Dial A Ride Services for contract customers including recently Temple City and Moreno Valley MoVan.

Fixed Route Shuttle Services. Service provided for contract customers providing parking lot shuttle transportation. Recent customers include Raytheon, Master Foods, and Cal State Long Beach.

Regional Center Transportation. Implement and manage service providing specialized transportation for developmentally disabled, to and from program. This type of transportation requires routing and scheduling, dispatching, maintenance of vehicles, special training for those with disabilities, and coordination with programs and homes to provide on time service.

Yellow Cab Taxi Service. Operating approximately 70 taxis in the Inland Empire area as Yellow Cab Co. covering Fontana to West Covina areas. Service requires a 24 hour dispatch, computerized dispatching, regular vehicle replacement and driver orientations/safety meetings.

Dial A Taxi Service. Designed and implemented Dial a Cab service for cities in our service area, including the cities of Walnut, Diamond Bar, Covina, Claremont, and San Dimas. These services represented a substantial saving for the cities. This service takes an accurate design to work properly.

Taxi Overflow. Design and implementation of taxi overflow for Get A Bout service, Regional Center Service, to provide the rider with better service and cost efficient solutions for the contracting agency.

Transportation Consulting. Aided Riverside County Transportation Commission (RCTC) and the RTA in designing and implementing the taxi overflow service for their paratransit service. We continue to monitor the providers and service quality of the project. Provided advice to numerous customers on how best to accomplish their transportation goals.

Various Consulting Roles. Legal advice to fellow operators, speaker on numerous panels at state and local associations, on topics such as quality control, risk management, technology use in our industry, and best practices. DPI is considered one of the top quality organizations in the industry, and is looked upon as an industry leader.

Started a Charter Bus company in 1984. Started a Bus Sales Dealership in 1987.

MINUTES
SunLine Services Group
Board of Directors Meeting
May 25, 2005

A regular meeting of the SunLine Services Group Board of Directors was held immediately following the Community Partnerships of the Desert, Inc. Board of Directors Meeting on Wednesday, May 25, 2005 in the Kelly Board Room at SunLine Transit Agency, 32-505 Harry Oliver Trail, Thousand Palms, CA 92276.

1. Call to Order

The meeting was called to order at 12:40 p.m. by Chairman Richard Kelly.

2. Roll Call

Members Present

Richard Kelly, Chairman, Councilmember, City of Palm Desert
Don Adolph, Vice-Chair, Mayor, City of La Quinta
Hank Hohenstein, Councilmember, City of Desert Hot Springs, Alternate
Ron Oden, Mayor, City of Palm Springs
Kathleen DeRosa, Mayor, City of Cathedral City
Alan Seman, Mayor, City of Rancho Mirage
Percy Byrd, Mayor, City of Indian Wells
Richard Macknicki, Mayor, City of Coachella

Members Absent

Matt Weyuker, Mayor, City of Desert Hot Springs
Mike Wilson, Councilmember, City of Indio
Roy Wilson, Supervisor, County of Riverside

Guests Present

Russ Chism, TMD
Sheila Gill, Citizen
Bruce Williams, City of Rancho Mirage
John Wohlmuth, CVAG

Staff Present

C. Mikel Oglesby, General Manager
Lisa Copeland, Esq., General Counsel
Diann Chumney, Desktop Publisher
Minna Edwards, Director of Operations
Tommy Edwards, Director of Maintenance
Larry Gentile, Accounting Manager
Dennis Gilman, Director of Administrative Services
Tommy Green, Safety Officer
Hank Hudson, Director of Human Resources
Cis LeRoy, Interim Finance Officer
Eunice Lovi, Director of Planning
John Reynolds, Procurement Officer
Carolyn Rude, Executive Assistant to the GM

3. Finalization of Agenda

No changes were made.

4. Presentations

None.

5. Correspondence

None.

6. Public Comments

None.

7. Board Member Comments

None.

8. Consent Calendar

Mayor Byrd moved to approve the Consent Calendar. His motion was seconded by Councilmember Hohenstein, and was approved by unanimous vote.

9. National Automotive Center Contract Amendment

Interim Finance Officer Cis LeRoy and Director of Maintenance Tommy Edwards both addressed the Board on this topic. The amendment is an extension of an existing contract, the last contract we will have with the NAC on this project. The contract is still scheduled to end in January, 2006. Mayor Byrd moved to approve the amendment and his motion was seconded by Mayor Adolph. It was approved with a unanimous vote.

10. Payment for Professional Services

General Manager Oglesby addressed the Board, explaining that this item is on the agenda at the request of CVAG. Last April the SSG Board wrote

CVAG and suggested that discussions be held there to find a new taxi regulator. One of the things CVAG did was to hire a consultant to write a study on taxi regulation. CVAG is requesting that SSG pay the \$5,000 cost of that study. Mayor Byrd, speaking as the Chairman of the Taxi Committee, advised the Board that this topic was discussed at the Taxi Committee earlier in the morning. He stated that the Committee felt that CVAG had requested that this study be done without requesting funding from SSG. The Taxi Committee voted to deny the request as it was a CVAG awarded contract. Mayor Seman pointed out that the award of the contract was on CVAG's stationary, and that they committed to pay for the contract, not SSG.

John Wohlmuth, Executive Director of CVAG was in attendance, and the Chairman asked for him to address the Board on this issue. Mr. Wohlmuth gave some of the history of the discussions at CVAG since SSG wrote and requested transfer of the duties. He stated that at first the proposal was given to the City of Palm Springs and the Airport Authority, and after time and discussion, both entities decided not to consider being the taxi regulator. The study is due by the end of June. We hope to use SRA funds for this study. There has been a lot of discussion between the TAC and the industry. The industry wanted to self regulate, but we have, through the TAC and the Executive Committee, said, No, we will not consider the industry being a regulator, we will go through a study process. The consultant has used approximately \$4,300 of the not-to-exceed \$5,000 amount. The study is in draft form and will go to the CVAG committee process in the month of June. We plan on having a recommendation to the Executive Committee on June 26th. CVAG can't use transportation funds for this study. It can only use funds from its General Fund, and those are very limited, hence the request to SSG for these funds.

Mayor Byrd stated that the discussion at the Taxi Committee was centered around the concept that no JPA has the right to spend another JPA's funds without prior approval. CVAG did not ask us to fund this study in advance, and it is not proper for them to come to us now to fund this.

There were a number of questions to Mr. Wohlmuth and discussion among the Boardmembers. Mayor Oden pointed out the difficulty of being on multiple boards. SSG did request the transfer, even though it didn't approve the contract. Mayor DeRosa suggested that we find a way of cost sharing on this item. Both sides should take some responsibility. Mayor DeRosa made a motion to pay half of the cost of the study. Her motion was seconded by Mayor Oden. There were 5 aye votes and 3 votes in opposition (Indian Wells, Rancho Mirage & La Quinta). The motion carried.

----- INFORMATION -----

9. **Update on CVAG's Progress to Find New Taxicab Regulator (C. Mikel Oglesby)** Information
Report to the Board, an update on CVAG's progress to find a new taxicab regulator, as directed by the Board on April 28, 2004.
(Pages 21-23)

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10. **General Manager's Report (C. Mikel Oglesby)**
11. **RCTC Update (Tanya Love)**
12. **Next Meeting Date**
Meeting as needed.
13. **Adjourn**

SunLine Services Group

DATE: December 7, 2005 **INFORMATION**
TO: Board of Directors
FROM: General Manager
RE: Update of CVAG'S Progress in Finding a New Taxicab Regulator

BACKGROUND

April 28, 2004, SunLine Services Group (SSG) requested CVAG to enter into discussions to find a new regulator for the Valley's taxicabs.


June 7, 2004, the CVAG Executive Committee directed the Executive Director to send a letter to the City of Palm Springs requesting that the City consider becoming the Valley's taxicab regulator.

February 23rd, 2005, the Palm Springs City Council declined to become the Coachella Valley's taxicab regulating authority.

February 28, 2005, the CVAG Executive Committee placed further discussion on the TAC Agenda.

After various meetings with the help of a consultant, on October 31st, 2005, the TAC Committee received and filed the consultant's recommendations of the Taxi Regulation Study. In addition, staff was directed to proceed with the implementation of the report, following the attached action plan. (Attachment A)

Over 19 months has passed since the SunLine Board requested CVAG to look into finding a new taxi regulator. The recommended transition and action plan allows CVAG to move forward without a timeline. This is placing SunLine in an awkward position.


C. Mikel Oglesby

k:/common/brdagen/dec05/TaxiUpdate.doc

SECTION IX
SUBSTITUTED RECOMMENDED TRANSITION AND ACTION PLAN

- A. Hold two public town hall type meetings, inviting taxicab operators and interested stakeholders to discuss these proposed changes.
- B. Form a regulatory agency, maybe a Joint Powers Authority, to take on the regulation of the taxicab industry in the Coachella Valley.
- C. Provide participating cities the updated ordinance to support a new regulatory agency.
- D. Agree with SunLine on a transfer date, including transfer of records, funds, etc.
- E. Amend and/or Adopt SunLine regulations regarding safety standards.
- F. Place a moratorium on the addition of any new taxicabs for one year from date of new agency control for the purpose of stabilizing the market. No moratorium needs to be placed on the number of drivers. All current permits should be valid. If it is determined there is room for new cabs to be added at the time of the new taxi regulator taking over and depending on market conditions, this issue will be discussed and explored.
- G. Require that taxicab companies or associations (hereafter referred to as companies or associations) re-form with a minimum number of vehicles. The recommended lowest number should be no less than 20 vehicles; it is suggested that a goal number be 40 vehicles.
- H. Require companies or associations to submit an application with detailed information about their fleet including the vehicle information, the current list of drivers associated, a pro-forma annual budget, and officer responsible and available to the regulatory agency. Require companies or associations to outline a drug testing program, a maintenance program, a safety program, a lost and found policy, and customer complaint resolution program. Require that companies or associations adopt colors and names that are not similar to other companies or associations, to avoid confusion with the public. Require the company or association to provide details of company or association management including employment application information. Require this within two months of the regulation adoption.
- I. Require that taxicabs post an 800 number answered by the regulatory agency office to handle direct customer complaints. Suggested language is "You are riding in CAB # 243 of City Cab, Palm Springs. If you have any comments on service please contact City Cab at *number*, or contact the *Regulation Authority* at *number*."
- J. Require within six months of regulation adoption that the new companies or associations be formed, incorporated or Limited Liability Corporation (LLC), with submission of proof of bylaws to the regulatory agency.
- K. Consider adoption of a regulation that the companies or associations provide a 24-hour central dispatch with an advertised central reservation phone number for the convenience of the riding public. The taxicab units may keep and advertise their individual phone numbers at the will of the company or association.

- L. Require that all new/ replacement cars brought into service be painted with colors of the company or association, decals of the company or association markings and meet minimum age and safety requirements. All existing cars can be "grandfathered" in.
- M. Require that within one year all taxicabs in a company or association be insured under a company or association policy.
- N. Review the moratorium on new taxicabs for any company or association provided that each new taxicab is added to an existing company or association, on a common insurance policy, meets safety standards and is painted/decals of the existing company or association. The adding of new cabs to the market will be based on a finding of convenience and necessity.
- O. Require that each new/ replacement vehicle added be equipped with safety equipment, possibly cameras, lock boxes, and headlight disabling switch. Require that all cabs with rooftop advertising must have a Bandit Light installed.
- P. Require that all drivers be required to submit to a Federal Bureau of Investigation and a Department of Justice background check before being issued a taxicab operating license.
- Q. Consider rate increases based on Consumer Price Index increases, with extraordinary cost increases to be justified through analysis of financial records of the companies or associations requesting any such extraordinary increase.
- R. Designate that the appropriate responsibilities of the regulatory agency, the taxi companies or associations and the jurisdictions will be determined through future discussion.

MINUTES
SunLine Services Group
Board of Directors Meeting
December 7, 2005

A regular meeting of the SunLine Services Group Board of Directors was held immediately following the SunLine Transit Agency Board of Directors Meeting on Wednesday, December 7, 2005 in the Kelly Board Room at SunLine Transit Agency, 32-505 Harry Oliver Trail, Thousand Palms, CA 92276.

1. Call to Order

The meeting was called to order at 12:31 p.m. by Chairman Richard Kelly.

2. Roll Call

Members Present

Richard Kelly, Chairman, Councilmember, City of Palm Desert
Don Adolph, Vice-Chair, Mayor, City of La Quinta
Alex Bias, Mayor, City of Desert Hot Springs
Ron Oden, Mayor, City of Palm Springs
Bud England, Councilmember, City of Cathedral City
Alan Seman, Mayor, City of Rancho Mirage
Ed Monarch, Mayor, City of Indian Wells
Mike Wilson, Councilmember, City of Indio
Roy Wilson, Supervisor, County of Riverside

Members Absent

Richard Macknicki, Councilmember, City of Coachella

Guests Present

Tanya Love, RCTC
Bruce Williams, City of Rancho Mirage

Staff Present

C. Mikel Oglesby, General Manager
Lisa Copeland, Esq., General Counsel
Russell Andersen, Accounting Manager
Grant Bradshaw, Director of Operations
Diann Chumney, Desktop Publisher
Tommy Edwards, Director of Maintenance
Larry Gentile, Director of Finance
Dennis Gilman, Director of Administrative Services
Tommy Green, Director of Safety & Security
Hank Hudson, Director of Human Resources
Eunice Lovi, Director of Planning
Carolyn Rude, Executive Assistant to the GM

3. Finalization of Agenda

No changes were made.

4. Presentations

None.

5. Correspondence

None.

6. Public Comments

Made during SunLine Transit Agency's Public Comments time.

7. Board Member Comments

None.

8. Consent Calendar

Mayor Oden moved approval of the Consent Calendar. His motion was seconded by Councilmember Wilson, and was approved by a unanimous vote.

9. Update on CVAG's Progress to Find New Taxicab Regulator

General Manager Oglesby addressed the Board on this Information Item and began by giving a bit of history on the topic of who should perform the duties of the valley's taxi regulator. In April of 2003, the SSG Board wrote CVAG and asked that discussions be held there to find a new regulator. Palm Springs declined to become the regulator and CVAG then placed this item on the agenda for the Technical Advisory Committee (TAC). In October, 2005, 19 months later, a transition plan was recommended to the Executive Committee. There is a lack of a timeline on their action. There was some discussion of a timeline at a Committee meeting.

Chairman Kelly stated that there has been much discussion at SSG's Taxi Committee meetings.

Mayor Seman asked General Counsel Copeland to explain the requirements of the law in this area. Ms. Copeland addressed the Board, and advised that state statute requires cities to regulate certain aspects of the taxi business. It is something that the cities are mandated to do per Government Code. Years ago the valley cities had many different sets of regulations, and cab companies had to have licenses from each city and charged different rates, and the cities came together to have one regulator so that there was uniformity throughout the valley.

Chairman Kelly stated that CVAG discussed this and decided that SunLine would be the best place to perform this duty and that's how it came to be housed here at SunLine. We have had outsiders look at our regulation over time and we have received good marks. There are people who find fault with our regulating and others that approve. It is up to the cities to make the decision of where this authority should be.

Mayor Seman stated that at the Taxi Committee Meeting held earlier this morning, that many cab people stated that they were happy with the regulation being here at SunLine, that there is no mandate to change.

Councilmember Wilson stated that after 19 months of this we ought to put it to rest, that we ought to continue to regulate and move forward.

Mayor Bias asked why this was being discussed at CVAG. Chairman Kelly responded by stating that many people in the taxi industry asked for a change in regulator, that SunLine had been doing it for 15 years or so, and after that length of time, the SSG Board felt it would be good for the cities to discuss it once again at CVAG, and the SSG Board asked CVAG to discuss who should regulate the taxi industry. Mayor Bias thanked the Chairman for the information.

The Chairman asked if there were any other comments, and there were none.

10. General Manager's Report

No additional report was given.

11. RCTC Update

Tanya Love advised she had no report.

5. Correspondence

None

6. Public Comments**Receive Comments**

(NOTE: Those wishing to address the Board should complete a Public Comment Card and will be called upon to speak.)

NON AGENDA ITEMS

Anyone wishing to address the Board on items not on the agenda may do so at this time. Each presentation is limited to 3 minutes.

AGENDA ITEMS

Anyone wishing to address specific items on the agenda should notify the Chair at this time so those comments can be made at the appropriate time. Each presentation is limited to 3 minutes.

7. Board Member Comments**Receive Comments**

Any Board Member who wishes to speak may do so at this time.

----- **ACTION ITEMS** -----

8. Consent Calendar**Approve**

All items on the Consent Calendar will be approved by one motion, and there will be no discussion of individual items unless a Boardmember requests a specific item be pulled from the calendar for separate discussion. The public may comment on any item.

- a) Minutes of the January 25, 2006 Board of Directors Meeting (Pages 1-3)
- b) SSG checks over \$1000 issued for January, 2006 (Pages 4-5)
- c) Monthly Budget Report for January, 2006 (Page 6)
- d) Taxi Vehicle/Rides Analysis (Page 7)

9. To Regulate or Not to Regulate (Dennis Gilman)**Approval**

Request the Board of Directors make a final decision on direction of taxi regulation. (Pages 8-14)

SunLine Services Group

DATE: February 22, 2006 **ACTION**

TO: Taxi Committee and
Board of Directors

FROM: Director of Administrative Services

RE: To Regulate or Not To Regulate

Recommendation

Recommend that the Board of Directors make a final decision on whether or not they want taxi regulation duties to remain at SSG – or – that CVAG continue its process of establishing a new regulator.

Background

In April, 2004, the SSG Board unanimously approved asking CVAG to discuss the issue of taxi regulation with the end result of finding a new regulator. The main reasoning behind this request was the early results of transit agencies west of SunLine using taxicabs as contracted providers of dial-a-ride services, and reducing costs by doing so. (See Board Report dated April 28, 2004.)

As directed by the Board, I sent a letter to CVAG pm April; 29. 2004, requesting that they hold discussions to find a new regulator for the valley. There were many meetings at CVAG discussing this topic. There was speculation that the City of Palm Springs or the Airport might be interested in assuming this responsibility, but after discussions, they returned to CVAG, declining the offer.

CVAG hired a consultant, Brian Hunt, to study the taxi regulation in the valley and he wrote a report which included a step by step plan on how to implement a new regulatory process, with options of it being done in house at CVAG or for being contracted out.

Following the steps outlined in his report, CVAG held two public meetings in January, 2006. CVAG invited taxi owners, Chambers of Commerce, hotel and visitors organizations and the public to attend and express their opinion. Only taxi industry representatives attended. At these meetings every taxi industry representative spoke in favor of a cap on the number of cabs, and the SSG Board put such a moratorium in place in January. Other than all agreeing on a cap, there were other issues raised, and a variety of opinions on how to resolve them. More speakers than not thought SunLine was doing a good job as the regulator, some felt SunLine performed poorly. Some desired a stand alone regulator. (See attached CVAG notes of these public meetings.)

On February 10, 2006, CVAG's TAC (Technical Advisory Committee which consists of the city managers and the county executive officer) was presented this report on the public meetings and an enthusiastic discussion was held. The TAC finished their discussion by asking CVAG staff to meet with SSG staff and get a final answer from SSG whether or not they want to regulate. If SSG says it will continue regulating, no further action will be required by SSG or CVAG. If the SSG Board says it does not want to regulate, CVAG will continue with the process approved by its Executive Committee.

This discussion of who should regulate has created a whole list of other regulatory questions that will have to be addressed either by SSG or by whoever becomes the regulator through the CVAG process.

Fiscal Implications

None from deciding who regulates.



Dennis Gilman

SunLine Services Group

DATE: April 28, 2004

ACTION

TO: Taxi Committee
Board of Directors

FROM: Acting General Manager

RE: Taxi Regulation Duties

Recommendation

Recommend that the Taxi Committee and the Board of Directors direct the Acting General Manager to write CVAG, requesting that they discuss accepting, or returning to the cities, the duties of taxi regulation.

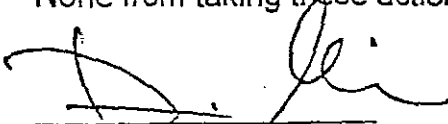
Background

SunLine Transit Agency began regulating taxicabs in 1990. This duty was eventually transferred over to SunLine Services Group, which has continued to perform these statutorily required duties for the Coachella Valley through an Implementation Agreement. Recently, the Riverside County Transportation Commission reported on a dial-a-ride demonstration project in western county which uses taxicabs on a contractual basis to supplement transit services. The demonstration has shown to be very effective at adding capacity and reducing costs for the transit operators. The Coachella Valley has historically had greater need for dial-a-ride services than western county based on population trends. SunLine Transit Agency would like to become a part of this demonstration project to add capacity and reduce per passenger costs using taxi cabs. If SunLine were to participate in this program, it would add rides to the taxi industry and reduce transit costs. We feel the taxi regulatory duties should be moved to either CVAG, another JPA, or be returned to each individual city. We'd like to accomplish this before 2004 ends.

The letter to CVAG would quickly review the history of SSG's regulation, and suggestions on ways that the regulation could be done by contracting with outside parties.

Fiscal Implications

None from taking these actions.



Dennis Gilman

COACHELLA VALLEY ASSOCIATION of GOVERNMENTS

First Public Meeting for Taxi Regulation

January 17, 2006

Palm Springs City Council Chamber

(Combined Notes by J. Wohlmuth and A. Waggle)

Dennis Rosenberg--City Cab--Independent Owner/Operator

Claims 11% of cabs operating and 23% of cab business (92,000 rides last year).

SunLine needs to stay as regulator; concerns with outside regulator coming in.

SunLine is in the best position to solve this problem; the cities are not the experts on taxi issues.

Problem is there is no middle ground; there needs to be a Taxi Commission to the

SunLine Board as an intermediary made up of industry representatives.

The taxi industry as regulated by SunLine needs to be "tweaked."

The industry is over-populated; there needs to be a cap on the number of cabs.

Bill Meyers--A Valley Cabousine--member CVTOA

Cab operators need a federal background check.

Operators need to be legal citizens; drivers should not be able to use student visas.

The number of cabs needs to be capped; now the number of cabs is 231.

Need a better regulatory fee system; divide the cost of operations by the number of cabs on the street to come up with the regulatory fee.

A ground transportation starter at the airport is needed desperately.

A fair and strong regulator needs to be in place.

Robin Burns--ClassiCab and PUC limousine service--member CVTOA

Need to limit the number of cabs; there is a problem with "long rides."

She had no negative feelings for SunLine personnel, but the regulations need to be modified.

Everyone should pay the same amount.

There should be a limit on the number of cabs.

Michael Marchese--Big Horn Taxi--Independent Owner/Operator

Need a cap on the number of cabs.

There is a problem with honesty of the drivers.

He made a frequent reference to cab drivers as "ambassadors" for the Coachella Valley.

Many drivers operate with student visas or are illegal aliens.

"SunLine has done an excellent job considering the problems being faced."

Regulations need teeth in order to control the problems; businesses suffer if there are no teeth.

Norm Bender--Sun Taxi Co.--member CVTOA

Referred to a CVTOA document titled "CVTOA Presentation to the Palm Springs City Council, Friday, February 20, 2004" as the way to resolve the cab issues.

1. Need to establish a fair and reasonable cost of regulation.

2. Set a logical limit on companies and vehicles in the Coachella Valley.

3. Upgrade the industry in general.

4. Create unity and a solid front.

He stated the number of trips per car is continually declining.

Bert Papadopolous--Yellow Cab Co.--Independent Owner/Operator

SunLine not the fault; some owners are to blame.

COACHELLA VALLEY ASSOCIATION of GOVERNMENTS

Dawn Hennig--Ace Taxi--Independent Owner/Operator

Very happy with SunLine.

Need a cap on the number of cabs.

Sergio Santo--President of the board, CVTOA, not a taxi owner or operator

Need on-the-street regulation.

Need industry representation on SunLine.

1. Cap the number of cabs; 2001 = 185 taxis; 2006 = 231 taxis.
2. Reasonable costs; estimates \$400 per cab annually.
3. Permit should be good for 4 years instead of annual.
4. Drug testing should be random instead of at permit renewal.
5. Inspection by state certified mechanics, not just by SunLine mechanics.
6. Eliminate the \$0.25 surcharge.
7. Take meter reading one time per year.
8. Conduct a complete audit, preferably by CVAG.
9. Keep all present SunLine ordinances (reference to requirement for 20 cab company).

James Vanko--V I P Taxi

Strongest emphasis on a cap on the number of cabs to make a career for cab drivers.

Level Pay Plan; simple formula to divide operating budget by total number of cabs on the street

OK to keep SunLine in charge.

"Harassment from SunLine was a problem."

Second Public Meeting for Taxi Regulation

January 18, 2006

CVAG Room 119

(Combined Notes by J. Wohimuth and A. Waggle)

Sergio Santo--President of the board, CVTOA, not a taxi owner or operator

"Some things not brought up last night."

"CVTOA represents 60% to 70% of taxi companies."

"Only 3 to 4 companies want to stay with SunLine."

"Membership has directed the CVTOA board in its actions, not just one CVTOA member."

Mike Hennig--Ace Taxi--Independent Owner/Operator

Welcomes SunLine.

Has a problem with the Action Plan recommendation for a 20 vehicle minimum cab company; does not want to depend on another operator for business.

Does not want to change regulators.

Need a cap on the number of cabs.

Dennis Rosenberg--City Cab--Independent Owner/Operator

Generates 23% of the cab business and has 24-hour dispatch.

Reviewed the recommended Action Plan and agrees with item F., there needs to be a moratorium on new cabs.

He thinks the requirement of 20 vehicle cab companies should be for a new company only.

Regarding item K., there are 95 independent cabs now in the Coachella Valley which

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should be required to record their trips. (Item K. doesn't seem to have anything to do with recording trips).

There needs to be an ordinance requiring trip sheets for independents to encourage business responsibility and to prevent overcharging.

Bill Meyers—A Valley Cabousine—member CVTOA

We don't like SunLine, but we followed this process because we thought it was still open for future changes.

Has a significant resistance to grouping of cabs into associations or companies as outlined in item G.

Norm Bender—Sun Taxi Co.—member CVTOA

Many of the items on the Action Plan were input by Brian Hunt, not by the CVTOA. Late arrivers are trying to take advantage of the efforts others have achieved with this process.

Robin Burns—ClassiCab and PUC limousine service—member CVTOA

Streamlined process needed to prepare drivers for service; SunLine takes too long. Reported that San Diego takes 2 days to process a permit while SunLine takes 12 days. A cap on the number of cabs will upgrade the quality of the fleet and of the drivers. An on-going dialogue is necessary to assure smooth operation. A "taxi commission" of industry people will help things work.

Michael Marchese—member CVTOA

SunLine supporter.

Need a cap on the number of taxis.

Problem with quality and honesty of some drivers.

Drivers are ambassadors to the valley.

Drivers have little or no training and no security background checks; illegal aliens are a problem.

Taxis are required to wait extended periods at the airport because so many cabs are in queue.

Regulations need teeth in order to keep taxis in the system clean and efficient.

CVAG

COACHELLA VALLEY ASSOCIATION of GOVERNMENTS

Blythe • Cathedral City • Coachella • Desert Hot Springs • Indian Wells • Indio • La Quinta • Palm Desert • Palm Springs • Rancho Mirage
County of Riverside • Ague Calliente Band of Cahuilla Indians • Cabazon Band of Mission Indians • Torres Martínez Desert Cahuilla Indians

February 14, 2006

C. Mikel Oglesby
General Manager
SunLine Transit Agency
32-505 Harry Oliver Trail
Thousand Palms, CA 92276

Subject: Taxicab Regulation in the Coachella Valley

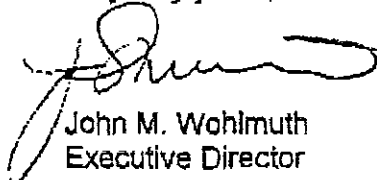
Dear Mikel:

At their meeting this past Friday the CVAG Technical Advisory Committee (TAC), made up of the City Managers and the County Executive Officer, directed that I request an appearance before the SunLine Board to confirm the intention, expressed by the letter of April 29, 2004, copy attached, to divest SunLine Transit Agency from the business of taxicab regulation.

CVAG staff have been pursuing a rather complicated process in attempting to determine the most appropriate method of regulation to derive the greatest benefit for all concerned; the cities, the taxicab owners/ operators, and the taxicab riders. In late January, as we neared the end of our process, we held two town hall type meetings which gathered a majority of the taxicab industry together and seemed to gel the issues of greatest importance. We would now appreciate the opportunity to present our findings to the SunLine Board to determine if they can work with these important issues in order to continue regulation of taxicabs in the Coachella Valley. Should the SunLine Board determine there is an interest in pursuing this further, CVAG staff will agree to present a staff report to the CVAG Executive Committee recommending that SunLine remain the Valley's taxicab regulator, and will further recommend that the cities and county support SunLine in this continued effort.

I leave it to you as to how we are scheduled to appear. If you have any questions please contact me or Allyn Waggle.

Very truly yours,



John M. Wohlmut
Executive Director

cc: Allyn S. Waggle, Deputy Executive Director
Members, Technical Advisory Committee (TAC)

MINUTES
SunLine Services Group
Board of Directors Meeting
February 22, 2006

A regular meeting of the SunLine Services Group Board of Directors was held immediately following the SunLine Transit Agency Board of Directors Meeting on Wednesday, February 22, 2006 in the Kelly Board Room at SunLine Transit Agency, 32-505 Harry Oliver Trail, Thousand Palms, CA 92276.

1. Call to Order

The meeting was called to order at 1:01 p.m. by Chairman Richard Kelly.

2. Roll Call

Members Present

Richard Kelly, Chairman, Mayor Pro Tem, City of Palm Desert
Don Adolph, Vice-Chair, Mayor, City of La Quinta
Alex Bias, Mayor, City of Desert Hot Springs
Ron Oden, Mayor, City of Palm Springs
Bud England, Councilmember, City of Cathedral City
Alan Seman, Mayor, City of Rancho Mirage
Ed Monarch, Mayor, City of Indian Wells
Mike Wilson, Councilmember, City of Indio
Richard Macknicki, Councilmember, City of Coachella
Roy Wilson, Supervisor, County of Riverside

Members Absent

None.

Guests Present

Norm Bender, SunTaxi
Russ Chisholm, TMD
Robin Burns, ClassiCab
Brent Boyd, TMD
Michael Bush, City of Indio
Herb Dobbs, NAC
James Famolare, TMD
Sheila Gill, Citizen
Tanya Love, RCTC
Sam Maggio, Kaminsky Productions
Bill Meyers, A Valley CABousine
Jerry Patton, COD
Duke Perrin, Citizen
Sergio Santo, CVTOA

8. Consent Calendar

Supervisor Wilson moved approval of the Consent Calendar. His motion was seconded by Mayor Oden and was approved with a unanimous vote.

9. To Regulate or Not To Regulate

Chairman Kelly stated that those who had requested to speak to the Board on this topic would be recognized at this time. He called them in the order he had the request cards. First called was Bill Meyers.

Bill Meyers is the owner of A Valley CABousine and is the vice-president of the CVTOA (Coachella Valley Taxi Owners Association). All we ever wanted was good taxicab regulation. If you guys want to take it back, that certainly seems to be the simplest answer to the problem. If it comes back to SunLine, we need to revamp the regulations the way CVAG's process indicates. You've already taken the first step and we have a cap on the number of taxicabs. We need to get an equitable cost disbursed per cab. I don't want to pay more because I do more. I want to pay the same regulatory cost as the guy who does nothing. Whatever the amount is, and we've suggested \$400 per car, you divide by the number of cabs and pay it per month. Right now, someone can own a cab and not pay their share of the regulatory costs and that needs to stop. We need to be involved in some type of taxi advisory capacity. I need to be involved in that. We've been complaining about SunLine since the day you began regulating cabs. I've been complaining since 1992. But you never listen to me. We aren't the bad guys here. All we want is to have fair regulation. We want you to take our suggestions. One thing we need is to have the sticker that goes on every cab with the phone number to lodge complaints to be a white sticker with black letters so it can be seen at night.

Chairman Kelly then recognized Sergio Santo. Mr. Santo is the president of the CVTOA. This process has been going on for 3 years. We need to be focused. Taxi regulations need to be changed. We have handed out a document which lists our proposals. We did a questionnaire of our industry. Our industry does not stand behind SunLine. We don't want to fight with anybody, we want to work with everybody. It has to change, it is insanity.

Chairman Kelly then recognized Robin Burns. Robin Burns is the owner of ClassiCab and a boardmember of the CVTOA. She stated that she wanted to address the new members of the Board on the topic of why this issue of who should regulate is before the Board. She stated that there is a conflict of interest with the taxi industry and she cited a number of examples. The first was Ready Rides (a service operated for a short time, years ago, by Community Partnerships of the Desert, Inc., a not for profit affiliated with SunLine). Their fares were \$4 for a local ride, but taxi fares

are much higher. We wanted to operate the Vets Express Route. But I lost it to my regulator, SunLine. I want to know if the regulation of taxi is driven by monetary issues. One of the purposes of creating SSG was the promotion of CNG fuels, and SunLine added approximately 45 CNG taxis, leasing them to anyone who could afford them. These cars were sold at a higher price than similar cars in other areas and the CNG pump prices at SunLine were higher than at other CNG stations in San Diego or San Bernardino. She instituted a call to Weights & Measures as they were not inspecting the dispensers at SunLine as they did with all other stations. Regulation should be done for the right reasons, with representation from the taxi industry. I've been paying full price for my regulation for the past 11 years and feel our fees paid should be prorated. Whoever regulates should have no blurring of the lines, sharing offices and employees. It should encourage high quality regulation with taxi industry representation.

Chairman Kelly requested that John Wohlmuth, Executive Director of CVAG (Coachella Valley Association of Governments) address the Board on why this item is on the SSG Agenda. Mr. Wohlmuth stated that Mr. Gilman's staff report outlined where we stand and I'll outline what the TAC, the city managers, discussed. At the last TAC meeting, they asked me to sit with SSG and to discuss which of the two public agencies, CVAG or SSG, should regulate, and if SSG still felt the letter they sent to CVAG in April, 2004 was SSG's desire – to find a new regulator. We held two public forums and the majority of those speaking were in favor of keeping SunLine as the regulator. It may not be a majority of all taxi owners but it was a majority of those speaking. There were 3 basic points made during these public meetings: 1) to put a cap on the number of taxis, and that cap has now been put into place; 2) a simplified fee structure meaning that whatever the cost is, divided by the number of taxis; and 3) is some type of advisory group. In my discussions with Mr. Oglesby, his concern is that if the regulation remains at SSG, will the cities offer their full support, and I feel that is a reasonable question to raise.

There were a few questions of how this had been done in the past, and answered that SunLine has been the regulator for all the cities since 1990. The cities all agreed a regional, single source, was much more efficient than having each city do it individually.

Councilmember Wilson asked Mr. Oglesby what the general direction he was given when hired (May, 2004) as to the future of taxi regulation or SSG issues to get out of our mess. Mr. Oglesby responded by saying that the direction was to reduce SSG and that requesting CVAG to take it over occurred prior to his arrival. At that time, RTA (Riverside Transit Agency) had been able to offset some of their paratransit costs by contracting with cabs, and if SunLine were to be able to do this contracting, it would be better if we weren't the taxi regulator. My understanding was that the

Board wanted to eliminate SSG and get back entirely to transit. Mr. Wilson asked what his recommendation would be, and Mr. Oglesby responded that this is an issue for the Board to decide. From a transit stand point, it should go to CVAG, but if the Board decides it should go in a different direction, I will follow their directives.

Supervisor Wilson asked for the recommendation of the Taxi Committee. Chairman Kelly responded that the Taxi Committee's recommendation was that SunLine should continue to regulate. With my SunLine hat on, I say take it away. But with my city hat on, SunLine has done a good job and I don't think anyone else is set up to handle it as well as SunLine is.

Supervisor Wilson asked if the Committee felt there were changes to be made. Chairman Kelly responded that we would look especially at these 3 main items, and a few others such as a starter at the airport, and I think that Mayor Seman, as a member of the Committee, should speak as well.

Mayor Seman advised that at the Taxi Committee Meeting held earlier that morning, that regulation is a requirement. That the taxi industry people who attended were very vocal and very enthusiastic. Their thought that they would be the regulator is not acceptable. We have addressed a number of the issues that have concerned the taxi industry. The first was the advertising limits, and the City of Palm Springs corrected that some time ago. The majority of the industry who spoke this morning wanted SunLine to continue to be the regulator.

There were a number of questions as to how the regulatory duties are performed now and Mr. Gilman and General Counsel Copeland answered specific questions as to staffing levels and application of Ordinances and regulations. Chairman Kelly stated that in years gone by there were quite a few violations, but in the recent past there have been very few hearings. Ms. Copeland continued that it was a learning curve, and once the industry saw that we were serious about our enforcement role, we were challenged far less often. We've gone through a great deal to get to this more efficient system that is now in place.

Mr. Oglesby wanted the Board to understand that if the regulation duties remain, they must remain in SSG, it would not become a duty of SunLine Transit.

Mayor Oden asked if other transits regulate taxis, and Mr. Oglesby responded that there are, but most are larger than SunLine.

Mayor Oden said that the industry feels the lines have been crossed on many things. That's not going to go away. It's a trust issue. It would be

easier for it to stay here, but that may not be the best in the long term. We don't have to regulate it. We need to cooperate to a certain level.

Supervisor Wilson said that we'd need to make some changes. We need to have a better communication system. If we leave it here, there will be less delay in addressing these issues the industry wants discussed. CVAG could regulate, but it would take a while to set it up.

Councilmember Wilson stated we'd never get a clean slate. We can say there is a learning curve, but we need to remember that "we are they". I think it's time to let CVAG run with it and make it work. Mr. Wilson made that in they form of a motion, that the letter sent to CVAG in April '04 still stands (to seek a new regulator). Mayor Oden seconded the motion. The Board asked Mr. Wohlmutth if the Executive Committee would still need to vote on it and he indicated they would. Mayor Adolph said that CVAG has so much on their plate right now. Further discussion ensued on the number of issues facing both CVAG and SunLine and other issues.

At 1:53 the Board decided to return to the SunLine Transit Agency agenda for its Closed Session.

At 2:35 p.m. the Chairman announced the Closed Session had ended and reconvened the SunLine Services Group Board Meeting.

The Chairman asked that a roll call vote be taken on Item 9.

Clerk of the Board Gilman conducted the roll call vote, which was as follows:

Aye (in favor of returning the issue to CVAG):

- Desert Hot Springs
- Palm Springs
- Cathedral City
- Indio

No (in favor of retaining the duties at SSG)

- Rancho Mirage
- Palm Desert
- La Quinta
- Indian Wells
- Coachella
- Riverside County

Supervisor Wilson offered a 2nd motion, that we continue the regulation under SSG and that we set up an advisory panel to give the Taxi

Committee input on a regular basis. The Chairman asked for a roll call vote on this issue as well.

Clerk of the Board Gilman conducted the roll call vote, which was as follows:

Aye (in favor of SSG continuing and creating an advisory panel)

Desert Hot Springs

Cathedral City

Rancho Mirage

Palm Desert

La Quinta

Indian Wells

Coachella

Riverside County

No (opposed to continuing and creating an advisory panel)

Palm Springs

Indio

10. General Manager's Report

No additional report was given.

11. RCTC Update

Tanya Love advised she had no further report.

12. Next Meeting

Chairman Kelly then announced that the next meeting of the Board will be called when needed.

MINUTES
SunLine Services Group
Board of Directors Meeting
January 25, 2012

A regular meeting of the SunLine Services Group Board of Directors was held on Wednesday, January 25, 2012 in the Kelly Board Room at SunLine Transit Agency, 32-505 Harry Oliver Trail, Thousand Palms, CA 92276.

1. Call to Order

The meeting was called to order at 12: p.m. by Chairman Eduardo Garcia.

2. Roll Call

Completed.

Members Present

Eduardo Garcia, Chairman, Mayor, City of Coachella
Bob Spiegel, Vice Chairman, Mayor, City of Palm Desert
Yvonne Parks, Mayor, City of Desert Hot Springs
Rick Hutcheson, Councilmember, City of Palm Springs
G. Dana Hobart, Mayor, City of Rancho Mirage
Bud England, Councilmember, City of Cathedral City
Bill Powers, Mayor Pro Tem, City of Indian Wells
Don Adolph, Mayor, City of La Quinta
Glenn Miller, Mayor, City of Indio
John J. Benoit, Supervisor, County of Riverside

Members Absent

Guests:

Iris Smotrich - Council member, City of Rancho Mirage
Joe Paradetto - Supervisor Benoit's Office
William Nelson - Supervisor Benoit's Office
Steven Quintanilla - City Attorney, Rancho Mirage
Kathleen Bennett - Resort Marketing
Gadi Srulovitz- Yellow Cab
Michal Brock- Yellow Cab
Bill Meyer- Yellow Cab
Ricardo Cruz - Yellow Cab
Kadi Labana - Airport taxi
Mabu Hossein - Aiport Taxi
Scott Russo - Legal Counsel for American Cab
Harry Incs – American Cab
Illya Pike - American Cab
Janet Kheres - American Cab
Andrea Link - American Cab
Peter Kurzon - American Cab
Gregory Kennedy - American Cab
Arti Nehru - Reporter, Channel 2 News
Dante Walker - Cameraman, Channel 2 news

Keith Matheny - Reporter, Desert Sun
Terri Berger - Express transportation
Mesfin Shawel - Express Transportation
Edik Elyasii - Bell Cab
Caitlan Alexander - Bell Cab
Tom Smotrich - Public
Peter Angone - Public
Kimberly Webb - Public
Nick Hermsen Public

Staff:

C. Mikel Oglesby, General Manager
Jeffrey Goldfarb, Interim Legal Counsel
Carolyn Rude, Special Asst. to the General Manager/Clerk of the Board
Tommy Edwards, Director of Maintenance
Tommy Green, Director of Safety & Security
Polo Del Toro, Director of Operations
Joe Forgiarini, Director of Planning
Dennis Miura, Director of Finance
Rudy LeFlore, Procurement Consultant
Jack Stevens, Human Resources Manager
Michael Jones, Manager Taxicab Administration
Ivanna Samokish, Safety, Risk Assessment & Training Coordinator
Joe Gomez, Security Officer
David Manriquez, Safety Specialist
Dave Robin, Assistant Taxicab Supervisor II
Stephanie Buriel, Administrative Assistant
Francine DePalo, Administrative Assistant
Diann Chumney, Desktop Publisher
Vanessa Mora, Administrative Assistant
Karen Thomas, Administrative Assistant

3. Finalization of Agenda

Chairman Garcia requested that agenda item #11 be heard after agenda item #9. Vice Chairman Spiegel moved for approval of change in agenda. Motion was seconded by Mayor Miller and approved by a unanimous vote.

4. Presentations

None.

5. Correspondence

None.

6. Public Comments

NON - AGENDA ITEMS

Kimberly Webb – citizen – stated the following: “First off, I would like to apologize. In reviewing the minutes from last month – in December, I had made a statement in reference to comments that had made by another fellow driver who is with American Cab. The statement was correct. Unfortunately I had been talking to somebody about baseball bats because we were talking about the Kerrigan/Harding thing going on because it was to my knees. The mechanism of injury was ‘two by four’, not a baseball. Just for clarification. I apologize for the error.”

7. Board Member Comments

Mayor Adolph stated the following: “Mr. Chairman, first of all I would like to apologize for not being at the meeting last month, but we had a function at the City that I could not miss. It was one that we have every year. I am also going to apologize if I may be a little strong today in some of the comments.” Mayor Adolph stated that he doesn’t try and do that, but after what transpired at the last La Quinta City Council meeting – there was a gentleman that accused them of everything but stealing the Eiffel tower and he got a little frustrated. He stated that he does not feel they have to put up with things like that and he still has not gotten over it. Mayor Adolph further stated: “I am going to take a minute or two – I did read the minutes (*last Board meeting*) and I really get a little disappointed when I read some of the comments that were made by individuals. Elected officials – you hold them up a little bit above everybody else and you want to work together. In our City Council, there are times when I have to bite my tongue for not saying things, but I know that in some cases, serves no purpose. It doesn’t go anywhere and all you do is alienate people and then you can’t work together. I think our City has done this over the years and worked very closely together and we have a good group of people. Some of the issues that I saw in that, what I read in the minutes and the issue with the Executive Committee - this was brought in open session that we had here and I was asked to sit on it for whatever reason and I felt that was an honor and I was happy to do this. We were not a special interest group or we are not a Gestapo group that is after something. We kind of look at things, make recommendations and all this was maybe some legal issues and unfortunately it got into a situation with Dana’s e-mails that we got at home. My wife picked up the e-mails and she gave them to me, that stack of letters. I see everybody’s names on these. My perception is that it possibly could violate the Brown Act. So I didn’t read it. I have a philosophy – when in doubt, do without. I didn’t know. I am not an attorney and when you look at one attorney saying yes, and the other attorney saying no – us laymen don’t totally understand. I did without and since that time, I have never looked at or read any emails, any phone calls or any letters that came into me regarding SunLine and this Board. I am going to look at it as we deal with the issue today. I have no preconceived ideas. I see the advertisement on the television for American Cab; the bottom line is – have they met all the requirements, then fine. Get out of the way and let them do their business. But if they haven’t, we need to address this issue. That is the point. And why we are going through all these issues, I don’t know. But I appreciate what Glenn Miller said; I read it in the minutes and it was totally correct. I was happy to see that plan and I appreciate the comment; even the comments by Bill Meyers that was in the minutes. I have no problems with that; I think they are right on. But we need to address this issue. This Board, over the years – and I am probably the

longest serving member on this Board – never wanted the cab business. We didn't want it, but we are stuck with it. And now we have to move on and do the best we can for all parties concerned. If we can't do that, there is something wrong. At this stage of the game, I hope that we are not getting into any kind of problems that we cannot resolve quickly and amicably on this Board and with the cab services because we need them there. They are on the front line to our tourism. We need to help them as much as we can. But, there are rules and regulations that have to be taken care of and hopefully we will get this thing resolved quickly today."

Mayor Parks stated the following: "I feel it is important to voice my concern with what has transpired over the last couple of months. I have not spoken to any Board member, so I don't know if any other Board members have similar concerns, but I am going to voice now and then let it go. I am offended at receiving unending e-mails from fellow Board member and lawyer, Dana Hobart, which in my opinion clearly appears as an influence to interpret information and to weight the support his obvious vote for this item. I am capable without all the legal ease referred to in his e-mails, to read and interpret the information myself. I am also offended that a fellow Board member would try to be so influential in the outcome of the vote of the Board. With what I had received, it appears that we have two lawyers representing American Cab – Mr. Russo and Mr. Hobart. I have been on the Taxi Committee for at least two years and have a lot of knowledge regarding this issue, much of which has been overlooked by both these attorneys. I have not yet made a decision and I will wait to hear all the information that is presented today. I just wish my colleague would have taken the same approach instead of trying to influence my opinion – my vote to go in his favor. Thank you."

Mayor Hobart stated the following: "If that is the end of the anti-Hobart tirades, I will respond. In reverse order – I have never attempted to influence your vote, or anybody's vote in this matter, Ms. Parks. I have only attempted to make sure that the process that we follow is imported with fair play, due process of law. We have been absent – due process of law along the way and over these months to an extreme extent. My feeling is that there is no way that you, or Don or anybody else is going to know that when we are dealt with cards that we are dealt with. For example – if we are sent confidential attorney memorandum that nobody can talk about, except among ourselves, that you can't disclose to the public – you can't say that this influenced me or that influence me if it is in the confidential report is creating viruses that lead you down the primerose path, in my view. Not with respect to what your decision is. I couldn't care less about what your decision is. I don't care what happens to American Cab anymore than I care what happens to Yellow Cab. I have no interest in it at all. But when I see due process of law so trampled on, then I figure it is my duty since I am the only lawyer in the group, to at least give you the opportunity to see the other side of the page. If you choose not to see it out of fear, then you may be violating the Brown Act – is your business. One of the great problems that I have had since I have been on the City Council is that people don't know what the Brown Act says you can do and what you can't do. People tend to think that if you breathe in the same direction of another Board member, you violated, or maybe violated the Brown Act. That is not what the Brown Act is. Five of us, five of us, could sit down and meet and say let's vote for or against American Cab and we could say even how we are going to do it –

how we are going to persuade the evidence. Why can five of us do that.... Keep in mind my e-mail is one e-mail without discussion to all of you. It is not an attempt by me to get a majority on anything and the Brown Act is concerned with getting majority's consensus of a majority for the outcome of a particular decision. I am not trying to get a consensus about anything. I am trying to say when I see something that is mis-stated that is totally absurd from a legal perspective, do I sit quiet so that you think well, if it came from a lawyer, then it has to be okay – I buy it. No rebuttal to it at all? Is that what you want? A cacoon where nobody can penetrate with contrary ideas – not about merits of the case, but about due process issues. You can't point to anything in there that has me saying I am going to support American Cab or oppose American Cab. I wouldn't do it. I want to keep my mind open until I hear the general consensus at this meeting. That is all I am caring about is that we get to this meeting with balance – not with loaded dice. And I can just tell you that we have had loaded dice for a long, long time. And anybody that wants me to establish it sometime, it would be my pleasure. But if nobody cares about whether or not the process that you are being fed is legal and appropriate or the one that I am suggesting a wider perspective and other options, is inappropriate, if you don't care – hey listen – don't read the e-mail. It's like taking a horse to water. You can't make a horse drink it, but you can take it there – you can try. And Don, with respect to that meeting – you have lost track of one thing that is pretty significant. First off, the meeting was called in absolute violation of the Brown Act. You discussed me at a private closed session before a so-called Executive Committee which doesn't exist because we don't have by-laws creating an Executive Committee. But forgetting that point, the meeting was called under the guise of a potential litigation. The litigation wasn't discussed at all at that meeting. How do I know that? Chairman Garcia made the comment at the last meeting. What was discussed was an error identified in the agenda notice. A discussion on Hobart and whether or not he committed a Brown Act violation. That was the discussion. Did anybody tell Hobart about this meeting? No. Did anybody read the Government Code Section which prohibits our organization such as an Executive Committee or any committee, from having a discussion of an elected member of the Body? It is prohibited under the Brown Act. But you did it anyway. You didn't do it on purpose (pointing to the Board Executive Committee Members) – but it's the advice that you got that it was proper to do it. It was an illegal meeting. And not to even give notice to the person whose ass is being chewed and coming up with a conclusion – charging me with a crime. Ask what it is to charge somebody with a Brown Act violation. It's a misdemeanor. You don't think that I should respond with some degree of aggressiveness? You (Mayor Adolph) are talking about how pissed off you were from last night – somebody giving you a pile of it. Nobody charged with an illegal act – they charged with you bad acts – stupid act, which may be illegal, but charging somebody with a Brown Act violation – especially a lawyer, is an outrageous thing to do when that person doesn't even have counsel to represent himself, can't represent himself in person and isn't even told about the meeting. The only notice for the meeting was posted on the bulletin board here – 72 hours in advance of the meeting. Nobody called me and said hey Dana, I've got news for you – you are going to be the subject. Did our resigned lawyer say 'Mr. Hobart, we are going to be discussing you?' I would have said you can't – the law doesn't permit it. Plus, your agenda doesn't describe it. You can't discuss stuff that is not on the agenda. But I just wanted to make a concluding point – this wasn't a small matter to me. It continues to be a very major matter to me. I have explained to Mr. Oglesby what

will settle me on it. And nobody follows that advice – that request. So be it. I know what my remedies are. I want one final word. I do not believe any of the four of you (Executive Committee members) had responsibility for the calling of that meeting or for making that so-called vote agreeing that I violated the Brown Act.” Vice Chairman Spiegel stated: “I don’t recall a vote.” Mayor Hobart further stated: “Well if there wasn’t a vote, it is a false statement in the letter from Aarvig to me saying she was acting in the name of the Executive Committee. Anyway, thank you for listening.”

Chairman Garcia stated the following: “I would like certainly like to put some closure to this question of Brown Act violation or not. I note that you ask for the General Manager and the Board to publicly apologize for that letter that was written by Legal Counsel. I certainly would like the consensus of the Board to have – we can have an attorney say yes –and another attorney will say no. I would like to bring closure to this. And if the Board is amenable to have our Interim Legal Counsel look at the matter if that is something that you and the Board feels is appropriate - if not, then I would like to put some closure to this so we can move forward and the address the issues today. I would be more than willing to give that public apology with the certainty that we are not in the right.”

Mayor Hobart stated: “I appreciate that, Chairman Garcia, very much. Since the accusation came to me in the form of a letter – starting off with the comment: ‘I’m sure that all of you Board members recognize that on your own, that Hobart was in violation of the Brown Act’. Talk about a loaded dice kickoff of a letter.” Mayor Adolph stated: “But that wasn’t true. Because I said when I read it, was the perception. I didn’t know whether it was or not and when I don’t know....”

Chairman Garcia stated: “If I could get the consensus to move in the direction that I just presented, then we could probably put closure in that aspect to your question. If not, we can just move forward.’

Vice Chairman Spiegel stated: “One question – after the e-mail from Mayor Hobart, I went back to our attorney and did look at the papers and I think Palm Springs did the same thing, both attorneys agreed that there was no Brown Act violation. So I think we should put it to bed and so I make a motion that we give Mayor Hobart an apology for what was done by our attorney at our last meeting.” Mayor Miller seconded the motion and was approved by a unanimous vote.

Mayor Hobart thanked the Chairman.

8. Consent Calendar

Vice Chairman Spiegel moved for approval of the consent calendar. The motion was seconded by Councilmember England and was approved by a unanimous vote with the exception of Mayor Adolph and Councilmember Hutcheson, who abstained.

9. General Counsel

Mikel Oglesby stated that this request is same as for SunLine Transit Agency – to accept Legal Counsel’s request to be relieved from the remainder of their contract with SunLine Transit Agency/SunLine Services Group and to approve appointment of

interim Legal Counsel, Jeffery Goldfarb of Rutan & Tucker, LLP. Supervisor Benoit moved for approval. The motion was seconded by Mayor Pro Tem Powers and approved by a unanimous vote.

Agenda item # 11 moved to discuss at this time:

11. Application for Change in Ownership of Franchise

Mikel Oglesby stated that he would like our interim attorney, Mr. Goldfarb, take it from here. Mr. Goldfarb stated the following: "Board members it is a pleasure to be here. Obviously, I came into this a little bit late in the process. There were a lot of documents to go over and I did that. I went through a number of things, but let me first off say that I understood my charge in this to advise the Board on SSG's potential actions on the sufficiency of information submitted by American Cab, LLC and to do that the first question I had is what is it that the Board is actually charged to do in that regard. Does the Board, for instance, have the authority to deny a transfer of ownership of American Cab LLC from the Saini's to Rykal. Or, do we have simply the authority to 'Receive and File' the information? Does the Board have the authority to revoke American Cab's franchise? To answer these questions, it was important that the guidance of the Franchise Ordinance, the Franchise Agreement and the Franchise law and it was also important to consider the fact that the Franchise itself is a property interest that has been conveyed by the Board to American Cab LLC. While the Franchise Ordinance and the Franchise Agreement prohibit the transfer assigned to the Franchise, they don't prohibit the sale or assignment or transfer of the stock or membership interest in the entity that owns the Franchise itself. They may sound a little confusing. You have a Franchisee; the Franchisee is a legal entity and a legal entity under California law is an LLC. An LLC in turn, can have members – it's in essence, a corporation, so you can have what would be the equivalent of stock membership, and the membership of an LLC can be bought and sold. There is nothing in our Franchise Agreement or in the Ordinance that the Board has adopted that in any way says, as I read it, that the Board has the ability to approve or disapprove of the sale of an interest in an LLC that is a Franchisee. And so, to that end, what we have here as I see in the documents is the purchase by Rykal of Saini's interest in American Cab LLC. Legally, that was not a transfer of the Franchise. And because it was not a transfer of the Franchise, it is not something that is prohibited by the operative laws that SSG is working under. That is not to say that SSG lacks the ability to request information. It just means that we don't have the ability to then take that information and then decide based upon whether we like the information or don't like the information, decide whether we are going to deny the purchaser of American Cab LLC the ability to actually purchase that corporate entity. And in fact, I also did some research and there is some case law on this point as an example. There is a case that occurred in Ventura County where there was a cable franchise – the franchisee sold its assets and the Board of Supervisors tried to prevent the sale of those assets on the theory that it had the authority to approve or disapprove a change in the franchise. The court said 'while you have the authority to approve or disapprove of a change of the franchise itself, that is the franchisee, you don't have the authority to decide whether the franchisee can actually sell its assets and who can actually purchase those assets. You could have made the Ordinance do so. The operative rules that were applying in Ventura at the time, similar to the operative rules here, don't create that authority in SSG at this point in time. So based

on that, I went a little further and I know there was some discussion regarding Section 1.080b and I can get into that if you like. Section 1.080b is a section that implies to the application, technically called Franchise/minimum Requirements, and applies to the issuance and maintenance of the Franchise. In many of the subsections, it is absolutely clear that some of those subsections apply to the application, or issuance of a Franchise and some of those subsections apply to what directly has to done to maintain a Franchise. For instance – one section says that you have to maintain a year round computerized dispatch system and another one says you have to maintain a certain percentage of your permitted taxicabs that you have – you have to make sure that those are available. And those are clearly maintenance operation. The Section that I think has been called out to the Board is Section 5 and that one says and I'm going to quote from here; it says 'Each individual or entity holding any interest in the use of a Franchise or may otherwise participate in the Franchise System is required to truthfully complete a proposal for providing franchise taxicab services, successfully complete a local and DOJ criminal background check and provide such information as is required to evaluate the legitimacy of the Franchisee's business structure, qualifications, corporate stability, financial stability and capabilities'. The question then became is that a section that applies to the sale or transfer of an ownership interest in a Franchisee, or is that a Section that really applies to the application? There are a few processes for somebody to get a Franchise. My conclusion is in fact that that applies to an application to obtain a Franchise in the first instance and does not apply to a situation where the LLC is selling its interest to another LLC. The reason I draw that conclusion is because, as I previously mentioned, neither the Agreement nor the Ordinance under which SSG operates provide a restriction or transfer of sale of assets or interest of a Franchisee LLC. To the extent that we don't have an Ordinance that currently says that we have the ability to approve or deny a sale of an interest in a Franchisee LLC, then we don't have the ability to use information that we certainly have a right to ask for. We don't have the ability to use that information then to deny the ability of an LLC to sell its assets or its interest to another LLC. And so to that end, I do not believe from a legal standpoint, that Section 1.080b particularly b-5, gives the Board the authority to deny the sale or transfer of the LLC to another LLC; in this case to deny the sale of Saini to Rykal. So that being said, it would be my suggestion – again, I think certainly asking for the information was fine and it is important information to have. I think it is in the public interest that the Board get information. I think it's important to update files on Franchisees and I think in this situation it would be certainly appropriate for the Board to take action to Receive and File that information and to update the application status of American Cab LLC. It would be my suggestion, at this point in time, it would terminate the issue. Having said that, I have one other comment and is simply to say that of course the Ordinance and the Agreement have provisions, as I mentioned, that are necessary for a Franchisee to maintain their Franchise. And all those rules continue to apply regardless of whether the Franchisee sells an interest to another LLC. The Franchisee is the Franchisee. They have to comply with our laws, they have to comply with our rules and they have to comply with our regulations. As an operating entity, regardless of who the owner is, they have an obligation to continue to have to perform the services that they signed up for in the contract and they have to do it in a way that is consistent with the Ordinance and the Rules and Regulations adopted by the Board. You asked for a

recommendation; my recommendation to the Board would be to Receive and File the information.”

Mayor Hobart asked: “Which has the affect of doing what? Does the affect of approving it whether or not we can or should?” Ms. Goldfarb stated: “I wouldn’t put it that way. I would say it has the affect of acknowledging that there has been sale of the LLC from Saini to Rykal and that the current LLC owner is Rykal and that the contact for American Cab is going to be Rykal and that Rykal has, of course, an obligation to conform.

Supervisor Benoit stated the following: “I think that is a very interesting proposal and maybe something we should seriously consider, but I would also add as a portion of that motion or in a separate motion to follow immediately, that we should amend our regulations to allow future situations like this to be dealt with in a slightly different fashion. We should be able to review and decide whether or not a similar transfer of ownership in the future would trigger a re-advertising. As follow up to the action of Receiving and Filing, I think it is appropriate course of action.”

Mayor Hobart asked the following: “I would like to have your opinion, Mr. Goldfarb, later down the road because that is an essential part of it. We have never had a code section that applies. I can’t tell you how many times I have said that. We want to have one that applies. The only question that quickly comes to my mind, when that becomes an issue in some manner where we come in and say the new purchasers – we don’t like red hair – so we have the power to exclude them. I’m not sure how far we can go, but I would certainly like to see a professional opinion on that to give us some guidance. And I would also suggest, if that becomes part of the motion or becomes a subsequent motion, that we form a committee of three people of our Board to assist with the lawyer in trying to write the right thing of a code section. Do the right thing – whatever it is we want.”

Supervisor Benoit stated the following: “I would agree with that and would like to incorporate the idea of that subcommittee to work with the Legal Counsel and the Executive Director to bring back this policy. How often does this come up? Is it a year a half?” Mikel Oglesby stated that it will come back in 31 months. “Supervisor Benoit continued stating: “We have time to put it in place with sufficient time for all bidders to understand and go through the process appropriately. I would make that a motion.”

Legal Counsel stated the following: “If I can make a recommendation. In regard to that second part of the motion, I would be more comfortable, quite frankly, if that was agendized at the next Board meeting and there can be a full discussion of exactly how you want to proceed with that.”

Motion was made by Mayor Hobart to Receive and File proposal and information provided by American Cab. The motion was seconded by Mayor Miller and approved by a unanimous vote.

10. Questions and Responses of American Cab

Mikel Oglesby stated that Board directed staff to provide American Cab with specific questions and a response was provided. Board report and responses were Received and Filed.

Mayor Parks stated the following: "I received three phone calls; unfortunately all of these were anonymous. They didn't tell your name. I didn't realize that Mr. Klibanov was a guest on the local radio show, but evidently he was. And he answered various questions. All three of these people would not give me their name for fear of retribution. Each one of them said Mr. Klibanov lied that if you go in there any day of the week, he is sitting there and still running the operation. Even if we went and checked there would be an excuse why he was there. It just leads me to believe that as soon as this is approved, Mr. Klibanov is going to come back working for American Cab." Mayor Spiegel stated the following: "I received the same call. But you can't tell who is calling you. They could be with Yellow Cab or with no cab company – just wanted to get involved." Mayor Hobart stated that he too received calls.

Councilmember England stated the following: "A quick comment. I believe that Don was the one what pointed out that never thought that this would be the case. Don is the one that has the most institutional history on this Board. The crazy thought is that I'm second in line. I never thought I would be here this long. As far as taxicab, I'm it as well. I was disappointed beyond expression on the tenor of e-mails on my perception of what I perceived as bullying from – not from Dana, but from other attorneys involved – not from Maria Aarvig, but from Russo and company. Of course he is representing the company. I am trying to look at facts and look at what is necessary to do my job on the Board and to give an unbiased opinion. To have this given to us today (*approximately a 6 inch binder of information from Mr. Russo*), to take a look at this is kind of outrageous. Now it is for nothing, but it killed a couple of trees to produce it. My comments, my concerns are that we have accepted to do a Receive and File. Being on the Taxi Committee for years has taught me one thing – that our General Manager and the attorney belongs to us (*the Board*) and staff belongs to the General Manger. If those two entities are not respected out there in the field, any time that the taxicab, and we have lots of history on this – we have lots of history on this - and this is the reason we moved to Franchises, if they are not respected, if they (Franchisee) don't particular care for how we have directed our General Manager to articulate and to put all our policies into practice, that they are going to go to each one of us and complain about that. It has happened in the past and my concern is that it is going to continue. Whether you like Mr. Oglesby or not, he is the one we picked and he is the one that basically we charge to facilitate our policy. I for one want to make sure that we still stand by him to put those policies – make sure those policies stand out and to hire individuals that will make those policies work. If we have any problems, they will bring them to us and we will go back and make sure they are up to date. My challenge is that there is a lot of finger pointing at the General Manager. That he actually was the controller of all of us. And that is not the case. We hired Mr. Oglesby years ago to take care of transit. Not necessarily to take care of the taxicab. I don't believe anybody can take care of taxicab. It's a hot potato. No one wants it here in the Valley. We talked to other administrators of taxicab organizations and they don't like what they have either. But it is here at this table. This is what we are charged to do and we need to make

sure that if we have a problem with the taxi structure, that we don't take it out on staff because we don't like hearing what we are hearing. Ask them to give us their opinion. If we don't like it, it is our own problem – not Naomi Nightingale, not any of the other staff, not Mr. Oglesby. We asked them to do a job – they have done it to the best of their ability. We should let it go instead of coming back and beating them up to get the answer that we want to hear. My concern is again, that as we move forward, I don't want to, and I am just speaking for myself, hear of a taxicab company coming in and trying to wiggle their way around one of our Ordinances because they don't particularly care for it and figure they have their foot in the door so that they can control the Board to see it their way. Our Ordinance is our Ordinance and I agree with the Supervisor and with Dana and a couple of other people that we need to brush it up because we never in a million years figured out that we were going to have to deal with a transfer right out of the gate. If you remember correctly, we put the Franchise Agreement in place as we were doing that, there was a transfer taking place outside of our knowledge. So it's not that staff was unable to do their job correctly, it was that we were not prepared at that point in time. Thank you for giving me this moment in time."

Mayor Miller stated the following: "Thank you, Bud, for the comments. One of the things I would like to get a consensus on too is as we start to roll out this committee, if we are going to agendaize this thing, there is going to be some other issues. I just want to make sure that we look at the whole franchise. Obviously this thing was rolled out under good intentions to limit the amount of cabs. Some of the Franchisees that we have heard from - cab drivers, we have heard from cab owners, about issues - long hours, changing rates on cabs - maybe we really need to look at this and I really like that a three person committee talk about it. I still think that cab companies should be somewhere else. I think we need to really discuss about putting it in another operation – either CVAG – so we can get back to running a bus line like we are supposed to and not spending five hours of dictating cab issues. I think it should be with someone else."

Mayor Parks stated the following: "I would like to piggyback on top of what Mr. Miller has said. We are new. We are in the infant stage in this franchise business. I think that what you said is extremely important. We have to take a look at our franchise operation and take it apart and make sure that we have closed every loop hole, that we have crossed every 't', dotted every 'i' in that process so that this never happens again. Because as you stated, this all started way back when Sainis were selling to Rykal and then there was legal things going on. It was just horrendous what was going on. We have to take a look at the franchise. We need to make sure that we have every loop hole that allows them to escape an Ordinance or a rule of the regulations – they don't have an out. We are secure in what we can and cannot do relative to franchise operations."

Mayor Adolph stated the following: "Thanks Bud. You said exactly what I was thinking. Staff works for us – Mikel Oglesby and Attorney. We give direction and they do it to the best of their ability. We need to be held accountable if there is a problem, because we give the direction. I am the only one that was here prior to hiring Mikel (Oglesby). Those of you who remember the major problems we had and what was happening. I was only on this Board for three months when the problems came. I tell you – what Mikel and his staff have done over the years has been wonderful. The bus services

and what we have accomplished here in the Valley, recognized all over the United State – the number one bus service that is ecologically sound. Bud, thank you for saying it.”

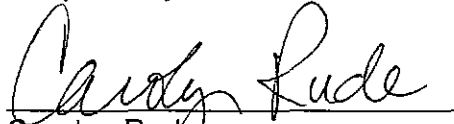
12. **Next Meeting Date**

Chairman Garcia announced that the next regular meeting of the Board of Directors will be held February 22, 2012 at 12 noon – Kelly Board Room, 32-505 Harry Oliver Trail, Thousand Palms, CA 92276.

13. **Adjourn**

Chairman Garcia adjourned meeting at 12:55p.m.

Respectfully Submitted,



Carolyn Rude
Clerk of the Board

Approved by:



C. Mikel Oglesby
General Manager

Date: 2/10/12

SunLine Regulatory Administration
Checks \$1,000 and Over
For the month of January 2012

NOTE: 1). Bold check payments represent "pass through" payments that were, or will be reimbursed to SunLine under the provisions of specific grants or contracts. 2). Underlined check payments represent "shared" payments with SunLine and specific vendors/employees.

Vendor Name	Description	Check #	Check	Amount
SUNLINE TRANSIT AGENCY	Operating Expense Allocation	089475	1/12/2012	\$8,188.43
SUNLINE TRANSIT AGENCY	Operating Expense Allocation	089476	1/23/2012	\$8,065.22
SUNLINE TRANSIT AGENCY	Operating Expense Allocation	089473	1/12/2012	\$7,847.89
CREASON & AARVIG, LLP	Legal Services	089469	1/12/2012	\$2,744.00
LEFLORE GROUP LLC, THE	Projects Management	089470	1/12/2012	\$2,185.00

Total of Checks Over \$1,000	\$29,030.54
Total of Checks Under \$1,000	\$1,908.61
Total of All Checks for the Month	\$30,939.15
Total Amount of Checks Prior Years Same Month	\$114,174.84

SRA--Taxi
Statement of Activities
December 2011

	Audited FY 10/11	Total FY 11/12 Budget	Current Month			Year to Date		
			Actual	Budget	Favorable (Unfavorable)	Actual	Budget	Favorable (Unfavorable)
Revenue:								
Meter Readings	95,800	297,123	24,205	26,907	(2,702)	99,133	107,265	(8,132)
Revenue Fines	106,661	5,000	100	417	(317)	3,910	2,500	1,410
Vehicle Inspections	15,703	14,300	1,700	1,192	508	7,350	7,150	200
New Driver Permits	4,150	5,000	750	417	333	2,650	2,500	150
Driver Transfers	4,800	5,800	500	483	17	2,050	2,900	(850)
Driver Renewals	7,050	6,100	750	508	242	4,350	3,050	1,300
Driver Permit Reinstatement/Replacement	135	200	5	17	(12)	75	100	(25)
Vehicle Transfers	(50)	1,500	0	125	(125)	0	750	(750)
Vehicle Permits	82,828	78,000	10,950	6,500	4,450	43,956	39,000	4,956
Operator Shared Revenue Fee	195,135	0	0	0	0	3,492	0	3,492
Operator Application Fee	0	10,500	0	875	(875)	46	0	46
Interest	152	0	2	0	2	197	0	197
Other	47	25,629	156	0	156	3,000	5,250	(2,250)
Total revenue	\$ 512,411	\$ 449,152	\$ 39,118	\$ 37,440	\$ 1,678	\$ 170,210	\$ 170,465	\$ (255)
Expenses:								
Salaries and wages	183,112	197,422	9,183	16,394	7,211	88,492	97,765	9,274
Fringe benefits	136,280	134,281	(223)	13,450	13,673	63,361	67,490	4,130
Services	91,182	100,800	7,961	7,683	(278)	48,671	46,100	(2,571)
Supplies and materials	5,793	4,500	595	475	(120)	3,554	2,850	(704)
Miscellaneous	17,903	12,150	1,847	1,629	(218)	15,443	9,775	(5,668)
Total expenses	\$ 434,270	\$ 449,152	\$ 19,363	\$ 39,631	\$ 20,268	\$ 219,521	\$ 223,981	\$ 4,460
Total Operating Surplus/Deficit	\$ 78,141	\$ (0)	\$ 19,755	\$ (2,191)	\$ (18,590)	\$ (49,311)	\$ (53,516)	\$ (4,715)

Preliminary Statement Prior To Audit Field Work

TRIP vs. VEHICLE ANALYSIS

TRIP vs. VEHICLE ANALYSIS

	FY 04/05			FY 05/06			FY 06/07			FY 07/08			FY 08/09		
	CABS	TRIPS	TRIP/VEH	CABS	TRIPS	TRIP/VEH	CABS	TRIPS	TRIP/VEH	CABS	TRIPS	TRIP/VEH	CABS	TRIPS	TRIP/VEH
JUL	193	32,877	170	205	33,123	161	240	28,204	117	269	25,681	95	184	27,321	148
AUG	185	25,911	140	209	24,445	117	240	24,010	100	269	28,635	106	184	28,450	154
SEP	195	29,145	149	215	35,072	163	240	35,278	147	269	28,182	105	184	28,206	153
OCT	196	44,593	227	221	32,817	148	240	38,459	160	205	33,063	161	184	37,131	202
NOV	197	36,344	184	227	40,343	178	240	41,751	174	203	41,851	206	184	33,450	182
DEC	187	38,687	207	232	34,534	149	243	46,866	193	204	36,141	177	184	26,942	146
JAN	191	40,638	212	240	42,539	177	245	27,290	114	204	30,363	149	183	39,745	217
FEB	196	43,880	224	241	41,587	173	246	41,520	169	206	50,594	246	185	38,116	206
MAR	204	42,973	210	241	51,373	213	255	54,598	214	205	41,492	202	186	42,705	230
APR	206	53,980	262	241	50,791	211	269	46,823	174	205	44,697	218	186	59,997	323
MAY	204	38,698	190	240	42,916	179	271	43,593	161	205	49,071	239	186	41,175	221
JUN	203	33,348	164	240	34,427	143	271	35,711	132	183	26,819	147	186	38,696	208
TOTALS	2357	461,074	196	2752	463,967	169	3000	464,103	155	2627	436,589	166	2216	441,934	199

	FY 09/10			FY 10/11			FY 11/12			FY 12/13			FY 13/14		
	CABS	TRIPS	TRIP/VEH	CABS	TRIPS	TRIP/VEH	CABS	TRIPS	TRIP/VEH	CABS	TRIPS	TRIP/VEH	CABS	TRIPS	TRIP/VEH
JUL	170	26,487	156	151	31,211	207	125	30,391	243						
AUG	155	23,671	153	148	29,238	198	123	29,459	240						
SEP	158	29,239	185	150	31,807	212	131	34,446	263						
OCT	153	37,468	245	117	40,222	344	139	43,009	309						
NOV	153	40,466	264	126	40,494	321	144	44,173	307						
DEC	160	32,084	201	128	36,226	283	143	39,180	274						
JAN	155	38,276	247	133	45,232	340	152	45,048	296						
FEB	157	36,557	233	132	42,331	321			0						
MAR	159	44,219	278	138	48,942	355			0						
APR	167	57,645	345	141	60,821	431			0						
MAY	157	42,074	268	142	43,910	309			0						
JUN	156	29,940	192	120	31,088	259			0						
TOTALS	1900	438,126	231	1626	481,522	296	957	265,706	278	0	0	#DIV/0!	0	0	#DIV/0!

	FY 04/05		FY 05/06		FY 06/07		FY 07/08		FY 08/09	
HIGHEST TRIPS	Apr	53,980	Mar	51,373	Mar	54,598	Feb	50,594	APR	59,997
LOWEST TRIPS	Aug	25,911	Aug	24,445	Aug	24,010	Jul	25,681	DEC	26,942
MOST VEHICLES	Apr	206	Apr	269	May	271	Jul	269	M, A, M	186
LEAST VEHICLES	Aug	185	Jul	205	Jul	240	Jun	183	JAN	183
MOST TRIPS/VEH	Apr	262	Mar	213	Mar	214	Feb	246	MAY	323
LEAST TRIPS/VEH	Aug	140	Aug	117	Aug	100	Jul	95	JULY	148
	FY 09/10		FY 10/11		FY 11/12		FY 12/13		FY 13/14	
HIGHEST TRIPS	APR	57,645	APR	60,821	NOV	44,173				
LOWEST TRIPS	AUG	23,671	AUG	29,238	AUG	29,459				
MOST VEHICLES	JUL	170	JULY	151	JAN	152				
LEAST VEHICLES	NOV	153	OCT	117	AUG	123				
MOST TRIPS/VEH	APR	345	APR	1004	JUL	768				
LEAST TRIPS/VEH	AUG	153	AUG	198	DEC	107				

SunLine Services Group

DATE: February 22, 2012 **ACTION**
TO: Taxi Committee
Board of Directors
FROM: Taxi Administrator
RE: Issuance of Ten Additional Taxicab Permits

Recommendation

Recommend that the Board of Directors: approve issuance of 10 additional regular taxicab permits.

Background

The SSG Ordinance requires taxicab operators to maintain a taxicab efficiency rate of 8 rides per day per taxicab. This number was a 2-ride reduction from the initial number forecasted in the Mundy Report. Both the market and the franchise operators have validated the new efficiency number as being more appropriate.

When Classic Yellow Cab left the Coachella Valley, they caused the number of regular (not temporary) permits on the road to be reduced by 50 permits. There are currently 130 permanent permits allowed in the Coachella Valley.

The Board of Directors requested that SRA undertake an analysis that would ensure that the proper numbers of taxicabs are available to the passengers in the Coachella Valley. SRA has subsequently authorized 34 temporary permits to ensure that the numbers of taxis available did not have a negative impact on passengers.

There were a number of factors that had to be considered by SRA in conducting an equitable analysis. One major factor was the resolution in February 2011 of the issue relating to the improper advantage associated with phone operations.

Since those issues have been resolved SunLine has conducted its analysis that results in the current recommendation.

Based on the past 11 months of performance analysis of the current taxi Franchises, SRA recommends that 10 additional permits be allowed in the Coachella Valley as follows:

- 10 additional permits be offered to American
- 0 additional permits be offered to Yellow Cab of The Desert
- 0 additional permits be offered to Airport Taxi

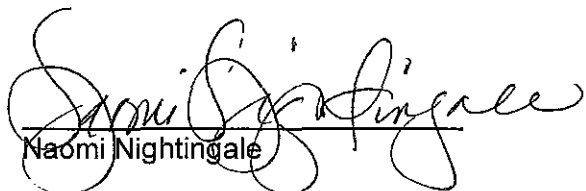
SRA bases this recommendation on a 60 percent average efficiency rate for American's allocated vehicles above 12 rides per day per taxicab. No other franchise met this threshold established in the Franchise Agreements.

With these new permits the total allocation from SRA will be 174 taxicabs, which are six taxicabs less than the original allocation by SRA that included Classic Yellow Cab.

These permits will become affective in April 2012. The Taxicab Franchise Agreements call for additional taxicabs to be offered to the market based on performance evaluations and levels set in the Franchise Agreements. If the Franchise that is offered the permits refuses the permits they may be offered to another qualified Franchise.

Fiscal Impact

This action will have a negligible financial impact to SRA.



Naomi Nightingale