
VEHICLE FOR HIRE COMMISSION

CITY OF EDMONTON VEHICLE FOR HIRE COMMISSION

MEETING NO. 1

Wednesday, January 18, 2012

MEMBERS

M. Fysh, Chairman
R. Clarke
C. Khehra
C. Kilburn
C. Leahey
J. Dziadyk
J. Bruyer

PRESENT

M. Fysh
R. Clarke
C. Khehra
C. Kilburn
C. Leahey
J. Dziadyk

Also in attendance;

Legal Counsel Representative
Chief Livery Officer
Transportation Department Representative
Vehicle For Hire Administrative Assistant

G. Stewart-Palmer
G. Dziwenka
D. MacDonald
S. Weller

Not in attendance;

Edmonton Police Services Representative

B. Doucette

1. Call to Order

Chairman called the meeting to order at **1:38 p.m.**

2. Election of Chairman and Vice Chairman

The election of the Chairman and Vice Chairman was deferred until February as two Commission members were not in attendance.

3. Announcements

Chairman read the announcements (attached) regarding 'rules of engagement' for discussion at today's meeting.

4. Approval of Agenda

MOVED: CLARKE/DZIADYK #1-01-12

That the agenda be approved as distributed.

FOR THE MOTION: Dziadyk, Fysh, Leahey, Khehra, Clarke, Kilburn

CARRIED

3. Approval of Minutes

MOVED: CLARKE/DZIADYK #2-01-12

That the minutes from the regular meeting held on December 14, 2011 be approved.

FOR THE MOTION: Dziadyk, Fysh, Leahey, Khehra, Clarke, Kilburn

CARRIED

4. Public Involvement

The following individuals requested to speak:

- | | |
|----------------------------|-----------------------|
| 1. Gebreselema Gebremedhin | 13. Mohamed Ibrahim |
| 2. Comeyar Fallahi | 14. Mehmet Ozbek |
| 3. Jeff Stewart | 15. Vince Paniak |
| 4. Abdullahi Mohamed | 16. Gord Beatty |
| 5. Kathy Grady | 17. Gadissa Terefe |
| 6. Tariq Mahmood | 18. Moshfegh Mohammad |
| 7. Allah Chebli | 19. Abdul Latif Fazli |
| 8. Elias Teclemariam | 20. Abdolaziz Mouib |
| 9. Abdullah Abdi | 21. Yahannes Gebru |
| 10. Abdi Ibrahim Mohamed | 22. Elias Weldekidan |
| 11. Mohamed Hersi | 23. Andeberhan Haile |
| 12. Balour Cheema | 24. Brine Saleri |

- 25. Abdelovahed Bellamlih
- 26. Harjinder S. Devgon
- 27. Ian Lee
- 28. Phil Strong
- 29. Mr. Andre Swybcick

Mr. Gebreselema Gebremedhin - **Withdrew**

Mr. Comeyar Fallahi - **Withdrew**

Mr. Jeff Stewart

Mr. Stewart spoke regarding eligibility for the lottery. He was born and raised in Edmonton and has driven for 12 years. He feels that the lottery should be limited to Edmonton drivers who have an Edmonton licence. Also one year experience is not enough – applicants should be more experienced.

Mr. Abdullahi Mohamed

Mr. Mohamend stated that he works all year and pays stand rent in the city of Edmonton. He does not understand why people who are from Leduc are eligible for a lottery for Edmonton plates.

Ms. Kathy Grady

Ms. Grady spoke and stated that in her opinion the limousines industry is always left out of Vehicle For Hire Commission discussions and the industry as a whole is ignored.

Chairman indicated that a new Ad Hoc Committee is being formed at today's meeting specifically to obtain limousine industry input.

Mr. Dziwenka also indicated that Ms. Grady is welcome to attend his office at any time for discussion.

Mr. Tarik Mahmood

Mr. Mahmood requested some clarity on the one year driving experience criteria element.

Mr. Dziwenka stated that the current criteria allows for a person with one year's driving experience in an Alberta municipality to apply for the lottery.

Mr. Allah Chebli	-	Withdrew
Mr. Andre Swybcick	-	Withdrew
Mr. Elias Teclemariam	-	Withdrew
Mr. Abdullah Abdi	-	Withdrew

Mr. Abdi Mohamed

Mr. Mohamed spoke and indicated that he has been driving for 12 years in Edmonton and feels that seniority should play a part in the lottery criteria. He is requesting that it be changed to more than 1 year driving experience.

Mr. Mohamed Hersi	-	Withdrew
Mr. Balour Cheema	-	Withdrew

Mr. Ibrahim Mohamed

Mr. Mohamed spoke and also stated that he believes the criteria is unfair. Edmonton drivers should be the priority for the lottery.

Mr. Mehmet Ozbek	-	Withdrew
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Mr. Vince Paniak

Mr. Paniak spoke and stated that he is speaking on behalf of Co-op Taxi as the criteria effects all drivers associated with his company. The criteria has allowed all municipalities to enter the draw which they feel is unfair. Also he does not believe there is enough enforcement to police the 51% driver/owner clause. There is a possibility for individuals from out of town to win the lottery and leave the plate in Edmonton to be operated by someone else. City Council should have set the criteria to be advantageous to Edmonton drivers. He questioned if legal action would jeopardize the Airport contract and also inquired why City Council and the Administration did not open the lottery only to greater Edmonton drivers – to accommodate Airport Taxi – but keeping out Calgary (etc.) drivers. It appears that there is a breach of process towards Edmonton drivers in this lottery.

Mr. Gord Beatty

Mr. Beatty spoke and suggested that many drivers from faiths that prohibit gambling have had to consider the plate distribution process a 'game of chance' because the term 'lottery is used as the title. The current terms seem discriminatory to these individuals as it prevents them from participating.

Mr. Dziwenka stated that the 'lottery' is not discriminatory in nature nor intent.

Mr. Khehra inquired as to what would be reasonable process to alleviate this concern.

Mr. Beatty suggested that eliminating the fee could produce this effect.

Mr. Khehra stated it appears that individuals are differentiating in their interpretations of the current system.

Mr. Gadissa Terefe	-	Withdrew
Mr. Moshfegh Mohammad	-	Withdrew
Mr. Abdul Latif Fazli	-	Withdrew

Mr. Abdolaziz Mouib

Mr. Mouib indicated that it is his opinion that drivers who have driven many years in the City of Edmonton should be the only individuals allowed to participate in the lottery – seniority should be the first criteria.

Yahannes Gebru	-	Withdrew
Elias Weldekidan	-	Withdrew
Andeberhan Haile	-	Withdrew
Brine Saleri	-	Withdrew
Abdelovahed Bellamliah	-	Withdrew

Ms. Charlene Kilburn arrived at the meeting at this time (2:35 p.m.)

Mr. Phil Strong

Mr. Strong spoke and clarified his interpretation of the criteria as set out in Bylaw 14700. He stated he feels that the Commission and Administration have a duty not to discriminate against Edmonton drivers. He would like to see them protest the current criteria to City Council. He outlined various scenarios of how the current system is unfair to Edmonton drivers. He stated that the Commission must stand up for the industry – and forward a request to change the criteria to ensure applicants are affiliated with an Edmonton Broker including Airport Taxi which would allow their drivers to apply.

Mr. Leahey indicated that it was the United Cab Association who initially brought the issue of the Airport to City Council.

Chairman reiterated that the Commission was effectively removed from this issue when City Council decided to negotiate the Airport issue.

Mr. Strong stated that he is getting the feeling that the Commission are not going to attempt having the Bylaw 'tweeked' via City Council.

Mr. Dziwenka stated the industry always has the option of obtaining legal counsel.

Mr. Strong wished to clarify if the Commission is stating that the industry is 'on their own' and is not going to help by trying to approach City Council and will not support the industry in making a change to the Bylaw.

Mr. Allah Chebli (previously listed as withdrawn)

Mr. Chebli spoke and inquired if the one years experience in driving is specific to a taxi or could it include a limo? He also stated that Co-op was involved in part of the Airport negotiations and it was never discussed that the lottery be open to all Albertans – this current system is discriminatory to many drivers. He understands that the Commission did not set the criteria, however they could send a message to City Council. They are prepared to take the matter to court as they feel the industry has been failed.

Mr. Abdullah Aziz (not included on speakers list)

Mr. Aziz stated that there are problems and inquired if there were going to be any decisions made today. He also feels the driving experience should be more than one year – it should be four years and the Commission can request City Council to 'tweek' the Bylaw.

Mr. Ahmed Mohamed (not included on speakers list)

Mr. Mohamed stated that during the Airport discussions, United Cab Association drivers were told that only accessible plates were going to be released. They "lied" to the industry and are releasing 50 regular plates. The current system only allows 4 weeks for an individual to obtain a permit when it sometimes takes up to 4 months to get a licence because of clearance delays.

Mr. Dziwenka indicated that he would deal with issues of this type on a one on one basis.

Mr. Mohamed stated that they have been requesting a two year permit – even submitting an EPS clearance annually – to eliminate current temporary licence problems but it doesn't seem to matter what they request – no one listens.

Mr. Louis (not on speakers list)

A lottery is gambling and gambling (involving money) is a sin in many religions. Many people cannot participate as a result. Could consideration be given to removing the fee so money is not involved to assist individuals in this position.

Mr. Ian Lee

Mr. Lee spoke and stated that the main issue is eligibility. Individuals from out of town are eligible to apply and Edmonton drivers feel they should be taken care of prior to anyone from out of town. If Airport taxi drivers were the issue, they can now be included as they have a company in Edmonton. The Commission must approach City Council.

Mr. Vince Paniuk

Mr. Paniuk inquired if he could obtain a date for City Council if the Commission is going to approach them with concerns or should Co-op initiate action – and also whether the lottery will be going ahead.

Mr. Dziwenka stated that the motions are to be put before the Commission for their vote at today's meeting.

Mr. Phil Strong

Mr. Strong approached the Commission again and put forward an additional scenario of how an individual from Calgary could obtain and operate an Edmonton plate using the current proposed system.

Chairman thanked all individuals for their input and called for a 10 minute recess. The meeting was reconvened at 3:20 p.m.

MOVED LEAHEY/CLARKE

Based upon concerns heard by the Commission today, I have reservations about proceeding with the proposed business set out in our agenda.

Therefore, I move that the Commission :

- 1) defer consideration of the proposed motions until
 - a) the Commission presents the concerns raised today to members of City Council and has an opportunity to speak with Council in an effort to bring these concerns forward and attempt to change the eligibility criteria to address the concerns raised; and
 - b) City Council provides its response.

Mr. Leahey stated that the Commission does have the 'intestinal fortitude' to share the industries concerns with Council. He suggested that the United Cab Association should also speak to City Council regarding these concerns.

Mr. Khehra stated that he supports the motion and suggested a further meeting with the Brokers may be appropriate.

Mr. Dziadyk stated that he would like to wait until after we hear from City Council once they have heard these concerns, to address the motions.

Ms. Kilburn stated that the Commission does have a role to play and even though City Council is the higher authority, the Commission feels that now is the time to address their role.

Chairman addressed Mr. Strong, Mr Paniak, Mr. Beatty and others who made presentations and requested that they please submit their concerns regarding this issue, in writing to the Commission via the Administration by the end of the week.

The motion was called to a vote.

FOR THE MOTION: Clarke, Dziadyk, Fysh, Khehra, Kilburn, Leahey

CARRIED

The remaining agenda shall now be addressed.

8. Business

(a) Business Arising

- (i)** There is no business arising to be discussed at this time.

(b) New Business

- (i)** 5 motions Regarding Release of Plates (Attached)

This item was addressed by the previous motion.

9. Administrative Matters

a. Chief Livery Officer

No report at this time.

b. Edmonton Police Service

No report at this time.

c. Edmonton Transportation

No report at this time.

10. General Correspondence

There are no general correspondence items to be discussed at this time.

11. In-Camera Items

There are no in-camera items to be discussed at this time.

Chairman stated at this time that we would re-visit agenda item #7. as it was missed during discussion.

7. Reports

(i) Establishment of New Committees

Chairman stated that historically, four standing committees existed within the Commission.

These were:

- .Executive Committee
- .Driver Training and Testing Committee
- .Safety Committee
- .Operation and Program Committee

Last Fall, the "first" and "last" of the list were combined into the Agenda Planning Committee.

The "middle pair" continue. In addition, it was decided to create Ad Hoc Committees as illustrated by the creation of the Driver Appreciation Awards Day Committee with Chairperson Charan and members Chris and Bob.

An additional two Ad Hoc Committees are being created:

- .Existing Thirty Five Accessible Plates Committee, in accordance with Council Executive Committee motion, with Chairperson Charlene and member Jon (and)
- .Examination of Limousine Concerns Committee, with Chairperson Bob and members Chris and Charan.


Establishment of New Committees Report tabled as information by Mack.

Mr. Phil Strong , Mr. Vince Paniak and Mr. Ian Lee all expressed gratitude to the Commission for their vote and showing that they care about the industry.

Chairman stated that we are not in control of any timelines regarding the motion and its content, however, we will attempt to get information back to the industry as quickly as possible. He also requested that as Brokers and other Groups distribute information to Drivers they report only known facts.

12. Adjournment

The next regular Vehicle For Hire Commission meeting will take place at 1:30 p.m. in the Heritage Room at City Hall, Wednesday, February 8, 2012.



M. Fysh, Chairman



S. Weller, Administrative Assistant