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**VEHICLE FOR HIRE COMMISSION**

**CITY OF EDMONTON VEHICLE FOR HIRE COMMISSION**

**MEETING NO. 1**

**Wednesday, January 14, 2009**

**MEMBERS**

H. Naboulsi, Chairperson  
L. Lubin  
R. Clarke  
C. Khehra  
M. Pnaich  
R. Fysh  
C. Leahey

**PRESENT**

H. Naboulsi  
L. Lubin  
R. Clarke  
C. Khehra  
M. Pnaich  
R. Fysh  
C. Leahey

**ALSO IN ATTENDANCE:**

S. Weller                      Secretary  
D. Collinson                Acting Administrator

Gwendolyn Stewart-Palmer  
Shores-Jardine

**I.      Call to Order**

Chairman called the meeting to order at 1:42 p.m. Chairman formally introduced Mr. MacKellar (Mack) Fysh and Mr. Chris Leahey, the two new members of the VFH Commission appointed by City Council.

**II.     Approval of Minutes**

MOVED KHEHRA/LEAHEY

#1-01-09

That the Vehicle For Hire Commission minutes of the December 10th meeting be approved.

FOR THE MOTION:        Naboulsi, Lubin, Clarke, Khehra, Pnaich,  
Fysh, Leahey

**CARRIED**

### **III. Approval of Agenda**

MOVED LUBIN/FYSH

#2-01-09

That the agenda be amended by adding an item (flat rates to the Airport) for discussion under the in-camera heading.

FOR THE MOTION: Naboulsi, Lubin, Clarke, Khehra, Pnaich,  
Fysh, Leahey

**CARRIED**

### **III. Informal Delegations**

The following individuals requested to speak on agenda items;

Mr. Gurdip Waraich  
Mr. Phil Strong

Mr. Adrian Smits  
Mr. Hassan Chebli

Mr. Steve Alvanos  
Mr. Allah Chebli

### **V. Business Arising from Previous Minutes (December 10, 2008)**

#### **a. Public Input Session Update from Jan. 7<sup>th</sup> Meeting**

Chairman reported that there were various industry concerns expressed at the public input session as well as at regular VFH Commission meetings. The following is a brief summary of these concerns and includes decisions made to address these issues;

- **Defensive Driving Course/Professional Drivers Course Duplication**

This issue has been referred to the Driver Training Committee who will review the concerns identified and offer a decision at the March meeting.

- **Removal of Downtown Stands**

This issue has been referred to the Operational & Program Committee who have reviewed this issue and will be offering information as part of their Committee update Report..

- **Super Licences**

The Executive Committee is reviewing this proposal and will offer their final decision on the matter at the March meeting.

- \$3.00 Surcharge

A proposal regarding the \$3.00 late night surcharge will be offered at today's meeting.

- Airport

There are some legal challenges associated with the Airport and any related fees which the Commission will be discussing during the in-camera portion of the meeting today.

- Issuance of Plates

The Commission has received input from the industry on this issue and will be offering a decision on the matter at the February meeting.

- Involvement Regarding Call Takers

The Commission has discussed this matter and feels that this is a private business matter of the Brokers. It is incumbent on them to ensure they have adequate staff.

- Enforcement

Doug Collinson reported that the City of Edmonton has created 10 new positions for Peace Officers whose appointment of duties includes the VFH Bylaw. These individuals will be in full uniform and will be driving vehicles with full light bars and cameras. They have agreed to assist with the enforcement of the VFH Bylaw and have the full authority to do so.

**b. Code of Ethics**

Mr. Lubin explained that the Code of Ethics and Conflict of Interest Policies have been developed to provide guidelines for Commission members and assist in facilitating effective government policy.

MOVED LUBIN/CLARKE

#3-01-09

That the Code of Ethics and Conflict of Interest Policies be accepted and that each Commission member take the applicable Oath and fulfill the requirements contained in the document.

FOR THE MOTION: Naboulsi, Lubin, Clarke, Khehra, Pnaich,  
Fysh, Leahey

**CARRIED**

## **VI. Standing Discussion Items**

### **a. Executive Committee**

Chairman indicated that the Executive Committee report was offered under the previous heading of Business Arising.

MOVED CLARKE/LUBIN

#4-01-09

That the status update report of the Executive Committee be received as information.

FOR THE MOTION: Naboulsi, Lubin, Clarke, Khehra, Pnaich,  
Fysh, Leahey

**CARRIED**

### **b. Operational & Program Committee**

Chairman of the Committee offered the following activity report;

The Committee met with three officers of the Edmonton Police Service at the Old Scona Station on Thursday, January 8<sup>th</sup> in order to obtain their perspective on a number of issues with respect to taxi service on Whyte Ave.

1. Surcharge:

The police advise they have received a number of complaints that drivers have been adding the \$3.00 surcharge prior to the time stipulated in the Regulations, i.e., 11:00 p.m.

2. Number of Taxis:

Whereas there appears to be a noticeable increase in taxis on Friday nights with 7 or 8 in the Loading Zone, there continues to be a shortage on Saturday nights. They estimate there is a ratio of 15 limos to 1 cab and these appear to be working on a contractual basis as opposed to cruising and acting as taxis.

3. Fare Refusals:

They have observed that since the surcharge was implemented, now there are refusals for more distant points within the city (Castle Downs and Millwoods) whereas prior to the implementation of the surcharge, refusals were primarily for trips to Sherwood Park and St. Albert. They indicate that the individuals concerned have sufficient funds but the drivers prefer to take more short trips rather than one long trip where they have to "dead head" back.

They conclude the surcharge may be discouraging drivers from taking longer distance fares. An associated issue they have observed is that drivers keep their roof lights off until they see someone who they "like" and will cross over 2 lanes of traffic to pick them up. In other words, they are cruising as though they are occupied with their roof light off and are being very selective as to who they will pick up.

4. Limos:

Limos are blatantly cruising on Whyte Avenue for fares. Further, on Friday and Saturday nights they have discovered many of the drivers without the appropriate chauffeur licenses.

5. Driver Violations:

They have observed a significant number of traffic violations at peak hours in efforts to pick up fares. While they have been lenient in the past so as not to discourage cabs coming to Whyte Avenue, they shall be increasing their enforcement of the traffic laws.

6. Lost & Found:

Information received indicates that the Commission may have to revise the Regulations and make the requirements less demanding for drivers and brokers. Basically, the police are of the view that they need not be involved in the handling of property found in taxis. Further direction will be forthcoming with regard to this issue.

7. Police Practice:

Members of the Force do not have a written or unwritten policy whereby they commandeer taxis and order drivers to drive persons the police are dealing with. If they ask a driver to take someone, they first ensure the individuals have sufficient funds to pay for the trip and presents no threat of danger to the driver.

8. Shields:

The police are confident that shields will increase the safety of driving a taxi and reduce negative interaction with belligerent passengers.

With respect to the matter raised at the public input meeting relating to taxi stands, I have been in contact with Dave Kinsman, General Supervisor of Traffic Control at the Transportation Operations Branch and have been advised of the following;

- Commerce Place:

The stand at this location was removed by the City due to the fact that parking has been banned on the east side of 102 Street to allow for increased traffic volumes. Parking on the west side was changed from angle parking to parallel parking. There appears to be little hope that this decision may be reversed.

- Canada Place:

A transit zone runs the entire length of the building on Jasper Avenue. No changes were made on 97<sup>th</sup> Street.

- Scotia Place:

No changes were made at this location and it is his opinion that a taxi stand never existed at that location.

Committee Chairman reminded the industry whenever issues with respect to stands have been raised in the past, the Commission has dealt with the matter efficiently and effectively. For example, the last issue raised was for a request for a stand at the north-west corner of 102<sup>nd</sup> Street. The stand was operational within 3 weeks! However, he must caution that this is not always possible.

MOVED LUBIN/LEAHEY

#5-01-09

That the status update report of the Operational and Program Committee be received as information.

FOR THE MOTION: Naboulsi, Lubin, Clarke, Khehra, Pnaich,  
Fysh, Leahey

**CARRIED**

Commission Chairman advised that an additional meeting with Police representatives will be scheduled that will include industry members.

**c. Safety Committee**

Committee Chairman stated that the Committee would like to advise that Whyte Communications have been approved as a new supplier for safety shields. They will be selling the "TP-1US-F partition manufactured by Troy Products". The contact is Carly Huculak at 780-435-4702

He clarified to the industry that the date for ordering a safety shields remains January 31, 2009 with the installation date being May 31, 2009.

MOVED CLARKE/LUBIN

#6-01-09

That the status update report of the Safety Committee be received as information.

FOR THE MOTION: Naboulsi, Lubin, Clarke, Khehra, Pnaich,  
Fysh, Leahey

Mr. Phil Strong addressed the Commission and indicated that he would like a response to the correspondence their legal counsel previously forwarded to the Vehicle For Hire Commission.

Mr. Clarke responded that he would ensure a response was offered to the Yellow Cab Group on behalf of the VFH Commission.

Mr. Hassan Chebli addressed the Commission and would like to see the Safety Committee offer answers to industry members regarding the following issues with safety shields;

- heat circulation in winter,
- individuals with oxygen tanks, could prevent proper circulation;
- some elderly individuals cannot sit in the backseat of vehicles;
- accidents that may occur - drivers unable to wear seatbelts.

He would like to see a document signed that would determine who would be responsible in these cases, so drivers cannot be sued. He also inquired about drivers with medical concerns and stated the Commission should make shields optional and have drivers sign a document indicating they waived a shield in their vehicle.

Commission Chairman gave a brief history of how the Commission made the decision to make safety shields mandatory.

Mr. Adrian Smits addressed the Commission and inquired how many Municipal Enforcement Officers enforce the Bylaw in addition to the new Peace Officers referred to earlier in the meeting.

Mr. Collinson replied that there are three full time MEO's who work 24/7 on rotating shifts.

Mr. Smits indicated that the shields he has seen appear almost as useless as the ETS shields.

Mr. Clarke replied that Mr. Smits has a choice as to what type of shield he installs in his vehicle.

Chairman stated that safety shields are not a topic of discussion on our agenda.

Mr. Allah Chebli addressed the Commission regarding the 102<sup>nd</sup> Street stand and inquired if that was the location discussed.

Mr. Lubin confirmed that the Commerce Place stand (102<sup>nd</sup> Street) was discussed in his report.

Mr. Chebli invited Commission members to view the L-shaped shield that has been installed in Co-op Taxi Unit #116 as he feels it does not offer any protection.

Mr. Steve Alvanos addressed the Commission and stated he would like the Commission to recommend that the new Peace Officers work in shifts from 10:00 p.m. to 3:00 a.m. which is the busiest time. He also stated that at Scotia Place there is dedicated parking for the CEO and Inspectors but it is vacant 90% of the time – perhaps taxis could use that space when vacant. Mr. Alvanos also inquired why a taxi stand could not be placed on 97 Street in front of Canada Place. He also requested that the Administration do what is necessary to have the computer system stop sending out notices for 6 month inspections to vehicles that only require them once a year.

**d. Driver Training Committee**

Chairman of the Committee offered the following report;

With the resignations of Diane Bergeron and Jeff Short, the Committee lost a majority of its membership. As two new members have now joined the Commission, we are hoping to have our full complement soon. I wish to thank Diane and Jeff for their commitment, dedication and their many contributions during their tenure on the Committee. As the result of industry input, the Committee has now identified two important issues and will be pursuing these issues:

**1. Consistency and Standardization of Driver Training:** To review training course content, format, delivery and testing, as well as approval of such training and instructors.

**2. Combining the Defensive Driver Course and Advanced Driver Training Course:** To avoid any possible duplication of content and the requirement to take both courses separately.

It should be noted that only agencies approved by the Alberta Infrastructure and Transportation Department can provide defensive driver courses. Therefore, unless the current industry instructors or companies are approved as agencies, they would not be able to teach and test defensive driving courses.

**We hope to complete this process and make a decision on both of these issues by March this year.**

To speed up the process and outcome of the committee commitment, it is extremely important for the industry to be part of the solution. Once again, I would like to remind the industry that the Driver Training and Testing Committee is still looking for **industry representatives to join the Committee and provide their input. Please forward your names to Shar Weller or myself by latest Wednesday, January 21, 2009.**



Committee Chairman indicated that decisions on these two important issues would be offered at the March 11, 2009 meeting.

Mr. Pnaich reminded meeting attendees that there are four Sub-Committees of the Commission and industry members are welcome to put forward their names to become involved on any/all of these Committees.

Mr. Lubin clarified that industry members will only be invited to attend the specific meetings where industry input is requested.

Mr. Adrian Smits addressed the Commission and requested that the Committee investigate the possibility of an award next year for maintaining a perfect driving record.

Mr. Hassan Chebli addressed the Commission and inquired what the guarantee is to the industry representative that their input will be accepted.

Mr. Khehra explained that all input will be reviewed and assessed.

MOVED KHEHRA/LUBIN

#7-01-09

That the status update report of the Driver Training Committee be received as information.

FOR THE MOTION: Naboulsi, Lubin, Clarke, Khehra, Pnaich,  
Fysh, Leahey

**CARRIED**

Mr. Steve Alvanos addressed the Commission and stated it is up to industry members to become involved and attend Committee meetings. He commended Mr. Clarke and all Committee Chairman for inviting industry members to participate.

Mr. Malyzk addressed the Commission and inquired as to the purpose of having to take a DDC when they have a perfect driving record? He drove for 338 days out of the last year – he does not have time to take a DDC and does not feel one is required as with all the driving he does, he still maintained a perfect record.

Chairman stated that as reported previously, this issue is being reviewed by the Driver Training Committee.

Ms. Stewart-Palmer clarified to all attending that the Bylaw requires a DDC to be submitted and any recommended change would have to be approved by City Council before it becomes official. Until that occurs, all drivers are required to meet existing Bylaw and Regulation requirements.

**e. Licences**

Acting Administrator indicated that the monthly Service Deliverable report was attached to the agenda. He elaborated on the highlights of the report stating that the December totals were included as well as year end totals.

Mr. Husni Al-Khateeb addressed the Commission and indicated industry members would like to be able to obtain copies of the monthly report.

MOVED LUBIN/KHEHRA

#8-01-09

That the Administrators status update report on Licences be received as information.

FOR THE MOTION: Naboulsi, Lubin, Clarke, Khehra, Pnaich,  
Fysh, Leahey

**CARRIED**

Mr. Adrian Smits requested that the Administration obtain the statistic outlining the total number of licenced drivers in Edmonton for the 2008 licence year and offer the information to the industry.

**f. Bylaw Issues**

Acting Administrator stated that, as previously reported, the issue of super licences is being reviewed and the industry will be advised as soon as a decision is reached on the matter.

MOVED LUBIN/FYSH

#9-01-09

That the Administrators status update report on Bylaw issues be received as information.

FOR THE MOTION: Naboulsi, Lubin, Clarke, Khehra, Pnaich,  
Fysh, Leahey

**CARRIED**

Chairman stated that, as indicated in the Executive Committee report offered earlier, a proposal regarding the \$3.00 late night surcharge will be reviewed.

MOVED LUBIN/FYSH

#10-01-09

That the Bylaw governing the \$3.00 surcharge be amended to only be in effect Fridays, Saturdays and on Statutory Holidays as soon as possible, preferably commencing February 6, 2009. For statutory holidays, the surcharge would commence at 11:00 p.m. the night before the statutory holiday.

Mr. Lubin explained that the suggestion for this modification arose from the industry and is in consideration of late night hourly employees. The industry must be commended for their thoughtfulness towards this group of individuals. While the surcharge appears to have increased the number of taxis it appears, however, that one unintended consequence has occurred as a result of the surcharge, i.e., longer trips to areas within the city are now being refused to a significant extent. If this persists further consideration may have to be taken in the future.

Mr. Husni Al-Khateeb addressed the Commission and suggested that passengers be required to pay fares up-front during late night surcharge hours.

Mr. Leahey suggested a friendly amendment to the motion to include Thursday nights in the approved surcharge hours as it was identified by industry members at the January 7, 2009 public input session.

Mr. Lubin accepted the friendly amendment. The motion now reads;

That the Bylaw governing the \$3.00 surcharge be amended to only be in effect Thursday, Friday, Saturday and on Statutory Holidays as soon as possible, preferably commencing February 6, 2009. For statutory holidays, the surcharge would commence at 11:00 p.m. the night before the statutory holiday.

FOR THE MOTION: Naboulsi, Lubin, Clarke, Khehra, Pnaich,  
Fysh, Leahey

**CARRIED**

**g. Budget**

Acting Administrator stated that the only budget item to report is that the previously approved fees for 2009 have been implemented.

MOVED LUBIN/PNAICH

#11-01-09

That the Administrators report on budget detail be received as information

FOR THE MOTION: Naboulsi, Lubin, Clarke, Khehra, Pnaich,  
Fysh, Leahey

**CARRIED**

## **VII. General Correspondence**

MOVED LUBIN/LEAHEY

#12-01-09

That the following items of general correspondence be received as information;

- a) Edmonton Journal News Articles;
  - Jan. 5, '09 - "Cabbies set to challenge safety shields, hike in licences, over 150 angry drivers told to voice concerns at upcoming city hall session".
  - Jan. 6, '09 - "Leduc cabbies can't snag city trips; Court ruling up holds Edmonton ban preventing return trips to airport".
  - Jan. 8, '09 - "Angry taxi drivers decry dispatching; Argue how companies arrange rides 'huge problem', not number of cabs".
  - Jan 8, '09 - "Airport taxis empty half of the time".
- b) Invitation forwarded to the VFH Commission regarding The Advisory Board on Services for Persons with Disabilities presentation of Certificates of Recognition.
- c) Holiday Greetings dated December 11, 2008 to the VFH Commission from the City Clerks office.
- d) Chairman's Report on the 2008 Annual T.L.P.A. Convention.

FOR THE MOTION: Naboulsi, Lubin, Clarke, Khehra, Pnaich,  
Fysh, Leahey

**CARRIED**

## **VIII. New Business**

- a. Election of Chairman and Vice Chairman.

Ms. Gwendolyn Stewart-Palmer, legal counsel for the Commission assumed the position of Chairperson to conduct the annual election and opened the floor for nominations.

Mr. Leon Lubin nominated Mr. Hatem Naboulsi for the position of Chairman.

Mr. Naboulsi accepted the nomination. There were no other nominations.

Mr. Hatem Naboulsi was appointed to the position of Chairman by acclamation.

Mr. Chris Leahey nominated Mr. Leon Lubin for the position of Vice Chairman.

Mr. Lubin accepted the nomination. There were no other nominations.

Mr. Leon Lubin was appointed to the position of Vice Chairman by acclamation.

Mr. Allah Chebli addressed the Commission and requested that the Commission investigate the possibility of offering free parking for drivers to attend meetings as well as consider an additional vote on safety shields.

Chairman of the Commission assigned the Commission Sub-Committees as follows;

**Driver Training Committee;**

Chairman - Mr. Charan Khehra

Members - Mr. Hatem Naboulsi  
Mr. Chris Leahey  
Mr. Mack Fysh

**Operation & Program Committee;**

Chairman - Mr. Leon Lubin

Members - Mr. Mack Fysh  
Mr. Manmohan Pnaich  
Mr. Robert Clarke

**Safety Committee;**

Chairman - Mr. Robert Clarke

Members - Mr. Hatem Naboulsi  
Mr. Chris Leahey  
Mr. Manmohan Pnaich  
Mr. Leon Lubin

**Executive Committee;**

Chairman - Mr. Hatem Naboulsi

Members - Mr. Charan Khehra  
Mr. Leon Lubin  
Mr. Robert Clarke

MOVED LUBIN/LEAHEY

#13-01-09

That the meeting adjourn in-camera.

FOR THE MOTION: Naboulsi, Lubin, Clarke, Khehra, Pnaich,  
Fysh, Leahey

**CARRIED**

**IX. In-Camera Meeting**

a. Discussion of legal issues pertaining to flat rate fares to the International Airport.

MOVED LUBIN/LEAHEY

#14-01-09

That the public meeting be resumed.


FOR THE MOTION: Naboulsi, Lubin, Clarke, Khehra, Pnaich,  
Fysh, Leahey

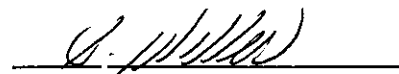
**CARRIED**

**X. Adjournment**

The meeting was adjourned at 4:15 p.m.

The next regular Vehicle For Hire Commission meeting will be held Wednesday, February 11, 2009 at 1:30 p.m. in the Heritage Room, Main Floor, City Hall.

  
H. Naboulsi, Chairman

  
S. Weller, Secretary