SAN FRANCISCO AIRPORT COMMISSION



MINUTES

September 1, 2015

9:00 A.M.

Room 400 - City Hall #1 Dr. Carlton B. Goodlett Place (400 Van Ness Avenue) City and County of San Francisco

EDWIN M. LEE, MAYOR

COMMISSIONERS LARRY MAZZOLA President LINDA S. CRAYTON Vice President ELEANOR JOHNS RICHARD J. GUGGENHIME PETER A. STERN

> JOHN L. MARTIN Airport Director

SAN FRANCISCO INTERNATIONAL AIRPORT SAN FRANCISCO, CALIFORNIA 94128

Minutes of the Airport Commission Meeting of September 1, 2015

CALENDAR			RESOLUTION	_
SECTION	ITEM	TITLE CALL TO ORDER:	NUMBER F	
А.		CALL TO ORDER.		4
В.		ROLL CALL:		4
C.		ADOPTION OF MINUTES: Special meeting of August 11, 2015	15-0167	4
D.		ITEMS INITIATED BY COMMISSIONERS:		4
E.	1.	ITEMS RELATING TO ADMINISTRATION, OPERATIONS & MAINTENANCE: Award Professional Services Contract 10504.47 Project Management Support Services for the AirTrain Extension and Improvements Program PGH Wong Engineering, Inc.		4-5
	2.	Award Contract 50062 to Provide Communication and Marketing Services for Varied Scopes of W an As-Needed Basis - Fuseideas/EIS Design, a	ork on	5-6
F.	3.	CONSENT CALENDAR OF ROUTINE ADMINIST MATTERS: Award Professional Services Contract 10511.47 Project Management Support Services - Airport Security Infrastructure Program - Faith Group, L	I -	6
	4.	Modification No. 6 to Contract 9024.9, Construct Management Services for the International Terr and B/A F Checked Baggage Inspection System Modernization Program, and the International T Baggage Handling System Improvements Proje CAGE Professional Services, Inc. (dba CAGE,	ninal n erminal cct -	6
	5.	Modification No. 1 to Contract No. 10512.66, D Build Services for the Lot D Improvements and PARCS Automation Project - Galliera, Inc., dba Construction	U	6-7
	6.	Approve Long Term Holdover of the Internation Terminal Food and Beverage Facility Lease No 99-0292J with Gotham Enterprise, LLC		7-8
	7.	Accept Bids for the Garage Taxi Staging Area N Catering Truck Lease	1obile 15-0174	8
	8.	Approval Lease Agreement with the U.S. Gover	nment	
		Minutos Soptombor 1, 2015, Page 2		

Minutes, September 1, 2015, Page 2

		for Space in Terminal 3 for Use by the U.S. Drug Enforcement Administration	15-0175	8
	9.	Accept California Regional Water Quality Control Board Conditional Offer to Settle Violations of Natio Pollutant Elimination System Permit CA0038318	onal 15-0176	8
G.		NEW BUSINESS: Airline catering Taxis		9-11 11-14
Н.		CLOSED SESSION:		15
I.		CORRESPONDENCE:		15
J.		ADJOURNMENT		15

AIRPORT COMMISSION MEETING MINUTES September 1, 2015

A. CALL TO ORDER:

The regular meeting of the Airport Commission was called to order at 9:00 AM in Room 400, City Hall, San Francisco, CA.

* * *

B. ROLL CALL:

Present:

Hon. Larry Mazzola, President Hon. Linda S. Crayton, Vice President Hon. Eleanor Johns Hon. Richard J. Guggenhime Hon. Peter A. Stern

* * *

C. ADOPTION OF MINUTES: The minutes of the special meeting of August 11, 2015 were adopted unanimously.

No. 15-0167

* * *

D. ITEMS INITIATED BY COMMISSIONERS:

* * *

- E. ITEMS RELATING TO ADMINISTRATION, OPERATIONS & MAINTENANCE: Item No. 1 was moved by Commissioner and seconded by Commissioner. The vote to approve was unanimous.
 - 1. <u>Award of Professional Services Contract No. 10504.41 Project Management</u> <u>Support Services for the AirTrain Extension and Improvements Program -</u> <u>PGH Wong Engineering, Inc. - \$4,292,000</u>

No. 15-0168 Resolution awarding Professional Services Contract 10504.41, Project Management Support Services for the AirTrain Extension and Improvements Program, to PGH Wong Engineering, Inc. in an amount not to exceed \$4,292,000 for the first year of services. This contract may be renewed yearly up to an estimated not to exceed amount of \$13,132,000, with a duration up to 44 months.

> This item includes activities that are within the scope of the San Francisco International Airport Master Plan Program approved by the Airport Commission on November 3, 1992. The Master Plan EIR

prepared for the Master Plan Program, including addenda thereto, adequately described the potential environmental effects of these activities for the purposes of the California Environmental Quality Act (CEQA). This item also includes activities addressed in greater detail in a Negative Declaration issued for the Airport Multi-Modal Transportation Center.

Mr. Geoff Neumayr, Deputy Director, Design and Construction said this item awards Project Management Support Services to PGH Wong for the AirTrain Extension and Improvements Program for the first year of services not-to-exceed \$4.3 million. The AirTrain Extension Improvements Program will provide for the construction of two projects: 1) an elevated concrete guideway extension and station to serve Lot DD and; 2) a station to serve the new Airport Hotel. This program will also include design, installation, testing and commissioning of related AirTrain operations and train control systems. The scope of services for this contract will include pre-construction and design management services, project controlled services including cost and schedule management, construction inspection management, as well as oversight of the train control systems commissioning and testing.

Two proposals were received. A three member selection panel was convened to rank and score the technical qualifications and interviews. Both proposers were invited to the oral interview. Based on the scores and proposals, staff determined that PGH Wong was the highest ranked proposer. The terms and conditions of this contract have been negotiated. The anticipated amount will not exceed \$13.1 million for a duration of 44 months. Staff will return to the Commission each year to renew this contract based on the consultant's performance. Since the contract is anticipated to exceed \$10 million, we will next seek Board of Supervisors' approval as required in the San Francisco Administrative Code. CMD approved a 19% LBE sub-consultant goal for this project and the consultant is committed to meeting the goal.

Item No. 2 was moved by Commissioner and seconded by Commissioner . The vote to approve was unanimous.

- 2. <u>Award Contract No. 50062 to Provide Communications and Marketing Services</u> for Varied Scopes of Work on an As-Needed Basis - Fuseideas/EIS Design, a Joint Venture - \$500,000
 - No. 15-0169 Resolution awarding Contract 50062 to Fuseideas/ EIS Design, a J.V., for a total annual not-to-exceed amount of \$500,000 to provide Communications and Marketing services for varied scopes of work for an initial period of three (3) years with two (2) two-year options to extend the contract at the sole discretion of the Commission.

Ms. Kandace Bender, Chief Communications & Marketing Officer, said earlier this year the Airport established a pool of qualified Marketing and Communications firms which allowed us to choose from a variety of firms to utilize more of the talent that we have here in the Bay Area. Earlier this summer we signed a contract with our first firm, Davis & Associates, and work has commenced with that firm. We are now seeking award of a contract with a second firm, Fuseideas/EIS, a JV local business enterprise, at \$500,000 per year for three years, with two options to extend. We are already seeing that the variety of firms is going to be very helpful as we move forward with our marketing services.

* * *

- F. CONSENT CALENDAR OF ROUTINE ADMINISTRATIVE MATTERS: The Consent Calendar, Item Nos. 3 through 9, was moved by Commissioner and seconded by Commissioner. The vote to approve was unanimous.
 - 3. <u>Award of Professional Services Contract 10511.41 Project Management Support</u> <u>Services for the Airport Security Infrastructure Program - Faith Group, LLC -</u> <u>\$2,671,000</u>
 - No. 15-0170 Resolution awarding Professional Services Contract 10511.41, Project Management Support Services for Airport Security Infrastructure Program, to Faith Group, LLC, in an amount not to exceed \$2,671,000 for the first year of services. This contract may be renewed yearly up to an estimated not to exceed amount of \$6,241,000, with a duration up to 48 months.
 - 4. <u>Modification No. 6 to Contract 9024.9, Construction Management Services for the</u> <u>International Terminal and Boarding Area F Checked Baggage Inspection System</u> <u>Modernization Program, and the International Terminal Baggage Handling System</u> <u>Improvements Project - CAGE Professional Services, Inc. (dba CAGE, Inc.) -</u> <u>\$1,350,000</u>

No. 15-0171 Resolution approving Modification No. 6 to Contract No. 9024.9, Construction Management Services for International Terminal and Boarding Area F Checked Baggage Inspection System Modernization Program and the International Terminal Baggage Handling System Improvements Project with CAGE Professional Services, Inc. (dba CAGE, Inc.) to increase the not-to-exceed amount by \$1,350,000 for a new total contract amount not to exceed \$9,945,000 and increase the contract by 12 months for a new contract duration of 63 months.

5. Modification No. 1 to Contract No. 10512.66, Design-Build Services for the Lot D

Improvements and PARCS Automation Project - Galliera, Inc., dba Trico Construction - \$900,000

No. 15-0172 Resolution approving Modification No. 1 to Contract No. 10512.66, Design-Build Services for the Lot D Improvements and PARCS Automation Project, with Galliera, Inc., dba Trico Construction in an amount of \$900,000 for a new total contract amount not to exceed \$2,797,092 and a new contract duration of 360 consecutive calendar days.

Commissioner Johns asked what this money was for

Mr. Neumayr said it is the Revenue Collection Equipment for parking only.

Commissioner Johns remembered asking in the past about whether the software that you're using was going to be integrated into the whole system. I can see from this item we're talking more about physical things rather than this PARCS system itself. Can you give me an update on the PARCS system?

Mr. Neumayr said we do have an integrated parking control system. This contractor is just installing pay on foot stations, and credit card transactions at the cashier's booth is part of that system, and an upgrade. Currently the transactions require a toll booth with a person there so this only adds upgrades to the canopies, the pay on foot station, as well as credit card and Fastrak.

Commissioner Johns asked if the automated system itself is completed.

Mr. Neumayr said the PARC system is completed and it's been in service. This was a replacement. We originally had a system, but it was upgraded more than four years ago. It's a great system.

6. <u>Approve the Long Term Holdover of the New International Terminal Food and</u> <u>Beverage Facility Lease No. 99-0292J with Gotham Enterprise, LLC</u>

No. 15-0173 Resolution approving the long term holdover of the International Terminal Food and Beverage Facility Lease No. 99-0292J with Gotham Enterprise, LLC in the International Terminal Boarding Area A until December 31, 2017.

Commissioner Johns said I know we're wanting to holdover the lease because of what's going to happen in three years. How are we going to project now what will happen in three years?

Mr. John Martin, Airport Director said we've developed a program in anticipation of the expiration of the Duty Free lease that includes all of the post security retail that expires in 2017. We want to holdover Gotham until that time because the retail program that has been developed identified this space for high end retail.

Mr. Martin said we know we want a high end boutique type retail, but we haven't finalized the package and we want to receive input from potential bidders, probably in 2016, then we'll begin the process of receiving input from the bidders.

Commissioner Johns ... they know that and they're willing to continue?

Mr. Martin replied yes. They're happy to continue.

7. <u>Authorization to Accept Bids for the Garage Taxi Staging Area Mobile Catering</u> <u>Truck Lease</u>

No. 15-0174 Resolution approving revised lease specifications, minimum qualifications and proposal requirements, and authorizing staff to accept bids for the Garage Taxi Staging Area Mobile Catering Truck Lease.

- 8. <u>Approval of a Lease Agreement with the U.S. Government for Space in Terminal 3</u> for Use by the U.S. Drug Enforcement Administration
 - No. 15-0175 Resolution approving a Lease Agreement with the U.S. Government for office space in Terminal 3 to be occupied by the U.S. DEA, and directing the Commission Secretary to forward the Lease to the Board of Supervisors for approval.
- 9. <u>Acceptance of California Regional Water Quality Control Board Conditional Offer</u> to Settle Violations of National Pollutant Elimination System Permit CA0038318 by Payment of a Total Amount of \$12,000 in Mandatory Minimum Penalties

No. 15-0176 Resolution accepting the California Regional Water Quality Control Board conditional offer to settle violations of National Pollutant Elimination System Permit CA0038318 by payment of a total amount of \$12,000 in mandatory minimum penalties.

* * *

G. NEW BUSINESS:

Discussion only. This is the "Public Comment" section of the calendar. Individuals may address the Commission on any topic within the jurisdiction of the Airport Commission for a period of up to two (2) minutes. Please fill out a "Request to Speak" form located on the table next to the speaker's microphone and submit it to the Commission Secretary.

Mr. Michael Casey ... Commissioners, Commissioner Mazzola, thank you very much for the opportunity to speak. We're going to have a handful of our members speak who work in the airline catering industry. This is an industry that is pretty much forgotten in

many respects because it's not as apparent. People who do this work are not always seen on the front line's of the Airport. These are the workers that put the food on the plane. They work often in, well always in very, very trying conditions. You're going to hear some of those stories today. Workers who stand as long as 10-12 hours a day in less than 40 degree temperature making the meals that go on the airplanes. This is the dirty story that's behind who these workers are. We're less than 2nd class citizens in this Airport. There are 30,000 workers who work at the Airport and it's a shining example of what living wage jobs and what real quality jobs should be. Director Martin, you have worked in trying to make that happen but this is a group of 1,200 maybe 1,400 workers who are left behind. These are workers who are not getting any healthcare. These are workers who don't have any pensions and they average around \$9.50-\$10.50 an hour. Their wages are so low that the employer cannot hire. There are three employers, Gate Gourmet, Sky Chef, and Flying Foods and those employers actually cannot hire people at the entry level rates anymore because of the fight for \$15 around the country that has raised everybody's hopes, aspirations and the very wages themselves. These workers are very far left behind. We ask for your patience today to hear these workers' stories. We didn't bring in 300 people, Commissioner Mazzola. We didn't bring in 25 speakers. We know that your time is limited in terms of what you can do here today, but this is something we hope can get resolved over the course of the next six to eight weeks, at the longest. We really want to do it. A crisis is brewing. These workers have lost their patience. We're prepared to start taking action. The airlines are the ones at fault and I ask for your patience. Most of our members who are going to be speaking today are going to need translation so it's going to take a little bit longer than usual. Just the regular one minute speech, we're going to need people to have the opportunity to translate and have their voices heard. Just want to note that this is the first time that airline catering workers have ever appeared in front of this Commission and have their voices heard so we hope that we'll be able to get some change going for us.

Commissioner Guggenhime ... Mike, what do you want?

Mr. Casey replied what we want is ... our attorneys are working with the City Attorney and Deputy City Attorney Bregman has been just great working with, us as has Dennis Herrera. What we're trying to do is figure out how we can capture the workers who are in the airline catering industry regardless of whether they actually work on Airport property or off Airport property, which is where most of these workers are located. That they have the same standards as exist throughout the rest of the Airport. We need to figure the best legal way to make that happen so that everybody is acting in the proper way. That you're, in fact, taking action, taking measures not just to do a good thing, but to actually protect the interest of the Airport because it's not in the interest of the Airport when workers refuse to work overtime and airlines don't have the food that should be on planes. There have been reports when the catering company has not been able to meet the demand because of work stoppages. Workers get frustrated and fed up and the airline catering companies have actually gone to off site locations that are not gualified as airline catering companies in order to meet their demands and bring food onto airplane. That outsourced food was never even discussed with the airlines. They just bring it on the planes. So, there's all kinds of stuff that's going on behind the scenes that need to be corrected. The Commission might be able to help make that happen. We really appreciate the opportunity.

Ms. Juliana Liu ... I work at Flying Foods for 12 years and I'm making \$11.45 per hour.

I live with my son and my husband in San Francisco.

I'm a co-production worker and my schedule shift starts at 2:00am to 10:30am. I'm working in the area of air below 40 degree fahrenheit. I need to wear a coat, sweater, scarf, or sweat band in order to keep warm while I'm working. But my head always in cold. My company does not provide any clothing for us.

The company expects workers to make 500 sandwiches in eight hours. Customer is the business in the summer. I work to 10-11 hours per day, six or seven days a week for past four months in order to meet the business needs. Everyday when I finish my job I was really tired and have no energy for my family. Thanks to my husband for understanding and doing most housework.

I have healthcare but my monthly co-payments are \$250 and yearly deposits \$10,000, but insurance only covers 75% of the cost after deduction. I try to avoid to see doctor. I did not have a health checkup for past two years. Everyday we are living in struggle.

I want to improve my life. I want to improve my living standard, I hope the next generation has a better life. Please let QSP apply to all airline catering. Thank you for your time.

Ms. Rosanna Bugler ... I work in Sky Chef and have worked in the airline catering industry since 1998. I'm here today because I wish the airline passengers know what we go through because we feel airline passengers are just like workers at Airport restaurants. I think we should be treated the same, like everyone else at the Airport. Without us, attendants would have nothing to serve. One of the worst things about working in airline catering is the cold condition ... the kitchen is kept below 40 degrees. I have to wear thermal shirts, long sleeve shirts, and a jacket. I feel the cold through my shoes and I stand on concrete all day long working at Sky Chef ruining my health. I have the company insurance plan but it's too expensive. I have to pay \$45 a week, I make only \$10.50 per hour. I have diabetes, I cannot go to the doctor all the time because it's a high co-payment. It's so bad, I think about quitting everyday, every single day, but I have a job to pay my rent and take care of my family. Please help us make sure that we are fairly compensated for the work we do so that we can provide for our families. Thank you very much.

Ms. MJ Topacio I have worked as Station Attendant at Flying Foods for the last year. I make up to 800 meals every shift for economy flight and right now I only make \$9.71 per hour which means that I have to work overtime in order to pay my bills. I start work at 3:00am and I work 10-11 hours per shift. During the busy season, I work seven days per week for two months straight without a day off because my pay is so low I need the extra hours. In production we don't have enough employees to cover those shifts. The condition in the kitchen also makes it hard to work for such long hours. It's like working in a giant freezer. I wear three layers of sweaters and jacket and I still feel cold. My hands hurt from preparing the frozen food. Sometimes I can't even hold things in my hand because they are so cold. As a young person who grew up in the Bay Area, the contract we are negotiating with Flying Foods is my future. I don't feel like the company recognizes our humanity or the importance of the work we do. I make the in-flight meals that go directly to airline passengers. Passengers would have nothing to eat without us. I feel like we are working for the Airport and we should have the same

wages and benefits the other Airport workers enjoy. Thank you.

Mr. Nathaniel Baquedano ... Thank you for the opportunity. I have worked with Gate Gourmet for the last 18 years and I currently work in the liquor supply department. After 18 years in the airline catering industry, I haven't seen a raise before 9/11. We have food worker who cover 6 days. After 9/11 the company asked us to agree to salary freeze and wage cut.

The following individuals also spoke, however, their comments were not captured on tape.

Molly Gomez Shaw Son Liu Ahand Singh Rev. Benjamin Meyers Shelley Kessler

The meeting recessed for 5-minutes.

Mr. Mark Grueber ... Thank you President Mazzola, Commissioners. I'm with the San Francisco Taxi Workers Alliance and let me say that we represent the workers that have no minimum wage protections much less living wage, no benefits except State mandated, no collective bargaining rights, and we are dependent on regulatory decisions for fair treatment. I came here today to talk about the six month extension of the TNC Airport permits despite blatant on-going violations of the Airport's rules and others will speak to that more particularly but, to some you say that you know the TNCs at the Airport, their numbers are growing by leaps and bounds, taxi numbers are falling, we need fair treatment. We're grateful to the Airport for having taken a couple of steps, expansion of the taxi lot was one where we're hopeful that they're going to set fair and decent boundaries for short trips that will allow drivers to have a fair chance at going home with some money in their pocket. So, that's great, but as far as the TNCs are concerned, it's a huge problem and you know in some of our discussions with Airport management we have been told that the Airport's hands are tied because the CPUC regulates. Well, it's not exactly the fact. I just want to read you something from the Airport's permit that ... The Airport's may grant, deny and/or limit concessions for services to the public." And that is also true in the CPUC rules, so the Airport has the authority to exercise that. I'm sure others will speak to this as well. Thank you.

Mr. Tom Diesso ... I'm a San Franciscan cab driver since 1975. I'm also on the Board of Directors, SF Yellow Cab Co-Op. Of course, we're all here to speak about the TNCs. I don't know how you could set up two standards, one for taxis and one for TNCs which just have everything opposite of a taxicab. My cab has to be inspected once a year. I cannot pick up off the top and there's numerous other things that the cabs cannot do that these TNCs are allowed to do. It's a totally unfair, uneven playing field we have here. And just like the people that were here ahead of us, complaining about the two-tiered system we have here, same thing goes for us. We have no rights, we just have to accept what you guys set forth and far as rules, and abide by them. Then you allow these TNCs to come and do whatever. It's a big problem letting them pick up off the top. I had an elderly couple with their walkers which I have to park my cab out in the lane of traffic, which is very unsafe. They had to hobble from the curb with their walkers

and I have to drag their luggage. The TNC finally found their customer and now they're yelling at me to move my cab and I still have to bring their luggage to the curb. It also happened again with a couple who had a couple of kids. They had strollers and they had car seats and I'm parked out in a lane of traffic. Are we supposed to wait for something tragic to happen, like a little kid getting run over or someone else get hit by a car? If they're going to be allowed to pick up at the airport, let them pick up at the

lower level where everyone else is. Thank you for your time.

Mr. Bob Cassinelli ... I'm a consultant with Yellow Cab. I created a video after frustrating talks with the Airport specifically about trolling by TNCs at the Airport. I've repeatedly been told that there's not much of it going on, and I documented a lot of it. I was told that the icons on their apps aren't real. Those are fake for marketing purposes. That gives me an "oh really moment." Why would the Airport participate in lying to the customers? How does that help a customer to the Airport? I've also been told that you can't ask them for fingerprint background checks because they'll refuse to do it. If they refuse to do that, they'll refuse the contract and they'll simply service the Airport anyway. I have a letter from a individual who speaks directly to fingerprinting. When TNCs talk about fingerprinting and the reasons they don't want to do it, they very quickly try to shift the discussion into "our system is better than the taxi system." That isn't what this is about because, in fact, the system that they're talking about without fingerprint background checks, you simply don't know who's driving that vehicle. You don't know who you're doing the background check on and so I have an item I like to leave for you about that. (See attachment)

Mr. Marcelo Fonseca ... I am a career cab driver, 27 years full time. I'm serving my first term on the Board of Yellow Cab Co-Op in San Francisco. I'm here not only as a member of the taxi industry, but as a concerned citizen. This TNC operation at the Airport is guite alarming. You are waiting for the PUC to tell you what the rules and regulations are, and the CPUC does not have enough manpower to enforce any of the rules they have written so far. So, I'm here to urge you to look into this situation. We go to a lot of the PUC meetings. We're putting pressure on them ... if you claim jurisdiction over them then you have to regulate them. You have to able to enforce the rules, and they haven't. TNCs aren't properly regulated. They aren't properly insured and they are soliciting rides with impunity on the upper level. When I drive my cab full time, when I take a passenger to the Airport, it's very hard to get to the curbside to drop them off. Once I make my way to the curbside, it's very difficult to get out of there. The best word to describe the upper level is it's a zoo, it's a public safety issue. Again, as a cab driver a lot of people say we are whining cab drivers, but we have to be. This is not fair. You have to have a level playing field. You can't have a set of rules for cabs and a different set of rules for TNCs. I urge you to look into this situation more carefully and I urge you to speak with the PUC. They are taking too long to get into the rule making process.

Mr. Nazeer Sadiq ... I just want to know, and I'm sure your aware of it, that there are 40,000 TNCs ... 20,000 Uber and 20,000 Lyft and other stuff, and only 1,800 taxis. Why don't you tell us how we can compete with them? Setting that aside, they don't pick up disabled people. Why doesn't somebody consider that? SUVs bring in mega tons of carbon in the City. They are all employees. Why they are doing this, why you are, why don't you finish taxis, eliminate taxis? Are they above the law? If you say do that, it comes only to taxi industries not to them, why? Who allows that, why this thing

is not being discussed, why this thing is not to be considered, why the taxi driver, why she's not being hired? What is wrong? I believe it's one of the great country in the world. Why this kind of difference, who is behind the curtain, why they are being given all opportunity to crash and finish those cab drivers? We are less than anybody else in the world making money. No cab driver is taking \$50 home, their kids are not going into university. I have the example, I have the paper. My daughter has left the university because I was not having money and I don't want government money. I want to earn with my own hands. I was a Civil Engineer and I became a driver because I will not get a job, I'm 58 years old. Thank you.

Mr. Habir Batth ... I'm a cab driver for over 20 years in San Francisco. I understand we live in a capitalistic society for so much law ... I'm appalled by that. We have sad rules and regulations. It's hard for me to pay fee just because I can't pay for my cab. They are (treating me) like I'm taxi meter guy at the Airport. I go there, I have to sit in the line. I am thankful, Mr. John Martin. He allowed us to expand the lot like it's a little easier. But I sit there, the meter is almost like $2\frac{1}{2}$ - 3 hrs. and I get a light for even I've been to the City it's like \$40 and I'm making like \$13 and the cab is costing me like \$10 - \$12. So, they're like I was talking to taxi meter. ... I said I'm dropping a passenger. Well how come this guy is picking up? He said we try to drive them away. But they're like bees, you tell them to go away they come back they circle around. And we have a set of rules like we are forced to have a taxi meter. And these guys you know they can charge anything. You know I'm charging \$50, they're charging \$20 they have a pool system. It's a total unfair system and you should do something about it. We go to the Airport and they say it's all CPUC, they decide about this. But that means that it's all about law. And disability community, it could be some of my family member your family member who's handicap and they're not doing it. And the cab companies are set like percent would pick some of these handicap people all the time. I'm glad the DA of the City, he publicly spoke up and because these are criminals and all that and they're picking up like there's no background check on them. We should do something about that. We are hard working people. It's a tough job, it's not an easy job like on the Friday/Saturday. Everybody wants to have fun and we go home like 3 or 4 in the morning and then about the time you wake up, 10 or 11, all your kids are gone to school. It's a tough job, please be considerate, I really appreciate it. Thanks Sir.

Mr. Barry Korengold ... I've been a cab driver in the San Francisco for over 25 years. This is appalling because it's such an unequal standard. Taxi cabs have to be inspected every year, cab drivers have to get individual permits at the Airport. We can be thrown out of the Airport for not following the rules like they're suppose to. They're coming in, there's no limit to how many of them there are. There's no emission standards whatsoever, all San Francisco taxi cabs are either hybrid or alternative fuel vehicles. The TNCs are not ADA compliant. They have insufficient background checks, as the DA has have pointed out, where serious criminals are getting jobs driving for Uber, which seems to me to be a safety hazard and a security hazard at an international airport. The congestion they've caused is unbelievable now. I've been doing this 25 vears, I've never seen this kind of congestion. They admitted to having 22,000 Uber drivers in May and then they're expanding every month, every week, everyday, and Lyft says they are similar. All these drivers are going to the airport. They're taking people there. There's no enforcement. Stanley Roberts came out with a video a few weeks ago showing how there's no enforcement at the Airport, they're picking up, they're defying the law. They have a culture of defying the law. They came

into existence by breaking the law and then they get rewarded by getting these permits because they refuse to go away. San Jose Airport has set certain standards for them to follow and they just refuse to follow them. They're laughing. There have been news articles about it. They don't have San Francisco business licenses like San Francisco cab drivers are required to have. Why are they being allowed to pick up at SFO?

Mr. Tim Paulson ... I want to put things into context. Thank you for hearing me out. I also want to thank Director John Martin for being accessible and having your staff accessible to talk about the issues as these different industries put themselves together. We represent over 100 unions in San Francisco and the Taxi Workers Alliance is now an official AFL/CIO union. They are part of our labor council, they are active in our council, they have delegates, just like the Plumbers and my union, Brick Layers and the Teachers and everybody else and on behalf of that particular union, I just want to say that I am somewhat upset by the fact that there was, even though it was a six-month permit, that there was a permit, a renewal or a lease renewal for the TNCs that happened even though people were trying to make things aware that you know whether or not it was handicapped issues or background issues or fingerprint issues, insurance issues whatever the violations that people behind me have just talked about, there are some real issues that people are bringing up about congestion at the Airport. And then the leases were renewed even though they were for just six months and we were hoping that we'd have time to address, not just to Commissioners but he Airport. To talk about how we can improve those leases if there was direction that we're going at. I do hope that this is going to be revisited, on behalf of the entire industry. Things are very different now in terms of transportation but these are really of concern to us in the labor movement, as well as the Taxi Workers Alliance. I hope that is going to be an issue that you guys continue to take out. Thank you.

Commissioner Mazzola ... did your taxi group go to the San Francisco Board of Supervisors and talk to them.

Mr. Paulsen ... I have not been asked to do that yet on their behalf.

Commissioner Mazzola ... you said that one gentleman is monitoring PUC and you're going to PUC meetings and trying to get things done at PUC.

Mr. Paulsen replied the answer is yes that's been happening. If I could answer with an extra piece ... San Jose and Los Angeles, in particular the Los Angeles Board of Supervisors, has taken on the TNC thing even though the Mayor is supporting their moving forward. So there are other areas besides the CPUC.

Commissioner Mazzola ... to state one little airport when this is a global problem, and this problem exists everywhere. You can't pick up a newspaper in any town that's not fighting with Uber. We're fighting with one of those other folks. So it's not just the Airport. All of us up here want to help figure a way to help, and I think we will. Now that this is been extended six months, we will look at it closer and see anywhere we can help. I talked to John and John has committed to that and so I think we can maybe get a better shot at it next time but we do need help from the State PUC and legislators. It's not just the Airport saying you have to do this or you have to do that.

* * *

H. CORRESPONDENCE: There was no discussion by the Commission.

* * *

I. CLOSED SESSION:

There are no planned agenda items for a Closed Session for the current meeting.

In the event of any urgent matter requiring immediate action which has come to the attention of the Airport Commission after the agenda was issued and which is an item appropriately addressed in Closed Session, the Airport Commission may discuss and vote whether to conduct a Closed Session under Brown Act (California Government Code Sections 54954.2(b)(2) and 54954.5) and Sunshine Ordinance (San Francisco Administrative Code Section 67.11).

If the Airport Commission enters Closed Session under such circumstances, the Airport Commission will discuss and vote whether to disclose action taken or discussions held in Closed Session under the Brown Act (California Government Code Section 54957.1) and Sunshine Ordinance (San Francisco Administrative Code Section 67.12).

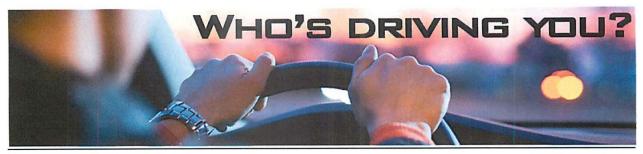
* * *

J. ADJOURNMENT:

There being no further calendared business before the Commission the meeting adjourned at 10:10 AM.

Original signed by:

Jean Caramatti Commission Secretary



FOR IMMEDIATE RELEASE August 7, 2015 MEDIA CONTACT: Dave Sutton dsutton@melwoodglobal.com (301) 873-2393

Former Uber Driver Sentenced as ISIS Sympathizer, FBI Believes A Second Uber Driver Sought to Sell Military Weapons in Syria, Iraq and Jordan

ROCKVILLE, Md. – According to news reports, federal indictments allege former Dallas Uber driver, <u>Talal Ali Chammout</u>, a felon now accused of sexually assaulting an Uber passenger, previously attempted to purchase stolen rocket launchers and technical specifications for antitank weapons and Stinger ground-to-air missiles in 2005 and 2006. The FBI believed Chammout intended to sell this weaponry to groups in Syria, Iraq and Jordan, according to <u>reports</u>.

Chammout's case was discussed in the 2012 book, *Iran's Revolutionary Guard: The Threat That Grows While America Sleeps* by Steven O'Hern.

A second former Uber driver, <u>Miguel Moran Diaz</u>, was arrested by the FBI for plotting to kill residents on behalf of the terrorist group, ISIS. Diaz was recently <u>sentenced to 10 years</u> in federal prison. According to reports, Diaz called himself a "Lone Wolf" for ISIS and intended to kill Miami residents with a sniper rifle using ISIS-engraved shell casings.

Both Chammout and Diaz were felons driving for Uber.

Alonzo R. Pena is a former Deputy Director of the Immigration and Customs Enforcement which is part of the Department of Homeland Security. In a July 28, 2015 <u>letter</u> to the San Antonio Mayor Ivy Taylor and the San Antonio City Council, Pena stated that given the recent rise of "self-styled religious terrorists in this country it is imperative for every city to have a system that verifies the identity of all public transportation providers."

Pena's letter further states: "Use of name only background checks such as the Immigration Services 'e-verify' and I-9 verification is insufficient. It leads to abuse of the system, presentation of fraudulent documents and no system of independent verification. This is exactly the type of system criminal organizations and terrorist groups look for. They can provide their members with false identities and have them sign up as drivers for companies such as Uber and Lyft who do not use law enforcement background checks."

"Biometric fingerprinting undertaken by police departments, also known as 10 print, is in my opinion the only viable method of screening individuals to confirm their identity and determine if the individual has any prior criminal history," Pena writes. "Private companies who perform this same fingerprint or background check, unlike a City police department, do not have access to law enforcement data bases. Consequently critical information regarding past criminal history is omitted."

Alonzo Pena, president and founder of DMEP Strategic Consultants, is available for interviews.

ABOUT US:

'Who's Driving You?' is a safety and awareness campaign designed to educate the public about the dangers of unlicensed transportation companies. It is an initiative of the Taxicab, Limousine & Paratransit Association, an international non-profit trade association whose membership consists of 1,100 licensed transportation companies. For more information, visit www.WhosDrivingYou.org, follow us on Twitter (@WhosDrivingYou) and follow us on Facebook (facebook.com/WhosDrivingYou)



July 28, 2015

Mayor Ivy Taylor and Members of the City Council of San Antonio:

Let me introduce myself. My name is Alonzo "Al" Peña. I retired as Deputy Director of the Immigration and Customs Enforcement which is a part of the Department of Homeland Security in December of 2010. I was with ICE since its creation and before that I served 16 years US Customs. I began my law enforcement career with the Texas Department of Public Safety in 1982.

During my career in law enforcement I have had numerous opportunities to see how Cartels and other similar groups infiltrate their operations into the United States. One of the preferred methods is falsification of identifications. I have seen how Cartels have utilized forged passports and driver's licenses to provide cover for their members.

Biometric fingerprinting undertaken by police departments, also known as 10 print, is in my opinion the only viable method of screening individuals to confirm their identity and determine if the individual has any prior criminal history. Private companies who perform this same fingerprint or background check, unlike a City police department, do not have access to law enforcements data bases. Consequently critical information regarding past criminal history is omitted. Additionally, use of police departments to conduct the fingerprinting can serve as a deterrent against drivers with prior convictions, or individuals with false identities from applying and thereby adding a further level of security to the process.

Use of law enforcement database fingerprint search avoids any possibility of falsifying identities and misidentification of individuals. When the fingerprint check is performed by a city police department, a police officer or certified technician is personally supervising the fingerprinting process and signs the fingerprint card attesting to having been present during the fingerprinting process. In a private setting there is no verification as to how the process is conducted or whether the fingerprints submitted for analysis are those of the individual being screened.

Use of name only background checks such as the Immigration Services "e-verify" and I-9 verification is insufficient. It leads to abuse of the system, presentation of fraudulent documents and no system of independent verification. This is exactly the type of system criminal organizations and terrorist groups look for. They can provide their members with false identities and have them sign up as drivers for companies such as UBER and Lyft who do not use law enforcement background checks.

Given the recent rise of organized criminal activity and self-styled religious terrorists in this country it is imperative for every city to have a system that verifies the identity of all public transportation drivers. These individuals travel the streets of our cities daily. It would be very easy for any cartel such as MS-13 or religious fanatic groups to hide in

> 10205 Oasis St. Ste. 320, San Antonio Texas 78316 202-657-8218



plain sight posing as a driver for these companies knowing that the true identity of the driver is unknown to law enforcement officials because the identification documents used are false and the screening system was not designed to verify the authenticity of such documents.

As a career law enforcement officer at the State and National level, I recommend that any background check of any transportation company operating on city streets be subject to a fingerprint check performed by a City police department or other law enforcement agency to ensure the accuracy of the screening and provide law enforcement with an accurate data base of transportation drivers in the city.

Sincerely

alonzo R. Pont

Alonzo R. Peña President & Founder

10205 Oasis St. Ste. 320, San Antonio Texas 78316 202-657-8218