



Municipality of Anchorage
Anchorage Transportation Commission
MEETING MINUTES
Monday, October 8, 2018

1 Called to order at 6:00 p.m.

2
3 **ROLL CALL**

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

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8 **Approval of Minutes.** Moved by Mr. Berger and Seconded by Mr. Harnett to
9 approve minutes of August 27, 2018. Approved unanimously.

10
11 **COMMUNICATIONS**

12
13 None. However Chairman McGee at this time inquired as to the
14 status of an item remaining open concerning the cab stand downtown on 4th
15 Avenue adjacent to the Aviator Hotel/City Loft. Chair McGee asked for an
16 update.

17
18 Mr. Musser replied that the city Right of Way Enforcement office and
19 Traffic Department were consulted and looked at this location and after a
20 follow-up discussion have made the determination that the existing 38 feet
21 of designated taxi zone space, followed by 26' of freight loading space,
22 followed by an additional 63' of passenger loading space, was fairly lengthy
23 and that taxis could be accommodated by eliminating the 38' of taxi zone
24 space by converting it into loading zone space, followed by metered space
25 would be sufficient.

26
27 **OLD BUSINESS**

28
29 1. Annual market conciliation review per Section 11.20.030 A & B.

30
31 Kim Pavy, Dispatch Manager for Alaska Yellow Cab, spoke regarding hotel
32 shuttles picking up passengers at bars at 3 in the morning.

33
34 Mark Marion spoke and stated that he remembered once when working as a
35 dispatcher there was

36
37 Kim Pavy spoke again and stated that everyone needs rules and that the
38 reason rules were put into place to protect everybody.

39
40 Rafael Barboza spoke and stated that he has been in the business 34 years
41 and that rules only apply to them and that there isn't any official willing to do
42 anything.

43
44 Commissioner Berger asked about the status of applications for vacant seats
45 on the ATC and wants an update.

1
2 Commissioner Odden stated that a lack of members hinders meetings and
3 that it would be helpful to get the seats filled.

4
5 Commissioner Harnett asked about item 3 on the draft findings and what could
6 be done.

7
8 Mr. Musser stated that at this point it is up to the commission, that to fulfill the
9 requirement of the annual market conciliation review, the commission to do
10 from nothing, to issuing comprehensive findings and recommendations. He
11 continued by stating that what he prepared as a draft for the commission to
12 review as a sample only.

13
14 Commissioner Harnett indicated that some kind of recommendations could be
15 made.

16
17 Mr. Musser stated that what the commission sees is merely a form of art and
18 that what was indicated in the draft were a couple of the disparities that took
19 place when the state passed legislation on TNC operations.

20
21 Commissioner Harnett stated that the commission should look at the rule
22 about new permits. He continued by stating the Uber/Lyft are not regulated
23 and that somehow they should come under city oversight. He also stated that
24 our disability permitting needs to be improved. And also that a cap on
25 Uber/Lyft drivers.

26
27 Commissioner Berger asked that for public clarification as to whether the
28 commission could go against the assembly in that they put in code the number
29 of permits that should be issued.

30
31 Mr. Musser stated that public testimony on this item has been closed and that
32 the commission is an independent quasi-judicial commission empowered by
33 the assembly and one of the roles of the commission is to administer Title 11
34 and to make recommendations to change sections of Title 11 it feels should be
35 changed. He stated that sometimes it is warranted. He stated that for
36 example, when the schedule of permits to be issued was adopted by the
37 assembly, it was before Uber/Lyft came into the market. And with market
38 conditions, maybe it should be considered.

39
40 Commissioner Odden stated that one of the reasons she sought to be a part of
41 this commission was so she could work to improved service to people with
42 disabilities and permits for people with disabilities should be considered as we
43 don't want to leave those folks out.

44
45 Kim Pavy interrupted and asked if the commission brought recommendations
46 to the assembly to stop issuing permits, it is something that the assembly
47 would consider or would it stop the current bid process?

1
2 Ms. Pavy also stated that with disability cabs, the costs are exorbitant just to
3 put a cab on the road. She stated that most other cities incentivize people to
4 provide service.

5
6 Shazi Balazi stated that he heard the other day that 3 disability cab owners
7 were going to trade them in for regular permits at the current bid offering. He
8 stated that he has had people wait 3 or 4 hours to get a ride and that it wasn't
9 his fault. He stated that he may be there at the airport and a call comes in to
10 pick someone up in Muldoon and that it isn't fair. He stated that he doesn't
11 work for yellow cab, or the municipality or anyone and that he shouldn't be
12 suspended if he doesn't want to pick someone up.

13
14 Mr. Musser spoke and stated that section 11.20.037 was clear when it comes
15 to a permit to serve the disability community. He quoted the section that says
16 when a permit is obtained provision is not restricted to providing service to the
17 disability community but they "shall" be operated to respond first to dispatched
18 called requesting an accessible taxicab when in service and not occupied by
19 passengers. He stated that as indicated by the previous speaker, that if folks
20 trade in their disability permits for general permits it gets to the heart of the
21 issue that they didn't want to provide service to the disability community
22 anyway, that they wanted a permit to operate. It is an elusive solution.
23 Nonetheless, these folks obtained the permit to provide disability
24 transportation and the cab owners paint their cab yellow or orange and the
25 dispatch companies do a good job trying to get the service provided. It is a
26 constant battle.

27
28 Commissioner Harnett stated that if there was something that was working in
29 other cities he would like to know what it is and to see if it could be
30 implemented up here.

31
32 Mr. Musser stated that it has been looked at from time to time and suggested
33 that what should happen is that the commission should establish a sub-
34 committee or working group to look at disability service and make
35 recommendations to the full commission on a solution, if there is a viable
36 solution to it, he was sure that the assembly would go along with it. He stated
37 though that it is unfair to establish a surcharge on the taxi operators when
38 Uber/Lyft don't pay a dime. He stated it is an imbalance seeking a solution
39 but that as long as we were a divided community it would be difficult to find.

40
41 Commissioner Odden stated it would be nice if we could have a working group
42 to look at this issue.

43
44 Mr. Musser stated the purpose of this meeting was for the commission to
45 address and possible findings or recommendations and discuss the testimony
46 that has been received over the previous 5 months and make any decisions, if
47 deemed appropriate.

1
2 It is up to the chair whether to open up and draft findings or recommendations
3 for public testimony.
4

5 Commissioner Berger stated that if the commission is going to do something it
6 needs to get it done. In order to get it done then progress needs to be made
7 with an opportunity to get something together.
8

9 Commissioner Odden stated that the commission was concerned with service
10 to people with disabilities.
11

12 Shazi Balazi interrupted and asked why all the new permits were not
13 handicapped permits? He stated the mayor or anyone else should make all
14 the permits handicapped.
15

16 Rafael Barboza spoke and stated that for 3 years nothing has been done. He
17 stated that the assembly hadn't done anything and that a stronger voice was
18 needed for the cabs.
19

20 Chair McGee stated that if the commission was to get anything done they
21 needed to have it in writing by the 22nd.
22

23 Mr. Barboza stated they were at the breaking point and that very few people
24 can help.
25

26 Chair McGee stated that they were going to do their best to get things in
27 writing and available for review by the 22nd.
28

29 Commissioner Harnett asked about the sentence in the draft findings that
30 stated the commission received no evidence.
31

32 Mr. Musser stated that what the commission sees is simply a form, a draft,
33 something the commission can use as a guide if it feels appropriate. He
34 stated that what the evidence showed was that when Uber/Lyft came into
35 operations that it was a dramatic impact going in, up to 34 percent. But he
36 stated that as the year progressed that taxi business came to a point that the
37 impact was lessened to about 18 percent. He stated that not a single person,
38 not a one, that had spoken previously, has provide the commission with a
39 piece of evidence to show they were negatively impacted to such an extent
40 they are in dire straights. He stated that Anchorage went from a record
41 snowfall 5 years go and no snow the past 3 winters. He stated that yellow
42 dispatch provide call volume for last weekend (PFD weekend) that call
43 volumes were off the charts.
44

45 He continued by saying that title 11 says the commission shall receive
46 "evidence" of the impacts on competitive service to the community when
47 conducting this market conciliation review. He stated that the sentence simply

1 stated what was clear, that in all the testimony received, no evidence was
2 received.

3
4 Chair McGee stated that public testimony has been closed and that what the
5 commission needed to do was put together what action if any the commission
6 wants to take.

7
8 Burim Limani spoke and asked if the commission would reopen testimony to
9 receive evidence.

10
11 Mr. Musser stated to the chair it would be up to the chair.

12
13 Chair McGee stated they would not reopen testimony but would consider any
14 evidence that would be submitted. He stated that the commission would put
15 together recommendations as soon as possible.

16
17 Mr. Musser stated that it would be great if the chair could establish some
18 deadlines as if one suggestion came in from a commissioner it would need to
19 go out to the other commissioners with the goal of turning the existing draft
20 into a full fledged draft at the next meeting.

21
22 Chair McGee stated that all commissioner proposed findings be into the TI
23 office by Monday the 15th, and asked if it was enough time.

24
25 Mr. Musser stated that if any proposed findings or recommendations were
26 received into the office by the 15th, then he would do his best to turn them
27 around and get them back to commissioners by Wednesday.

28
29 Commissioner Harnett asked about subsidies and wanted to know if there as
30 money out there for service to the disability community?

31
32 Mr. Musser stated that it was highly competitive and that most available
33 funding that comes available in Anchorage goes to Anchor Rides through the
34 city's transit department. He stated that a work group is a good forum for
35 taking a look at that issue. He remarked that in jurisdictions where company's
36 run things, there is more centralized control. Here, where all is run through
37 independent contractor operators, attempts to have a workable solution is
38 harder. He remarked that he has stated clearly then he felt it was in 2019 that
39 the opportunity would be available to get control of TNC's back to local
40 communities. If Anchorage got local control back then things could take place
41 to help the disability community and increase available service. But he felt the
42 whole Uberitus pendulum was beginning to turn back around the country.
43 The deadline of the 15th is reasonable if members get information to the office.

44
45 Chair McGee stated that the deadline would be the 15th to submit any findings
46 or suggestions in writing to the TI office.
47

1 Commissioner Harnett suggested that the analysis finding that the additional
2 permits have not led to a full increase in the number of cabs operating.
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4 Moved by Commissioner Berger and seconded by Commissioner Odden to
5 adjourn.
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7 Adjourned at 7:34 P.M.
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9 Respectfully submitted,
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13 Eric L. Musser
14 Secretary
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