



Municipality of Anchorage
Anchorage Transportation Commission

MEETING MINUTES
Tuesday, May 29, 2018
Permit Center Conference Room

1 Called to order at 6:02 p.m.
2

3 **ROLL CALL**

4 Present were Ms. Lucy Odden, Mr. Kevin McGee, Erich Reed, Mr. Eugene
5 Harnett and Mr. Carl Berger. Transportation Inspector Eric Musser was present as
6 Secretary to the Commission.
7

8 **Approval of Minutes.** Moved by Mr. Berger and Seconded by Ms. Odden to
9 approve minutes of May 29, 2018. Approved unanimously.
10

11 **ELECTION OF CHAIR/VICE-CHAIR**

12
13 Floor was opened for nominations for chair and closed. Moved by Mr. Harnett and
14 Seconded by Mr. Reed to re-elect Mr. McGee as ATC Chair for another year.
15

16 Floor was opened for nominations for vice-chair and closed. Moved by Mr. Harnett
17 and seconded by Mr. Reed to re-elect Lucy Odden as vice-chair. Approved
18 unanimously.
19

20 **COMMUNICATIONS**

21
22 The commission discussed a letter received as a result of an incident involving a
23 regulated vehicle on May 11th. The item was moved to New business, Item 4, to
24 discuss the requests made regarding in vehicle records.
25

26 **PERMIT ACTIONS**

27
28 1. Permit 065 – Sale of Permit From: Lujeta Lena
29 To: Bashkim Muslija
30 **Moved by Mr. Harnett, seconded by Ms. Odden – Approved unanimously.**
31

32 2. Permit 087 – Sale of Permit From: Ali Valkov
33 To: Mohammed Hossain
34 **Moved by Mr. Harnett, seconded by Mr. Reed – Approved unanimously.**
35

36 3. Permit 088 – Transfer of Permit From: Mahir Taha
37 To: Ahmad Taha
38 **Moved by Mr. Harnett, seconded by Ms. Odden – Approved unanimously.**
39

40 4. Permit 091 – Sale of Permit From: Minerva Roldan
41 To: Nahid Sarwar
42 **Moved by Mr. Harnett, seconded by Ms. Odden – Approved unanimously.**
43

- 1 5. Permt V147 – New Permit Turnagain Social Club
2 **Moved by Mr. Harnett, seconded by Mr. Reed, Approved by vote of 4-1.**
3
- 4 6. Permit V148 – New Permit Yushuvouyer/United NEMT
5 **Moved by Mr. Berger, seconded by Mr. Reed – Approved unanimously.**
6
- 7 7. Permit V149/V150/ – New Permits Goenett/Turnagain Ventures
8 V154/V155
9 **Moved by Mr. Reed, seconded by Mr. Berger – Approved unanimously.**
10
- 11 8. Permit V151/V152 – New Permit Kim/AK Travel & Tour
12 **Moved by Mr. Berger, seconded by Mr. Reed – Approved unanimously.**
13
- 14 9. Permit V153 – New Permit Herrera, Arturo – AK Latin Tours
15 **Moved by Mr. Berger, seconded by Mr. Reed – Approved unanimously.**
16

17 **NEW BUSINESS**

18 Mr. Musser provided the members with an update on commission timelines as
19 a result of assembly passage AO2018-6(S) in April. He stated the assembly
20 gave the commission 120 days to submit regulation amendments and
21 suggested the item remain open for testimony as it develops. He stated that
22 what was in the packet under new business was a developing draft of
23 amendments to the Title 11 Regulations, remarking that as an example the
24 ordinance eliminated pre-license and license renewal drug testing and the
25 previously required physical. Thus the draft in the packet was the beginning of
26 regulatory amendments.
27

28 Mr. Musser then commented on the commission timeline for completing
29 required annual market conciliation review. He stated that the assembly voted
30 to extend the deadline until December but that if the commission took that time
31 and made recommendations regarding permit issuance, the language in the
32 present ordinance requires the annual permit offering to commence by October
33 1st and thus it would be the best hope that the commission could work through
34 and complete the review by September. He continued by saying that the
35 language in the ordinance stated the commission shall *receive public testimony*
36 *and evidence* and that if a person felt aggrieved somehow the burden would be
37 on the individual providing testimony to substantiate. Mr. Musser stated that an
38 example would be that if a chauffeur felt his business was down 25 or 50
39 percent, then it would be that individual's responsibility to provide evidence to
40 the commission supporting the claim.
41

42 Mr. Musser then stated members of the commission had requested a readable
43 copy of Title 11 that incorporated the changes passed by the assembly. He
44 stated that when an ordinance is passed it goes to a reviser and takes
45 sometimes three to four months before it appears on the municode online. So
46 he directed the members to the back of their binder to a draft printed copy of
47 what Title 11 may look like when it is codified on municode. He stated that it

1 incorporated the changes from AO2018-6(S) and that all the underlined text was
2 new language adopted by the assembly. He remarked that when legal had
3 cleared it being posted to the TI website it would be put up on there in draft form
4 so that folks participating in the market conciliation review could reference it, as
5 well as commission members.
6

7 Jackie Ransom, a permit owner, asked if she could get a copy or anyone from
8 the public could obtain one. Mr. Musser replied that as soon as it cleared a legal
9 review, it would be made available, but only in a draft form as only legal could
10 approve or recognize any code language as the official language. The draft
11 being seen by commission members is solely for reference purposes.
12

13 Tim Huit, speaking on behalf of the Taxi Worker's Alliance stated he had a
14 meeting with the mayor a few weeks ago and asked for five things to be done
15 or considered. He replied he thought it was forwarded to the commission to
16 consider. He then asked if the market conciliation review was something we
17 had been doing before or was it something new? Mr. Musser replied that in the
18 past, prior to 2014, before any new permit could be issued the commission had
19 to conduct a convenience and necessity review before considering whether to
20 issue new permits. As the commission declined to issue over 100 permits in
21 2014, the assembly eliminated the convenience and necessity process, and
22 implemented an annual market conciliation review. He then read from page 21
23 of the draft Title 11. That page lists the criteria of the market conciliation review.
24

25 Mr. Huit asked what the scientific data was going to be used to undertake this
26 review and expressed concern to ensure that reasonable results were obtained.
27 He stated it was important to ensure good results happened. Mr. Musser
28 requested the chair open that item for discussion as it was item 2 on the agenda.
29 He stated that through the chair they had kind of opened questions.
30

31 Chair McGee read item 2 under new business and opened for discussion. Mr.
32 Huit stated that it was important that the study was completed by September to
33 be able to provide input to the administration before any additional permits were
34 issued. He remarked that without Uber/Lyft data the study was going to be
35 difficult.
36

37 Mr. Musser remarked that as both speaker's had indicated, without the data the
38 commission was only going to get 50 percent. He remarked that he was
39 downtown one morning last week and observed approximately 6 Uber/Lyft trips
40 originate while the cab stand was full with operators waiting. He remarked that
41 Alaska was the only state in the US where Uber/Lyft vehicles were not required
42 by statute to have identifying labels on the vehicles.
43

44 Mr. Musser then read the criteria to be used to complete the market conciliation
45 review. He stated the last review was undertaken in 2016. He gave an example
46 and stated that if a chauffeur came in and said his business was down either 25
47 or 50 percent, it was up to the chauffeur to provide evidence there was a 50

1 percent impact, that it wasn't up to the commission to provide any
2 documentation. He remarked it was a monumental task to be undertaken, and
3 it was a lot of work.
4

5 Chair McGee asked how a member of the public could identify whether a car
6 was Uber or Lyft. Commissioner Reed replied that it was in the app, that when
7 a passenger requested the vehicle, that once executed the app showed what
8 type of vehicle it was, a photo, and the license number.
9

10 Mr. Musser stated to the chair it was his intent to go out with a letter to the
11 regulated community requesting participation. He stated he was appreciative
12 of the commission's work on behalf of the city.
13

14 The commission moved on to discussion of the Fish letter. Commissioner
15 Berger remarked that during the previous discussion he had an opportunity to
16 read the TI's reply to Ms. Fish and was satisfied. However, he stated it would
17 be his desire to receive communications and items before the meeting to have
18 a chance to review and think about them before the meeting.
19

20 General discussion continued on the market conciliation process until the
21 meeting adjourned.
22

23 **COMMISSIONER COMMENTS**

24 None
25

26 **PUBLIC COMMENTS**

27 None
28

29 **ADJOURNMENT**

30
31 Moved by Commissioner Harnett and seconded by Mr. Berger to adjourn. Meeting
32 adjourned at 8:15 p.m.
33

34 Respectfully submitted,
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37

38 Eric L. Musser
39 Secretary
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41
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