CAMBRIDGE LICENSE COMMISSION HEARING

CITY OF CAMBRIDGE

IN RE: LICENSE COMMISSION GENERAL HEARING

LICENSE COMMISSION BOARD MEMBERS:

CHAIR ANDREA JACKSON

POLICE COMMISSIONER ROBERT C. HAAS

FIRE CHIEF GERALD REARDON

STAFF: EXECUTIVE DIRECTOR ELIZABETH LINT

AT: Michael J. Lombardi Building Basement Conference Room 831 Massachusetts Avenue Cambridge, Massachusetts 02139

DATE: June 17, 2014

TIME: 6:09 p.m.

_____REPORTERS, INC._____ CAPTURING THE OFFICIAL RECORD 617.786.7783 - www.reportersinc.com INDEX OF AGENDA

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PROCEEDINGS

June 17, 2014

EXECUTIVE DIRECTOR ELIZABETH LINT: Good evening.

This is Licensing Commission General Hearing, Tuesday, June 17, 2014 at 6:09 p.m. Please keep quiet. It's very hard to hear up here. We're in the Michael J. Lombardi Building at 831 Mass Ave, Basement Conference Room.

Before you are Commissioners Chair Andrea Jackson, Police Commissioner Robert Haas, and Chief Reardon will be joining us. He's on his way back from the western part of the state.

This hearing is being audiotaped and videotaped.

And we have approximately five matters on the agenda before the one that I believe most of you here are to listen to. If you would like to step outside, we will absolutely call you back in before we take any discussion or testimony on that matter.

INFORMATIONAL - LIBBY'S MARKET, INC.

EXECUTIVE DIRECTOR ELIZABETH LINT: The first matter on the agenda is informational.

Libby's Market, Inc., d/b/a Libby's Liquor Market, Amrik Pabla, manager, holder of an all alcoholic beverages package license at 575 Massachusetts Avenue due to completing work inside the package store without Building Department and Fire Department approval.

CHAIR ANDREA JACKSON: Good evening.

Ms. Boyer, if I can start with you. If you can identify yourself for the record, please? ANDREA BOYER: Andrea Boyer, B-O-Y-E-R, Chief Licensing Investigator for the City of Cambridge Licensing Commission.

Libby's Liquors is located at 575 Massachusetts has installed a food preparation area, tables, condiment counter, back entrance and signage for an establishment known as Bo Nation within the existing floor plan.

These are the pictures that I have.

Please note during my investigation the equipment had not been in use. At this time our office did not have a common victualers application on file for Bo Nation.

According to Inspectional Services' records, Libby's Liquors requested and received an electrical permit for a 2013 installation of video surveillance equipment but there have been no other permits applied for or issued regarding the build-out.

We're here because a possible public

safety issue of not requiring proper permitting as a food service preparation.

I spoke with Inspectional Services' Inspector Peter McLaughlin last week.

He went to the location and informed a representative on premise to come in and fill out a building permit application, have a licensed contractor come into Inspectional Services, who is insured, and also have construction drawings that have been drawn up by a licensed architect, and as by 4:30 this afternoon no permits have been applied for.

POLICE COMMISSIONER ROBERT HAAS: Can you tell me the dates you did your inspection again?

ANDREA BOYER: I was at the location a couple times.

I spoke with the owner during the H Mart opening to tell him I had heard that he had been serving sandwiches and told him to come in and apply.

I would say, been there twice to even speak with them, and then to get updates for a restaurant that's coming soon to the back of Libby's for fast-food Asian dumplings. From what I heard, there's actually not allowability from Inspectional Services for fast-food at this time.

EXECUTIVE DIRECTOR ELIZABETH LINT: We can't hear up here if you're talking in the back.

ANDREA BOYER: There's no room or allowability to have a fast-food new entity in Central Square at this time. And so that's why I had Inspectional Services --

POLICE COMMISSIONER ROBERT HAAS: Can you describe this area compared to the retail store?

ANDREA BOYER: If you can see the Heineken bottle beer right there, from there forward is their regular liquor, wine, their coolers. That's actually in the back of the establishment.

POLICE COMMISSIONER ROBERT HAAS: Is there a separate entry into the back of the restaurant.

ANDREA BOYER: There is now. That's the picture I gave you. That's from the parking lot area on the back of Bishop Allen Drive.

CHAIR ANDREA JACKSON: You said "there is now." Was there not one before?

ANDREA BOYER: Not to that extent where it has the Bo Nation.

POLICE COMMISSIONER ROBERT HAAS: Do you remember what was it in this area prior to the build-out?

ANDREA BOYER: As far as I can tell, it

was just more storage.

POLICE COMMISSIONER ROBERT HAAS:

Storage?

ANDREA BOYER: Yes. It's not a huge area but it's significant.

POLICE COMMISSIONER ROBERT HAAS:

I assume these benches are designed for eating. There's --

ANDREA BOYER: There's only two stools there when I came in but it seems as if you could eat a sandwich on top of it, it's like a high-top table.

CHAIR ANDREA JACKSON: When were they contacted by ISD?

ANDREA BOYER: Last week.

CHAIR ANDREA JACKSON: Any questions?

POLICE COMMISSIONER ROBERT HAAS: No.

CHAIR ANDREA JACKSON: Counsel, please identify yourself for the record.

ATTY. WILLIAM GOLDBERG: William Goldberg, Cambridge. Representing Libby's Liquors.

For your information, I was contacted by the principals of Libby's a month ago or longer with regard to the use of the rear of the liquor package store for what was described as the presentation of sandwiches for sale which were made else somewhere other than in the premises itself.

I talked with Ronji (phonetic) with regard to that use.

And there were some issues, which need not be discussed today, but I had prepared, in anticipation, application to License Commission for the use of that premise for the purpose for which I stated.

I was aware the tables that were set there. I looked at the pictures that were presented to the board and I guess, if you look at the pictures, it's like, if it barks like a dog, then it's a dog.

The circumstances as it presents itself indicates that it's more than just a sale of prepared food.

The area is really being developed. As you see from H, the magnificent edifice that it is, and there's an area on the side of H which is going to be used as a patio for people to sit down and eat whether food comes from H or whether the food comes from Libby's, it can be utilized as a public venue.

I'm not disputing what the pictures show, the best description of what I'm saying, I just want to give you background of what I was doing at the behest of the personnel of Libby's Liquors and what they intended to do.

They just went forward without the applicable approval from the departments that were stated by Ms. Jackson.

Can't deny that. Pictures speak for themselves.

We are still going to go forward with attempting to get what I described to you as part of the venue in that store to take advantage of the patio outside and the rear entrances which are applicable to the store here.

I would indicate that the facilities that are there now, we will remove them and we'll start from scratch with respect to an application to the License Commission for a victualer license. And that will be the intent if the board would allow a certain period of time to remove that equipment and then visualize what is there so that I can then proceed with the application.

I may proceed with the application in any event, but the removal of this equipment would be paramount.

POLICE COMMISSIONER ROBERT HAAS: So you're talking about this food preparation area?

ATTY. WILLIAM GOLDBERG: No.

It's my intent, and I thought it was the intent of the owners, to just have a sandwich which could be taken outside.

The sandwich would be prepared other than in that facility.

POLICE COMMISSIONER ROBERT HAAS: But it's clear from the preparation area that he was planning on doing some kind of food preparation on premise.

ATTY. WILLIAM GOLDBERG: I don't disagree. I don't disagree.

I think that it went ahead unbeknownst to me with regard to the build-out, and it's simply a case of where the build-out will be removed and the original purpose of preparing food, sandwiches, other than in that premise, just for take-out patio.

POLICE COMMISSIONER ROBERT HAAS: So is this -- was it your clients' intent to run that operation as well as the package goods store?

ATTY. WILLIAM GOLDBERG: Yes.

POLICE COMMISSIONER ROBERT HAAS: And was it his intent then to sell alcoholic beverages as part of his concession here?

ATTY. WILLIAM GOLDBERG: If that would be

permissible, the answer would be yes.

POLICE COMMISSIONER ROBERT HAAS: I don't think you could do that.

ATTY. WILLIAM GOLDBERG: Then it would be a sandwich take-out. There are soft drinks as well.

POLICE COMMISSIONER ROBERT HAAS: I'm just wondering how far this project would have gone before we were notified about it. That's all I'm concerned about.

It looks like it has gone quite a bit. In fact, you're actually announcing that you're going to be up -- open it, right?

ATTY. WILLIAM GOLDBERG: That was premature. That was premature.

CHAIR ANDREA JACKSON: To follow-up on the Commissioner's question, was the original plan then to serve food and alcoholic beverages?

ATTY. WILLIAM GOLDBERG: No.

It was just a -- the preplan was to have a sandwich wrapped up already prepared elsewhere to be purchased by a customer who wants to sit out in the sun on the patio. That really was the main purpose.

CHAIR ANDREA JACKSON: But not with this set-up.

POLICE COMMISSIONER ROBERT HAAS: Yeah, not with this set-up.

ATTY. WILLIAM GOLDBERG: I see that.

I'm saying that was the understanding that I had.

POLICE COMMISSIONER ROBERT HAAS: Right. ATTY. WILLIAM GOLDBERG: But the client went ahead and put this equipment in there, which is the kitchen, quote/unquote, and what I'm suggesting is to give them the chance to remove that equipment and to pursue the initial performance, the initial intent, that was my understanding that they were going to do.

Why they went forward with it, I'm not going to answer.

But I'm asking to be allowed to remove that equipment so it can go forward with what was intended. And then leave it up to the License Commission to make a decision as to whether it can be done.

POLICE COMMISSIONER ROBERT HAAS: I think the problem, in addition to the fact that it looks like, as you indicated, Mr. Goldberg, this went a lot further than what was represented when you first talked to your client, I'm trying to figure out how you're separating your package goods service even if you going to sell pre-made sandwiches and not have people going buying alcohol, buying sandwiches and going some place else to drink -- presumably drink in public, right, if they are not going to eat here, or buy an alcoholic beverage and sit at one of these tables and consume a pre-made sandwich.

ATTY. WILLIAM GOLDBERG: If there was a restriction on that then, something would have to be done to protect against it.

POLICE COMMISSIONER ROBERT HAAS: Probably a wall, I would imagine.

ANDREA BOYER: If I may interject, also one of the main concerns, regardless of the common victualer license and eating on premise and all that, there was equipment put in without electrical and possibly gas permits, so safety is No. 1 right here.

So even pulling it back out again,

without even a preinspection of what is already there --

POLICE COMMISSIONER ROBERT HAAS: My guess is ISD and the Fire Department will have issues with this whole arrangement since there was no permits sought to --

ANDREA BOYER: And no one's came in since last week to even step up to say, All right, yeah, we've made a mistake. I'm not sure why either.

CHAIR ANDREA JACKSON: So are you suggesting, Ms. Boyer, that ISD and Fire have to be there when they try and pull it back out?

ANDREA BOYER: I believe someone needs to inspect this a little bit closer to see what is actually on premise.

ATTY. WILLIAM GOLDBERG: Would not that be the premise of License Commission because if you go before there seeking an application, you need the approval of the Health Department, you need the approval of the Fire Department, you need the approval of the Public Works, so what I'm saying is, it would be their province to make a decision as to whether not to have this type of a food sold in an alcohol package store and also with regard to the sale of alcohol.

POLICE COMMISSIONER ROBERT HAAS: What is disturbing to me is that we been have down this road with your client before because he owned a restaurant, plus a package and he had to give up interest in one of those because he couldn't maintain both of these.

So for him now to go forward with something like this goes very against what we -it had to be, what, two or three years ago we went through this process. ATTY. WILLIAM GOLDBERG: Longer than that.

POLICE COMMISSIONER ROBERT HAAS: Whatever. I lost track of time.

We had the discussion before because he couldn't own a restaurant and have a package store, he decided to give up his interest in the restaurant to maintain his interest in the package store but then to turn around and build a, for all intents and purposes, a food preparation area, I agree he probably didn't represent it correctly to you, but he clearly had motives of doing something very different which basically flies in the face of this permit.

He has been a businessman in this community a long time and he should understand what the regulations are with respect to this kind of operation. ATTY. WILLIAM GOLDBERG: I hear you. I hear your premise and I am not questioning it. It may be a different entity with some of the same principals however.

So I would leave it to the discretion, the decision of the board so I'll now how to act and may have to substitute principals with regard to this operation other than the principals involved in the past.

They're not going to go around the corner and try to subvert what your intent is and what your declaration is.

POLICE COMMISSIONER ROBERT HAAS: So, I mean, my concern is this clearly crosses over just informational process.

There's clear violations I see with respect to his intent not only for us but for other departments within the city, right, an I think it's clear what his intent was.

I think he should have known, or I believe he does know what the process is in order to get a CV license, plus this kind of operation is, as far as I can tell, can't co-exist with a package store.

So I'm not too sure, despite the fact that he represented to you that he was doing prepared sandwiches, that maybe he would have gone further in terms of serving alcohol with his prepared meal.

You can shake your head "no." But you clearly went further beyond what your attorney -you represented to your attorney.

And I still maintain that you should have known that this kind of enterprise couldn't co-exist.

CHAIR ANDREA JACKSON: So all this is

informational.

And I think right now we needed to think in terms of public safety. You can't use it and they will have to contact Inspectional Services in the morning to have them go down. He can't dismantle this on his own.

He will need Inspectional Services and possibly the Fire Department if we are talking about electrical and gas.

ATTY. WILLIAM GOLDBERG: We'll submit to that.

CHAIR ANDREA JACKSON: Do I need to make a motion to do such?

I make a motion that we contact Inspectional Services and the Fire Department through you, Ms. Boyer, to work with Libby's Liquors to take down the stands that have been put in place. Is there a second?

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIR ANDREA JACKSON: All those in favor, signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIR ANDREA JACKSON: All right, so we are clear?

POLICE COMMISSIONER ROBERT HAAS: I make a motion that this has got to be brought before the License Commission for disciplinary consideration in the future.

CHAIR ANDREA JACKSON: Second.

All those in favor signify by saying

aye.

POLICE COMMISSIONER ROBERT HAAS: Aye. ATTY. WILLIAM GOLDBERG: Just one question, where it's an informational hearing, how does your board utilize this information? You act just as you decided by your vote?

CHAIR ANDREA JACKSON: Yes. So the stand will be taken down and then we will have you eventually back on the agenda as it relates to possible discipline but you will have an opportunity to be heard on that.

ATTY. WILLIAM GOLDBERG: Thank you.

CHAIR ANDREA JACKSON: Thank you.

APPLICATION: LONE STAR TACO BAR

EXECUTIVE DIRECTOR ELIZABETH LINT: Application: Elm Street, LLC, d/b/a, Loan Star Taco Bar, Christopher Robichaud, manager, has applied to transfer the all alcoholic beverages restaurant license held by Lizzy's LLC, d/b/a Lizzy's at 635 Cambridge Street.

Applicant is requesting 76 seats inside and operating hours from 1 a.m. to 1 a.m. Monday through Friday and 10 a.m. to 1 a.m. on Saturday and Sunday.

Applicant is also applying for an entertainment license for an audio tape machine, CD, which may play music below, at or above conversation level and 1 TV. Pledge of license to Leader Bank.

GORDON GOSSAGE: Excuse me, Chair Jackson, could we change the order of these?

I think it's in the public interest to go straight to the issue that all these people are here for and then certainly you could do the other licensing issues after that issue is completed.

Does that make sense?

CHAIR ANDREA JACKSON: I respectfully disagree with that.

Although I completely understand your

point, I do, I don't think these will take as long. I think we should be able to move at an adequate clip, and I do think once we start the conversation that everyone is here for, I think there's been a lot of misunderstanding and hopefully that will be cleared up at the very beginning.

EXECUTIVE DIRECTOR ELIZABETH LINT: And you want the Fire Chief here.

CHAIR ANDREA JACKSON: And I need the Fire Chief for the conversation.

Sir, can you please identify yourself for the record so our transcriber will have it. Sir?

GORDAN GOSSAGE: Gordon Gossage,

G-O-S-S-A-G-E.

CHAIR ANDREA JACKSON: Good evening.

ATTY. KAREN SIMAO: Good afternoon -good evening, Madam Chair, Karen Simao, McDermott Quilty and Miller; Commissioner Haas, pleasure to see you this evening.

With me I have the team from Elm Street, LLC, a proposed new business here in Cambridge.

To my immediate right is Mr. Aaron Sanders. To his right we have the proposed manager of record, Mr. Robichaud. And we have the other Mr. Sanders, which is a brother also involved in the operation, to my left.

And in the interest of your time, I will give a very brief presentation and defer to the board on any questions, understanding you have a full agenda.

By way of reference, if I may, I would like to just to submit some, it's really a press packet to the board, through Ms. Lint.

The folks before you today are proposed to go into the Lizzy's, the existing Lizzy's operation.

These are extremely experienced operators. They have two locations currently in Boston, Deep Ellum as well as a Lone Star location there as well.

It's a very high-traffic area, and I raise that going specifically to the legal requirement of the consideration of the character and fitness of the applicant, and I would respectfully submit to the board this particular applicant is exemplary of the types of operators that I believe Cambridge would like to see in the city.

As I said, they have had extensive experience in the industry, but more notable, and this can be cross-referenced with the Boston Licensing Board, there's been no violation related to liquors sales at either of their locations and that's pretty telling.

I will say, and it has been seven years, it's pretty incredible in a high-traffic area where there are a lot of college students and all the standard challenges that operators in those neighborhoods would have.

Again, no violation for any type of over-service, service to minors, or anything to the like.

It's a restaurant operation. It's a tapas-style concept.

I think will note that the price points on the menu reflect the concept of these folks, which is they want it to be approachable. They want people to come in and, in fact, order multiple dishes unlike some tapas restaurants where you see the dishes are often double the price for one of their menu items. I believe the package is complete in terms of the financial information that the Commission and the ABCC requests.

And the last item that I will put on the record, and open it up to any questions, deals with letters of support and specifically the building where this location is.

It's a residential condo'd building and we have the support of all the folks in the building.

There's a letter from the condo association trustees evidencing that support as well letter support from the Cambridge community generally.

EXECUTIVE DIRECTOR ELIZABETH LINT: I have those.

ATTY. KAREN SIMAO: Wonderful.

CHAIR ANDREA JACKSON: Do you have the

abutter notifications?

ATTY. KAREN SIMAO: I will submit those now to Ms. Lint.

EXECUTIVE DIRECTOR ELIZABETH LINT: I have other letters of support as well.

CHAIR ANDREA JACKSON: I know. I received an email as well.

ATTY. KAREN SIMAO: Again, this is, in terms of my business, I have been doing this for 14 years, this is one of the easiest jobs that I do representing these folks. They are just great people. Great operators. Present owners. And all of their employees are TIPS trained and certified.

They have both initial training in-house as well as the third party, but more importantly, there's continuous training, which is always the key for success in any of these operations. The last item I would note is that the application, as read into the record, is for the 76 seats.

We would like the board to consider that. I know the sign-off from the Building Department, I believe, was limited to the 55 for now.

We are going for a Special Permit request for the difference in the seats. To the extent it's possible for the Commission to do so, and if you're comfortable, we would like to ask for the 76 with the condition that the difference between the 55 and the 76 evidence of Special Permit approval would be required for that number just for the ease of the business and not have to do another hearing to the extent that's possible.

POLICE COMMISSIONER ROBERT HAAS: Why

wasn't that addressed initially when you were making your application?

ATTY. KAREN SIMAO: When we submitted the application, we were not aware that there was the restriction on the seating, on the seating number.

In meeting with the Building Department and going through their files which, frankly, we did do a lot of digging, there wasn't a lot of current information, we discovered the discrepancy in the numbers.

And so the issue is the parking issue, is the only thing that triggers this seating number and the reason that we can't get automatically the additional seats.

POLICE COMMISSIONER ROBERT HAAS: So if parking is a confining issue for the number of seats, what would be your rational to go to 76? 35

I mean that's still going exist, right?

ATTY. KAREN SIMAO: That's still going to exist, correct.

The nature of the business as it is, this is neighborhood operators. I mean, this is not a destination location.

In looking at the menu and looking at the offerings and looking at the history of the operation in the Allston-Brighton area it's a neighborhood-based business and that's the same goal here.

POLICE COMMISSIONER ROBERT HAAS: The proposed manager will he be managing either one of the other two restaurants?

ATTY. KAREN SIMAO: No, he's not.

He's dedicated this location but been with the team for almost the entire seven years.

AARON SANDERS: For the whole time.

ATTY. KAREN SIMAO: For the entire seven years.

POLICE COMMISSIONER ROBERT HAAS: When did this go up on the market?

AARON SANDERS: It didn't go on the market.

POLICE COMMISSIONER ROBERT HAAS: You approached them? Or they approached you? AARON SANDERS: We know them.

POLICE COMMISSIONER ROBERT HAAS: So they approached you? Or you approached them?

AARON SANDERS: They kind ve approached

us.

POLICE COMMISSIONER ROBERT HAAS: Are they going to stay affiliated with the business at all?

AARON SANDERS: No, sir.

CHAIR ANDREA JACKSON: Counsel, are you

Commission for Persons with Disabilities?

ATTY. KAREN SIMAO: We are. And we are comfortable with the conditions stated therein.

We intend to comply and have proactively already sought out some of the information needed to address the issues. The issues exist. They need to be addressed.

CHAIR ANDREA JACKSON: As it relates to the second entrance?

ATTY. KAREN SIMAO: That's correct.

And I believe that the letter asks that the Commission place conditions on the approval and we are comfortable with those conditions. We're fine with those conditions.

POLICE COMMISSIONER ROBERT HAAS: Why the -- so why the extra hour in the morning from 11 to 10? ATTY. KAREN SIMAO: I'm sorry?

POLICE COMMISSIONER ROBERT HAAS: It looks like you're going from 11 a.m. to 1 a.m. and then requesting 10 a.m. to 1 a.m.

ATTY. KAREN SIMAO: Because we do breakfast on the weekends. You mean, for 10 a.m.?

ATTY. KAREN SIMAO: We do lunch, brunch, and dinner seven days a week, so during the week, the brunch would open at 11, but on the weekends, the earlier start time is more appropriate for the brunch.

POLICE COMMISSIONER ROBERT HAAS: Yes.

CHAIR ANDREA JACKSON: And the proposed manager of record, has he had an alcohol license in his name before?

CHRISTOPHER ROBICHAUD: No.

CHAIR ANDREA JACKSON: Can you tell me

what your experience is?

CHRISTOPHER ROBICHAUD: I have been with this restaurant group for seven years. So I have been part managing the kitchen for probably the last five. So I have been working 65 to 70 hours a week in the building, so I feel like my experience hands-on alone has been pretty extensive.

POLICE COMMISSIONER ROBERT HAAS: Have you managed the other two restaurants?

CHRISTOPHER ROBICHAUD: I've managed the back of the house, the kitchen itself.

ATTY. KAREN SIMAO: He has not been posted as a manager of record.

POLICE COMMISSIONER ROBERT HAAS: I'm trying to figure out what managerial experience he may have had.

CHAIR ANDREA JACKSON: You understood

that Cambridge has a different requirement as it relates to alcohol training, and it's 21 Proof training that's required and not TIPS, right?

ATTY. KAREN SIMAO: Yes.

CHAIR ANDREA JACKSON: When are you looking at open?

AARON SANDERS: As soon as possible. We estimate the construction may be two months at the most.

POLICE COMMISSIONER ROBERT HAAS: How long has Lizzy's been closed?

AARON SANDERS: They are not closed.

POLICE COMMISSIONER ROBERT HAAS: They

are still operating.

AARON SANDERS: They are still operating, yes, sir.

CHAIR ANDREA JACKSON: What are the changes that you will be making?

CHAIR ANDREA JACKSON: Is all the

paperwork in order?

EXECUTIVE DIRECTOR ELIZABETH LINT: Actually, no.

We need a check for the city -- okay, for the city and the ABCC.

And I just wanted it clear on the record what the letters that we have in support of the application are from Patrick McGee, President of the East Cambridge Business Association.

Counselor Toomey is very much in support of the application. This location has a longstanding tradition of serving the neighborhood and he has no reason to believe this would have a negative impact in any way. The operators come to Cambridge with a solid reputation of serving and meeting the needs of their local patrons and neighbors.

You may recall that prior to Lizzy's this was Pug's.

CHAIR ANDREA JACKSON: Lizzy's? EXECUTIVE DIRECTOR ELIZABETH LINT: Before Lizzy's it was Pug's. It has been a

neighborhood establishment for a long time and Mr. Sanders actually had worked in the city

before as well, in that neighborhood.

AARON SANDERS: That's right.

CHAIR ANDREA JACKSON: Do you have any additional questions?

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR ANDREA JACKSON: No other questions?

Any members the public that wish to be heard on this matter?

I'm going to assume there's nobody in the hallway, but that's fine to ask.

I make a motion that we approve the application for Elm Street, LLC, doing business as Loan Star Taco Bar, transfer the all alcohol beverage restaurant license held by Lizzy's, LLC for the hours as stated and for the entertainment license as stated and the pledge of license to Leader Bank with the condition as specified by this Commission for Persons With Disabilities and with upon completion of 21 Proof training.

POLICE COMMISSIONER ROBERT HAAS: Are you going to make it contingent upon the Building Department's approval of the 75 seats?

CHAIR ANDREA JACKSON: Yes. Contingent upon the Building Department's approval of 75 seats. Thanks.

POLICE COMMISSIONER ROBERT HAAS: Second.

CHAIR ANDREA JACKSON: Long motion.

All those in favor signify by saying aye. EXECUTIVE DIRECTOR ELIZABETH LINT: I think you need to clarify that you're approving the 55 seats, you're approving the 76 contingent --

CHAIR ANDREA JACKSON: All right, so I accept the friendly amendment.

So the motion's been made and seconded.

All those in favor, signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye. CHAIR ANDREA JACKSON: Aye. FIRE CHIEF GERALD REARDON: I abstain. CHAIR ANDREA JACKSON: You're all set.

APPLICATION: FUJI RESTAURANT

EXECUTIVE DIRECTOR ELIZABETH LINT:

Application: Fuji Group, Inc., d/b/a Fuji Restaurant, Matthew Smith, manager, holder of an all alcoholic beverages license at 300 Third Street has applied for a change of manager to Natasha Stickney.

CHAIR ANDREA JACKSON: Good evening.

Please state your names for the record spelling your last name and speak up too.

NATASHA STICKNEY: Natasha Stickney. S-T-I-C-K-N-E-Y.

TONY LIANG: Tony Liang, L-I-A-N-G.

CHAIR ANDREA JACKSON: You're looking for a change of manager?

TONY LIANG: Correct.

CHAIR ANDREA JACKSON: Matthew Smith.

What happened to Matthew Smith.

TONY LIANG: He's working somewhere else now.

FIRE CHIEF GERALD REARDON: How long ago did Mr. Smith leave?

TONY LIANG: It's been about five months.

CHAIR ANDREA JACKSON: Ms. Stickney, I know that you have prior experience in other Cambridge establishments.

NATASHA STICKNEY: I do.

CHAIR ANDREA JACKSON: So, briefly, if I can just have that on the record, if you can tell us your history.

NATASHA STICKNEY: Yup, I was general manager at Floating Rock.

CHAIR ANDREA JACKSON: How long were you

general manager there?

NATASHA STICKNEY: Less than a year.

CHAIR ANDREA JACKSON: And prior to that?

NATASHA STICKNEY: Nothing in the

restaurant industry.

general manager at Floating Rock, was the alcohol license held in your name?

NATASHA STICKNEY: It was not.

CHAIR ANDREA JACKSON: Have you attended 21 Proof training before?

NATASHA STICKNEY: Yes, I have.

CHAIR ANDREA JACKSON: How long have you been with the Fuji?

NATASHA STICKNEY: Two and a half years.

CHAIR ANDREA JACKSON: What capacity?

NATASHA STICKNEY: Everything. I have

been a waitress, manager, and now general

manager.

EXECUTIVE DIRECTOR ELIZABETH LINT: The 21 Proof has been amended since the time she did it. It would be a requirement to do that again. CHAIR ANDREA JACKSON: Do you have any questions?

am waiting for a date to go in.

POLICE COMMISSIONER ROBERT HAAS: So when you left Floating Rock, you went to Fuji?

NATASHA STICKNEY: Yes, I did.

POLICE COMMISSIONER ROBERT HAAS: And how long have you been general manager of the

restaurant now?

NATASHA STICKNEY: Since September.

EXECUTIVE DIRECTOR ELIZABETH LINT: Just for the Commissioner, Floating Rock closed.

POLICE COMMISSIONER ROBERT HAAS: I know it did. I know they were only open for a short awhile.

So you say prior to Floating Rock you had no prior experience in the restaurant industry? NATASHA STICKNEY: Not in restaurant. I was in retail management.

POLICE COMMISSIONER ROBERT HAAS: You served as a manager in that capacity?

NATASHA STICKNEY: Yes, I did.

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR ANDREA JACKSON: Any questions? FIRE CHIEF GERALD REARDON: You have been at Fuji Group at the Third Street address?

NATASHA STICKNEY: I was in the Quincy location first briefly, and then to Third Street.

CHAIR ANDREA JACKSON: Any other

questions?

POLICE COMMISSIONER ROBERT HAAS: No other questions.

CHAIR ANDREA JACKSON: Any questions? FIRE CHIEF GERALD REARDON: No questions. CHAIR ANDREA JACKSON: Any members of the public this wish to be heard on this matter?

Seeing none, I make a motion that we approve the change in manager to Natasha Stickney with the provision of completion of 21 Proof training.

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor, signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye. FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: Thank you.

APPLICATION: POLICE AMERICAN CITIZENS

ASSOCIATION OF CAMBRIDGE

EXECUTIVE DIRECTOR ELIZABETH LINT: Application Polish American Citizens of Cambridge, Inc., James Voutiritsa, manager, holder of all alcoholic beverages club license at 747 Cambridge Street has applied for a change of manager to Robert Kelly, II.

CHAIR ANDREA JACKSON: Please state your name for the record spelling your last name please.

ROBERT KELLY: Robert Francis Kelly, II, K-E-L-L-Y.

CHAIR ANDREA JACKSON: Can you tell me your position with the Polish American Citizens?

ROBERT KELLY: I'm the president of the Polish American Club and also the bartender.

CHAIR ANDREA JACKSON: How long have you been the president?

ROBERT KELLY: I have been the president for two years.

CHAIR ANDREA JACKSON: Did you hold any other office there prior to that?

ROBERT KELLY: Yes, I was on the Board of Directors for the previous four years.

FIRE CHIEF GERALD REARDON: How long have you been a bartender there?

ROBERT KELLY: I have been there -- this is my second stint there so I have been there now three years. Prior to that, I was there for two years.

CHAIR ANDREA JACKSON: Have you attended 21 Proof training?

ROBERT KELLY: No.

POLICE COMMISSIONER ROBERT HAAS: Will you remain in the capacity of president and manager of record? ROBERT KELLY: I'm sorry?

POLICE COMMISSIONER ROBERT HAAS: Will you maintain both position as president and

manager of record?

ROBERT KELLY: Well, until November when we have our next elections, it's not guaranteed that I will be president again. But until then yes.

CHAIR ANDREA JACKSON: How many members does the club have?

ROBERT KELLY: Right now we have 160 paid members.

CHAIR ANDREA JACKSON: 160?

ROBERT KELLY: 160.

POLICE COMMISSIONER ROBERT HAAS: How long ago did the previous manager leave?

ROBERT KELLY: He left towards the end of

February.

POLICE COMMISSIONER ROBERT HAAS: Who has served in that capacity since then?

ROBERT KELLY: Me.

POLICE COMMISSIONER ROBERT HAAS: Have

there been any issues since you have been serving in that capacity?

ROBERT KELLY: There was one instance where there was an incident that happened outside of the building.

That was investigated, and from what I understand, nothing came of it because I haven't received any new notification of it.

We supplied, you know, they talked to our bartenders and stuff like that. And other than that, I can't recall any instances.

CHAIR ANDREA JACKSON: If I recall, that was an incident that happened out on the sidewalk, it was not inside of the club.

ROBERT KELLY: Correct.

POLICE COMMISSIONER ROBERT HAAS: Did it involve members of the club?

ROBERT KELLY: No.

FIRE CHIEF GERALD REARDON: The club was granted a delay on the sprinkler and fire system and that's been all completed right now?

ROBERT KELLY: Excuse me?

FIRE CHIEF GERALD REARDON: You were granted several years ago a delay on installing a sprinkler system, but that's all complete, correct?

ROBERT KELLY: No. From what I understand, they lowered our capacity down to 99 and we were told that we did not have to have a sprinkler system installed.

FIRE CHIEF GERALD REARDON: So that's where the club license is now?

ROBERT KELLY: 99.

FIRE CHIEF GERALD REARDON: That would include the back hall as well?

ROBERT KELLY: Yes. 99 total.

CHAIR ANDREA JACKSON: Any additional questions?

FIRE CHIEF GERALD REARDON: All set.

CHAIR ANDREA JACKSON: Any additional questions?

POLICE COMMISSIONER ROBERT HAAS: No.

CHAIR ANDREA JACKSON: Are any members of the public that wish to be heard in this matter?

Seeing none, I make a motion that we approve the change in manager to Robert Kelly, II, for the Polish American Citizens Association of Cambridge holder of an all alcoholic beverages club license.

I would like you, sir, to attend 21 Proof training.

ROBERT KELLY: Where do I go for that?

CHAIR ANDREA JACKSON: We'll make sure we get you the contact information.

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor, signify by saying aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

FIRE CHIEF GERALD REARDON: Aye.

CHAIR ANDREA JACKSON: You're all set.

ROBERT KELLY: Thank you.

CHAIR ANDREA JACKSON: Thank you.

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DISCIPLINARY: JEAN MOISE MEDALLION 250

EXECUTIVE DIRECTOR ELIZABETH LINT:

Disciplinary: Jean Moise, owner of medallion 250 due to his accessible taxi not being available 24 hours per day as required by the rules and regulations of Hackney Division of the Cambridge License Commission. It's a straight violation of our rules in regards to the accessible medallions. We've had many conversations with him.

ANDREA BOYER: I'm not able to find him.

CHAIR ANDREA JACKSON: Okay.

So in terms of this disciplinary matter, we can go ahead and just leave it for the end and see if he shows up and go ahead and take the regs.

EXECUTIVE DIRECTOR ELIZABETH LINT: We can do that or you can make a decision.

CHAIR ANDREA JACKSON: Can you provide us with some additional information?

EXECUTIVE DIRECTOR ELIZABETH LINT: Yes. But we can re-call it.

CHAIR ANDREA JACKSON: Yeah, we can re-call it.

POLICY: REGULATIONS FOR SMARTPHONE

TECHNOLOGY FOR TAXICAB, LIMOUSINE

EXECUTIVE SEDAN INDUSTRY

EXECUTIVE DIRECTOR ELIZABETH LINT:

Policy matters: Board of License Commissioners will meet to discuss policy with respect to regulations for smartphone technology for the taxicab and limousine, executive sedan industry in Cambridge.

CHAIR ANDREA JACKSON: So let me start with --

ANDREA BOYER: One second. I have people in the hallway. How do you want them to be able to hear?

CHAIR ANDREA JACKSON: I will try to talk as loud as possible so everyone can hear me. So I apologize. I know this is not the most ideal space. This is on our agenda tonight simply to have a discussion with Commissioners and because we're not allowed to talk to one another about it, we have to hold a public hearing in terms of having a conversation. This is a preliminary conversation. We are not having a vote tonight.

Contrary to everything that's been on social media, there's not a vote tonight in terms of approving, not approving this, it's simply a preliminary conversation as it relates to proposed regs.

With that being said, I know that we --Executive Director Lint had a meeting earlier today with Meghan from Uber, that I think was a very productive meeting and kinda helped clarify what is going on and what we're looking for.

And as we shared earlier, one of the challenges of the Commission is that it's not so

much people have said this is all about Uber, it's not so much just looking at Uber, but it's also looking at the number of illegal taxis we have in the city and trying to address that issue.

So this was kind've an initial wide, really wide, net that was thrown out, again, just to really start the conversation.

But there's not going to be a decision tonight as it relates to these proposed regs.

We recognize that they are not perfect and we welcome the input. I know we have received lots and lots and lots of emails of people who love Uber.

These are not an I-hate-Uber or any other smartphone apps type of reg. If anything, it's really again starting the dialogue and the conversation and getting the input and having some questions that we needed answered that I believe Executive Director Lint was able to get some of the answers of earlier today.

So I would invite Meghan from Uber to come up and at least we can get maybe like ten minutes of that on the record so people can at least understand that because, again, I think it's important for me that people understand.

Again, this is just a preliminary conversation. This isn't a -- we are trying to adopt these regs as-is. At least I can only speak for myself. I don't know about my fellow Commissioners.

Again, we are not allowed to discuss it with one another unless we have it in a public body like this.

So Meghan?

MEGHAN JOYCE: My name is Meghan Verena

Joyce, M-E-G-H-A-N, Verena, V-E-R-E-N-A, Joyce, J-O-Y-C-E. And I'm the general manager of Uber Boston. I'll try to speak loudly. I know there are a lot of people here as well.

If it's okay with you, I'll start with a quick overview of Uber and the proposed regs, and then I would be happy to answer any questions you might have. I want to leave the bulk of the time for that.

So good evening, Chair Jackson and Commissioner Haas, Fire Chief Reardon, Executive Director Lint and all of you.

My name is Meghan Verena Joyce. I'm the general manager of Uber Boston, and I really appreciate the opportunity to appear before you this evening and speak about this matter.

First and foremost, I want to recognize the very productive meeting we had this afternoon with Director Lint to express our concerns and I want to appreciate the Commission's overall willingness to hear the concerns of many of its citizens about the availability of innovative transportation options in the City of Cambridge.

We also want to acknowledge Mayor Maher and Councilor Carlone and many others who have spoken out on this issue.

We are pleased to hear that this evening's hearing is the beginning of this process in considering these regs, and not the end, and are completely committed to engaging with the Commission to find a solution that promotes safe, affordable and plentiful options for transportation in the City of Cambridge.

As I think you may be aware, Uber is a technology company founded in San Francisco in June 2010 and is now available in over 130 markets worldwide.

Uber software connects people who wants rides -- who want rides with the most reliable transportation providers in the local area. Uber does not own any cars or employ any drivers, but rather Uber's lead generation platform enhances financial and professional freedom for local small businesses and access to reliable, safe, affordable rides for local residents and visitors.

Uber utilizes industry best standards to ensure the safety of its passengers and partners and the quality of the service provided.

We require comprehensive and independent background checks for anyone whoever wants to access our driver software.

We have very high insurance standards.

Any ride requested through the app is

insured with at least a million dollars in liability insurance which is 25 times what is required of a taxi in the State of

Massachusetts.

We have feedback and quality monitoring that literally takes place 24 hours a day. High standards for vehicle and unprecedented degree of accountability that comes through our innovative technology.

If drivers do not meet the high expectations that Uber users have come to expect, then they are subject to removal from the system and the same is true for riders as well.

In addition, Uber provides economic opportunities for small businesses. Uber's technology platform is generating tens of thousands of jobs across the country and having overwhelmingly positive impact on local economies, including Cambridge.

I suspect you will hear from a few of our driver partners here this evening.

As you may have noticed, Uber users are frequently passionate about having access to inactive transportation options. And that's because transportation options are good for riders, they're good for drivers, and they're good for the city.

Riders get access to the highest quality transportation providers in the local area with fast response time. They get reliable and convenient ways to get around, great customer service and transparent pricings, and the safest option available, far less anonymous than street hails for both the passenger and driver.

Drivers get lower operating expenses and increase revenue through Uber's lead generation technology platform and improve quality of life and safety, including cashless and GPS track systems that creates a safer environment for everyone involved. And flexible schedules creating more time for them for family, loved ones, and even the opportunity to earn extra income as a second job that will lend additional income opportunities.

Cities get reliable coverage for all neighborhoods, particularly historically underserved areas; a reduction in impaired driving through reliable transportations options that are available 24 hours a day; a new market generating tens of thousands of well-paying opportunities; elimination of single-occupancy vehicles significantly reducing car congestion and parking issues.

Again, we're incredibly appreciative that

this is the beginning of the dialogue with the License Commission and that we have this opportunity to discuss innovative transportation options in Cambridge.

I do want to take a brief moment to put on the record our concerns with the current draft regulations that are being presented for discussion.

First, the draft regulations create new and at times prohibitive regulatory requirements without any commensurate benefit for public safety, or the quality of transportation options in Cambridge; (2) the draft regulations unnecessarily restrict or eliminate the use of technology that can add an unprecedented degree of accountability to the delivery of transportation services. And more importantly, a technology that Cambridge consumers have embraced and want and use on a daily basis; (3) draft regulations seek to impose a minimal allowable charge regardless of time or distance that will eliminate the ability for Uber to compete -- Uber and Uber's partners to compete in Cambridge's transportation market.

Many of these regulations were based on regs that were written back in the 1920s and 1930s, and furthermore, these draft regulations would regulate licensed technology software as traditional dispatch barrages which is not an inappropriate distinction, but also unnecessary for these reasons.

We greatly appreciate the opportunity to begin these discussions with the License Commission and are committing to providing more feedback and information as we move along in this process. There are examples throughout the country of jurisdictions that have worked very positively with Uber and other such technologies to find systems that promote affordable, reliable, safe transportation options and also economic development and opportunity. We are very excited about the opportunity to work with you to develop a similar system here.

And with that, I would love to answer any questions that you might have.

CHAIR ANDREA JACKSON: Again, I know you spoke to Executive Director Lint.

Can you just very, very, very briefly, one of the concerns for me, and again, I can only speak for myself, is public safety in terms of the background checks that are conducted on the drivers. If you can briefly tell me about the background checks that are conducted? MEGHAN JOYCE: Absolutely. So before any transportation provider even has access to our software, they need to come back with a clean bill of health on industry leading background checks.

We have a zero tolerance policy for any drug, alcohol, sexual offense. And as I said, before even accessing the software, anyone who wants to access the driver app needs to come back with a clean bill of health. Our standards are so strict that ten percent of Boston taxi drivers who pass the City of Boston annual check actually fail our checks because ours are that much stricter.

This is something we take extraordinary seriously and we wouldn't have it any other way. POLICE COMMISSIONER ROBERT HAAS: How do you acquire that information? MEGAN JOYCE: The background information? POLICE COMMISSIONER ROBERT HAAS: Yes. MEGAN JOYCE: When a partner applies and there are a number of people in this room who can tell you about the process, they need to provide their information and Social Security number and also their consent to have a background check run. It's multi-state, county and Federal check and it is done on anyone who wants to even access the software.

FIRE CHIEF GERALD REARDON: So similar to a Triple I?

MEGAN JOYCE: Yes.

POLICE COMMISSIONER ROBERT HAAS: You have the ability to run Triple I checks?

MEGHAN JOYCE: What is the Triple I? POLICE COMMISSIONER ROBERT HAAS: Triple I is an interstate check, but it's through system. I'm trying to figure out how you access that information.

MEGAN JOYCE: It's my understanding that that is what it is, but I can follow up with you with the exact details of exactly what that background check goes through.

CHAIR ANDREA JACKSON: Are the cars inspected regularly?

MEGHAN JOYCE: Yeah. Obviously in order to put a car on the system, you need to provide your registration and detail and we keep all that documentation on file. Not only do we do monthly doc audits to ensure that any of the registration information that's coming up for expiration during that month is refreshed, and if it's not, then we freeze the account and we no longer allow that partner with the expired registration to -and inspection information to be on the system.

Moreover, when those cars come on the system, they're examined, and in order to regularly stay on the system, you need to ensure that the quality of the vehicle remains high. So there are multiple examples of a rider writing in or even a driver writing in and saying, you know, "I'm talking my car into the shop or this -- I notice that there was an issue here or there," and immediately, we're able to freeze that partner's account and not let it back on the system until we have inspected the vehicle and can ensure it's in great working order.

And, finally, we do have vehicle year requirements to ensure that it truly is only the highest quality of vehicles that are coming on the system.

FIRE CHIEF GERALD REARDON: Do you also track inspection sticker expiration dates? So registration, insurance --

MEGAN JOYCE: Yes. Registration, insurance, driver's license, of course. We have all of these documents on file.

FIRE CHIEF GERALD REARDON: That's obviously the insurance liability is also part of that when they submit it?

MEGHAN JOYCE: Yep, of course.

FIRE CHIEF GERALD REARDON: Do you know what the term of the liability is?

MEGHAN JOYCE: Absolutely. All of that needs to meet Uber's strict standards before that driver even has access.

FIRE CHIEF GERALD REARDON: I mean there's a myriad of questions around all of these things on every side. But my -- I don't want to speak for my fellow Commissioners -- but my issue is to make sure that if someone is using one that the liability insurance is there, similar to what is expected out in the industry.

MEGHAN JOYCE: Absolutely.

FIRE CHIEF GERALD REARDON: That the drivers are safe and their records have been checked in multiple states so we don't have issues with that. And the other issues with cab standards and what their rules and regulations are. Maybe you can speak to that in terms of what the Uber explains to the Uber drivers in terms of their responsibilities in terms of cabs and hailing.

MEGHAN JOYCE: Yeah. We were speaking about this earlier. And Director Line brought to my attention the issue that Cambridge has on occasion come across cars that appeared to be Uber partners, or may have self-identified as Uber partners who were sitting in cab stands or in places where they shouldn't have.

If that's the case, please let me know and I shared my contact information with Director Lint because that's obviously something we want to know about.

We expect that our partners will abide by the full letter of the law, and if that's not the case, we want to make that known and ensure that they are abiding to the full letter of the law.

We also have the ability to send emails, text messages, voicemails out to our partners to let them know as a reminder that that kind of behavior or certain regulations, violating certain regulations will not be stood for.

We have multiple examples of this. One great one is our relationship with Massport where we have a wonderful working relationship with Massport where they let us know where the areas are at the airport available for pickup and where is not. And not only are we able to set those guidelines in our app, and not even send a request to a driver partner who is not in the appropriate area of the airport, but we can also send an email out to everyone and say "FYI: Massport has a new policy" or "FYI: As a reminder, Massport officials will be enforcing and there will be no tolerance for whatever behavior is being observed."

And so, those issues in all candor have been few and far between. But when they do occur, we do want to know about them and ensure that the partners who are using our software are in full compliance with the laws and regulations of the local area.

POLICE COMMISSIONER ROBERT HAAS: So I think one of the concerns that the taxi industry

will have is the notion that somebody will ask for a taxicab in Uber and I guess we have a big discussion about taxis coming in from outside the jurisdiction in Cambridge.

Is there a way to safeguard that if somebody's in Cambridge and let's just say, requesting a specific vendor that Uber could disengage?

MEGHAN JOYCE: That's a great question. A few of my driver operations team members are here with me. Let us brainstorm on that. But those are the very source of issues that we would love to be able to engage with you on.

As I noted, Massport, you know, is a great example of where we're able to hear the concerns of the city. And the concerns of local riders and driver base and say our technology is incredibly flexible and allows for an unprecedented degree of accountability. And we would like to be able to satisfy that with technological means and not even have to address the issue.

POLICE COMMISSIONER ROBERT HAAS: I mean that would be a big selling issue or selling feature for listing local taxies and limousines. Limousines, I'm not certain, are taking advantage of Uber, but the taxi industry is probably something that's unrepresented in your database, and obviously, it would be nice if we, the customers in Cambridge, asking for a taxi, preferably a Cambridge taxi, gets dispatched to that location.

MEGHAN JOYCE: As I said, we hope this is only the beginning of the dialogue. So these are the very sorts of issues that we're eager to hear. And as soon as we know and help identify, I think the conversation with Director Lint, started to surface some of those issues.

As soon as we know what the objectives are of this Commission, and the goals that you're trying to satisfy in this regulation, then we can start to figure out the best possible way to get after them. And, quite frankly, the best most accountability driving ways to get after them might be something that we can do through the app that doesn't actually need a regulation written around it or that we can get after it more effectively by addressing it in the app than anything.

FIRE CHIEF GERALD REARDON: Do you know if you have a lot of cab drivers are on Uber as well?

MEGHAN JOYCE: There are hundreds of both Boston taxi medallion licensed cabs and also former taxi drivers who use our software, and I know there are some in this room tonight. I'll let them speak to their experience.

But the feedback has been quite positive. And I think the economic opportunity, the respect that is afforded both drivers and riders when they know that this is a system that they both feel lucky to be able to use, the feedback we have gotten is that the -- this kind of software affords both professional and economic freedom for a lot of people in the Cambridge and Boston area, including taxi drivers.

POLICE COMMISSIONER ROBERT HAAS: In terms of complaints, I know you do track complaints and things like that. How liberal are you about sharing those complaints with the licensing authority so that we are aware of the complaints that you may be? MEGHAN JOYCE: You know, we after every ride, we ask for a rating, one to five stars, from both the rider and driver. We also ask for specific kinda check the box, did you experience these issues and also an open-ended area for any commentary they would like to provide.

And in addition, we also have an email address that people can check 24 hours a day monitoring for issues and complaints.

If there are issues that are of the level that they violate local laws, absolutely those would be shared.

If they're issues, such as this car spelled like cigarette smoke, then, you know, I think those are the kinds of things that I think probably wouldn't be the best use of your time, and, frankly, that we hop on immediately. It's our mission to connect riders to the safest, most reliable, most affordable highest quality transportation providers in the local area. And it's in our best interest to take that feedback extraordinarily seriously and we have zero flexibility around that. Both rider and driver feedback we handle with the utmost care and seriousness and our reputation rests on it.

POLICE COMMISSIONER ROBERT HAAS: How readily apparent is it that if we stop a limousine or taxi that it's an Uber partner or you just don't know unless you actually inquire with Uber?

MEGHAN JOYCE: If you are curious, you can always ask. And an Uber partner will not only have a smartphone with the app loaded on it, but also a waybill. And the waybill details the full information about the request, where that ride was requested so that you can ensure that that person really is there to pick someone up at the place that they say they are.

And so that you can ensure that this is an issue of a legitimate business for lack of a better term, rogue street hails or Gipsy street hails are illegal for a reason. They're dangerous for both riders and drivers. And we are deeply opposed to them, and, in fact, feel this software provides an incredible alternative to people in the past might have resorted to in an illegal street hail in a time when -- at a time of day or week when it was very difficult to get another form of transportation home.

And so, we want to ensure that our partners who use our software are armed with the full detail to show that they are there to pick up in a place and time that they said they were.

POLICE COMMISSIONER ROBERT HAAS: We're

one of the few communities that actually license our limousine businesses, and I'm wondering how fastidious Uber would be in terms of honoring that requirement. In other words, if somebody is garaging their limousine there, comes to you and wants to be a partner, would that be part of the -- I guess the selection progress to determine whether or not they're licensed or not with the City?

MEGHAN JOYCE: So this issue came up back in the fall, and I was in this room with a few of you here where letters were sent to our partners and saying you need a Cambridge license in operate to operate in this city. And our partners showed up at city hall and said, "Great, I had no idea. I didn't realize. I'm here to get a license."

We're told that there had actually been a

moratorium for many years, ten or so years, on these licenses.

You know, I think where we become concerned, and I think where our users and riders become concerned is where controls are put in place to cap or limit the number of transportation providers that exist in a city.

The quality controls that Uber requires of its partners are best in class. And I'm not convinced that -- or I haven't seen any data to suggest that there are safety concerns that are not being addressed by our current system. If there are, let's figure out the best way to address them for sure.

But, you know, Uber partners -- Cambridge livery companies have been Uber partners for the last few years. And they have been operating in a way that has been quite satisfying to Cambridge riders, as you all know.

And so, again, I -- if there are specific safety concerns, let's talk about those and let's talk about the best way to address them. That also fosters economic development and opportunity.

POLICE COMMISSIONER ROBERT HAAS: Ιt seems to me, and I'm speaking for myself, that, in fact, if we're going to venture down this road, the moratorium has to be lifted because you want to allow for a free market, and I think it puts you in bind if we are saying to you we are going only to restrict certain limosines unless we have a valid reason and we can particulate that reason. I mean, that's something that will have to go hand and hand with respect to the notion of if we are asking you to make sure our limosines are probably licensed, we don't have

our official barriers in the way for people who want to be a partner of Uber.

MEGHAN JOYCE: I think the question does come down to the reason. What is the public safety and policy reason that we would find this to be an effective policy tool? What is the problem we are actually trying to solve?

You know, every rider who takes a ride with Uber gets a receipt and immediately upon finishing their trip with the driver's picture, name, license plate number, with the exact route they took, the to and from and the time of the trip. It shows a map. They have access to the contact information of that driver if they forgot something in the car and need to get in touch. All of that accountability and safety is there. And, you know, as someone who has closely monitored the feedback coming out of Cambridge and the Greater Boston area for the better part of the last 18 months, I have not heard any concerns about the safety issues of liberty partners picking up in Cambridge even with moratorium in place.

So I would really question the value of putting that kind of system in place, where it's truly not serving any public safety interest that I'm aware of.

POLICE COMMISSIONER ROBERT HAAS: So when you say --

MEGHAN JOYCE: A licensing system back in place.

POLICE COMMISSIONER ROBERT HAAS: I'm curious to see what your background checks look like compared to ours, where your databases are coming from compared to us, and we're also looking at an ordinance relative to which goes a little further than you're able to go with the local ordinance. So I would be curious to match up what those two things look like.

MEGHAN JOYCE: Yeah, absolutely.

POLICE COMMISSIONER ROBERT HAAS: That's what we are clearly looking for to make sure that we can ensure the public they have a license. We have been due diligent about making sure that they pass all the background and screening, and before we throw that out, I need to look at that.

MEGHAN JOYCE: Absolutely. Let's look at the data both what the background checks entail and what additional opportunities exist from these alternatives.

I'll remind you that ten percent of Boston taxi drivers who go through the very kind of system you're describing actually fail our checks. So, again, I just question the additional value that comes in a creating a system that fundamentally puts a cap on the number of people who are able to access it.

POLICE COMMISSIONER ROBERT HAAS: I don't disagree with you.

FIRE CHIEF GERALD REARDON: They have a printer in each car for the waybill?

MEGHAN JOYCE: No. It's all electronic. So when you -- if you approached a car or asked a partner, they can tap a button on their app and pull up the waybill.

FIRE CHIEF GERALD REARDON: I kinda knew the answer, I'm just asking.

MEGHAN JOYCE: Yeah, for sure, for the record. It's all done electronically. And then the receipts as well are immediately, you know --FIRE CHIEF GERALD REARDON: So the driver could very easily turn around and show the

waybill for a particular ride?

MEGHAN JOYCE: Yes.

CHAIR ANDREA JACKSON: Meghan, are their regs that you know of that are in place that Uber is subject to somewhere else?

MEGHAN JOYCE: Absolutely. So there are regulations in places like Colorado and Washington, D.C. that where the local authorities and lawmakers have actually partnered with innovative technologies like Uber and competitors to come up with a system that actually looks at this new technology for what it is. It doesn't try to apply a 1920s or 1930s base system onto a completely new business model, but rather says, "Look, we have a software and we have some local transportation providers that are getting lead generation from that software. Let's put

standards in place to ensure, to rest assure that every transportation provider who uses that software is background checked, and every transportation provider who uses that software does have the appropriate insurance."

These are standards that we undertake on our own as it is. But absolutely if that would make the people of Cambridge more comfortable, and more safe in using these forms of technology, I would be thrilled to share those regs with you.

CHAIR ANDREA JACKSON: I would love to see them. I think that would kinda help us instead of feeling like we are reinventing the wheel, not too well, just to be able to kind've look at what other municipalities or other states have done, I think that would be very helpful.

MEGHAN JOYCE: Absolutely. And I would be happy to send those over as soon as we get out of this hearing.

CHAIR ANDREA JACKSON: If you can send that to Ms. Lint, that would be great.

FIRE CHIEF GERALD REARDON: And as to the Commissioner's point earlier, if a car was stopped by the police here, and they had the livery number, it would very easy for you to let us know whether or not they're an Uber

participant?

MEGHAN JOYCE: If you reach out to me, and you can obviously ask the driver, and, you know, how the question --

FIRE CHIEF GERALD REARDON: They say yes and they don't seem to have any documentation --

MEGHAN JOYCE: Yes.

FIRE CHIEF GERALD REARDON: -- and there's a question about whether or not they're valid or not? MEGHAN JOYCE: Please reach out to me.

We want to make sure that --

FIRE CHIEF GERALD REARDON: That would be something easily attainable by you?

MEGHAN JOYCE: We want to make sure that anyone who says that they're a partner of Uber actually is. And so, if someone is telling you that they're not, we want to be the first to know, so please let us know.

POLICE COMMISSIONER ROBERT HAAS: In terms of our livery officers, how difficult would it be to create a database of your partners of your Cambridge base, if they want to do a query to see if, in fact, a certain taxicab or limousine was using Uber as a partner, is that something that's doable or...?

MEGHAN JOYCE: So the one thing that I would make you aware of is we take the security

of the data of the people who use our app very seriously on both the rider and driver's side. So that would be the one question in my mind about kind've creating a database to just hand over to you.

POLICE COMMISSIONER ROBERT HAAS: I suspect you'd probably need some kind of administrative subpoena if we wanted to get that. I am just thinking as general query like the guy XYZ, is that a partner, simply make a query based on that; it's a yes or no almost answer.

MEGHAN JOYCE: Certainly if we have a subpoena or if we had a rider who wanted to confirm something who is using the system, for sure.

There are numerous examples of how Uber here in Boston has worked very productively with local law enforcement to track down information for the public safety.

Just a couple months ago, I got an email from the Massachusetts Department of Public Health that one of the measles patients who in the local Boston area had taken an Uber ride to and from the hospital, and his physician from the Massachusetts Department of Public Health said, "We believe that this patient may have exposed the driver and also anyone who had been in the car shortly thereafter."

Through this the system, we were able to confidentially look up the small handful of people who were affected, and I personally called each and everyone of them, and they agreed, "Yes, of course, please provide my information to Department of Public Health." And not only said that, but also, "My gosh, this is incredible."

If this had been an anonymous street hail

of a taxi, I never would have known that I had been exposed. And thank you so much, we were able to send Public Health nurses to people's homes to ensure that they were okay, follow up with them. And later, the physician praised the system and the technology for being able to help isolate a potential breakout of the measles just because of the additional transparency and information that that technology affords.

POLICE COMMISSIONER ROBERT HAAS: Are there --

GORDON GOSSAGE: Excuse me, can we hear from somebody other than Uber, like a Lyft

driver, for example?

CHAIR ANDREA JACKSON: Excuse me. I was going to say that this is not just about Uber. It's just that's where we received the bulk of our emails from. This just is not about Uber. It obviously affect Lyft, Sidecar -- I can't

think of the other ones that are out there.

GORDON GOSSAGE: Taxi drivers.

CHAIR ANDREA JACKSON: Yes, absolutely. It affects everybody. For me --

EXECUTIVE DIRECTOR ELIZABETH LINT: And rogue taxis.

CHAIR ANDREA JACKSON: And the rogue taxies. It's the process really about having a healthy dialogue, and I think, again, before we're even looking at putting any regs in place, it's getting as much information as possible to try to be as thoughtful as possible.

So I know that, yes, we are spending a lot of time talking to Uber, but I think at the end of the day, we all probably have the same objective as that, we want something that works for everyone. Not everyone will obviously be happy. But, again, this is -- for us tonight, we're not looking at implementing what has been out on the internet. It's about getting as much information as possible.

And the big piece for me is the rogue taxis. It's a big problem in Cambridge. I'm not sure but I'm assuming probably in Boston as well.

But we have several vehicles that we know operate in Cambridge that have markings on the side of the car that will say "Cambridge." There's numbers on the side, but they're not licensed taxis. There's no taxi light on the top. Usually it's some generic sign, if a sign at all.

Those are really the ones I'm concerned about who are out there parading themselves as licensed taxis and they're not.

GORDON GOSSAGE: I have information on

the California regulation.

AUDIENCE MEMBER: I have a question, too.

CHAIR ANDREA JACKSON: Just a second. Whoa, whoa, whoa, whoa. So those are the ones I'm really, really concerned about.

And also there are several cars operating out there that have meters in them and they're not taxis. So how do we draft thoughtful regulations that encompass all of that?

I understand fully that in this day and age not everybody walks around with cash. I am one of them. And we prefer to pay by credit card and not fight about it at the end of my ride and want a ride that is clean, without someone talking on their phone or without trash in the back or you name it. I'm sure there's a long list that everybody could probably help me with. So I get that. I'm sure my colleagues get that as well.

We are not looking at stifling competition, but, again, just making sure that everything is included.

That being said, if you can send over whatever drafts there are and you can correspond with Director Lint.

MEGHAN JOYCE: I would be happy to. Thank you again.

Thank you very much.

CHAIR ANDREA JACKSON: Thank you.

Any questions?

FIRE CHIEF GERALD REARDON: All set.

CHAIR ANDREA JACKSON: To try do this as fairly as possible, if there are still people here who would like to speak, if I could ask everyone to possibly limit it to two minutes or less, or less, and if you have heard something that the previous speaker has already said, if you can simply say "ditto," that would be wonderful.

I think none of us want to here until 10:00 at night. So I'm going to start here.

FIRE CHIEF GERALD REARDON: Do we have anyone that represents large groups?

I mean, is there any of the associations who have large numbers that they represent that might help?

ANDREA BOYER: There's a couple people in the hallway representing like eight people at one time.

EXECUTIVE DIRECTOR ELIZABETH LINT: Madam Chair, if I may, it might be helpful to hear from a Lyft driver.

I did receive a phone call from -actually I returned a phone call to the general manager of Lyft who also wanted to reach out and meet with me to discuss ways that we can all come to the table together and try to promulgate something that will be positive for across the board.

CHAIR ANDREA JACKSON: Sure.

Councillor Benzan, did you have anything you wanted to add or are you just here to

observe?

COUNCILLOR BENZAN: Just to observe. Thank you.

MARIA HARDIMAN: We have a statement from Cambridge City Councillor Nadeem Mazen.

CHAIR ANDREA JACKSON: Excuse me?

MARIA HARDIMAN: Cambridge City

Councillor Nadeem Mazen, we have a statement to

read on his behalf.

CHAIR ANDREA JACKSON: Do you want that

now or...?

EXECUTIVE DIRECTOR ELIZABETH LINT: That's your pleasure.

GORDON GOSSAGE: Maybe a Lyft driver, who knows; you never know.

CHAIR ANDREA JACKSON: You're gonna get there.

Let me start with you. If you're a Lyft driver, why don't you come forward, please, identify yourself for the record and then we're going to go straight down the row.

GORDON GOSSAGE: My name is Gordon Gossage.

CHAIR ANDREA JACKSON: Spell your last name for the record, please.

GORDON GOSSAGE: G-O-S-S-A-G-E. And I own my own business. I use my own car to find passengers to give rides to. I use a software platform called Lyft, and I am separate legally from Lyft. I also, by the way, sell used books on Amazon, but I'm also not an employee of Amazon.

And I have done, as of last night, 2,346 rides for Lyft. So I think I know something about it. And one thing I would urge you to do is to separate who benefits if you pass this draft legislation, draft regulation.

CHAIR ANDREA JACKSON: I don't mean to cut you off. This is not even --

GORDON GOSSAGE: I understand. I understand.

CHAIR ANDREA JACKSON: This will not be passed. So, again, more healthy dialogue.

GORDON GOSSAGE: Thanks for correcting me. If anything similar to this regulation draft was adopted, I think you have to look at who benefits. I know, as an attorney, you guys know the phrase "who benefits. " Do the consumers benefit? Do the drivers benefit. Do the taxi drivers benefit? Do the people who drive for Lyft benefit? And then, especially, do the taxi medallion owners benefit?

I think it's very clear that the people who would benefit the most would be taxi medallion owners.

And right now, it's too bad we didn't have anybody representing them. Jean Moise, I guess, didn't respect you enough to show up.

CHAIR ANDREA JACKSON: They're here.

GORDON GOSSAGE: There are taxi medallion owners?

Great. Okay.

So, as of -- the most recent sale of Cambridge taxi medallion was \$615,000. There are a total of 257 taxi medallions. That adds up to \$158,000,000 of taxi medallion assets.

So if this regulation, anything close to it, was adopted, if Lyft and Uber were banned in Boston and banned in Cambridge, then the medallion owners, their asset, would remain preserved. And I do think it's -- they don't have the constitutional right to be protected from competition.

And just so you understand, these are real people. The fellow who did that recent sale, a guy named Dulgy Cower (phonetic), he sold his taxi medallion here in Cambridge for \$615,000 and then he bought a new one in Boston for \$694,000.

So these people are not people who work for a living.

And what I'm saying is to try to figure

out who would benefit by something like this draft legislation versus who benefits if this regulation was adopted in Cambridge?

This is a simple, eight-page description of the California legislation that was put statewide by the Public Utility Commission. Eight pages. Here. I made four copies just in case. Commissioner, Chair.

And I guess I would urge you to talk to maybe somebody from Nelson Nygaard which did the study in Boston for the taxi industry report for the mayor or Charler (phonetic) Consulting also in New York who have studied these sort of things and compare the current draft regulations to the California one.

And I really challenge you to find where the current ones are superior to the TNC, Transportation Network Company Regulations, either in safety or an insurance or the regulations you're talking about to require strict enforcement against straight hails, against being in cabbie stands as well as the necessity to pick up in any neighborhood, in Boston or Cambridge.

And the way they're doing with the TNCs there is that they're getting reports from Uber and Lyft by zip code of where people are being picked up. And because we said this is auditable --

CHAIR ANDREA JACKSON: You have to start wrapping it up, please.

GORDON GOSSAGE: Okay, yes.

So this is auditable. So basically if you wanted to determine if there is pickup and designation discrimination, you can find that out. So if people say they don't want to pick up in black, Hispanic neighborhoods, then Lyft and Uber have that data in California.

So anyway, in conclusion, I would urge you to look at the TNC regulations.

CHAIR ANDREA JACKSON: Thank you.

GORDON GOSSAGE: Thank you.

CHAIR ANDREA JACKSON: I would like to start with the woman at the end with the black shirt on.

SASSI OUTWATER: My name is Sassi Outwater.

CHAIR ANDREA JACKSON: Can you spell your name, please? SASSI OUTWATER: S-A-S-S-I, O-U-T-W-A-T-E-R. CHAIR ANDREA JACKSON: Thank you.

SASSI OUTWATER: I'm a resident of

Cambridge. I'm also totally blind and travel with a guide dog, and I would first like to thank you for considering those of us with disabilities in these regulations.

Oftentimes that is missed or an overlooked point, and I would strongly extend my thank you for considering that.

That being said, there's a crucial part that is missing from the regulations currently as I feel. Over a dozen times in the past year, I have been refused transport by Uber due to the fact that I travel with and use a service dog. Under The Americans with Disabilities Act, this is illegal.

And I would like to point out that in that California law that Gordon put forth, California was the first state in the United States to reach out to ride sharing services and say that they need to transport service dogs.

Ride sharing services fall into a gray area unfortunately with the Americans with Disabilities Act because it was enacted before they existed.

Taxicabs in the City of Cambridge and in the State of Massachusetts are required to transport persons with disabilities with their service animals without any questions, comments or arguments.

I would ask that these additional papers be placed into these regulations so I'm not left trapped out in the winter, in temperatures of 15 degrees with no way to get home.

Uber and Lyft serve an incredibly important purpose to persons with disabilities since we cannot hail a cab out on the street like a normal person if you cannot see the taxi lights.

They're safe way for us to make our payments since not all screens in taxicabs are be accessible to us at this point with text-to-speech options.

Boston cabs have started to improve this, but there are many cabs that are still not compliant with accessibility requirements.

This is a national problem and this is not just myself. There are many, many patrons that I have heard from in the City of Cambridge as also in Boston and Somerville who are having refusals from Uber drivers to transport their service animals.

In conclusion, I would like to ask that you continue to move forward with these disability regulations and continue to set the precedent and make them part of your regulations, therefore, encouraging the nation to also follow suit since this is a national issue and has been brought forth in many national stories.

And I would encourage Cambridge to be a leader in accessibility rights for persons with disabilities, and to allow my service dog and myself to safely and securely get around Cambridge by use of accessible apps and technology such as Uber provides, but also allowing us to travel in their cars and vehicles safely with my service dog.

FIRE CHIEF GERALD REARDON: I would like to ask you a question.

SASSI OUTWATER: Please.

FIRE CHIEF GERALD REARDON: When you do the application to Uber, does the driver show up and when the driver arrives, he or she refuses service because of your service dog? SASSI OUTWATER: Correct. And I have been in touch with Uber many times, and this issue has been discussed, and the same driver -they have discussed disciplining the driver.

They do agree with me that this is illegal and this will not to be tolerated and the same driver will show up in one case three times and continued to refuse the service dog.

So I'm not seeing discipline being followed through. I'm also not seeing training being properly implementing. Sending an email or a text blast saying, Hey, transport service dogs is what we're required to do is not enough, obviously.

The training is not being implemented that these dogs are here for a specific reason. In one case I explained very calmly to the driver that my dog is my eyes. It's that simple. If you tell me that I need to leave my dog and I can't take my dog in the cab, you need to tell the next passenger to leave their eyeballs. It's that simple.

So I'm getting refusals. And then there will be sometimes just a kind of an exchange of, okay, I will order another Uber, and the second driver will usually be more than happy to take my dog.

To the Lyft drivers in the room, they have never refused me. Thank you.

But I will also say that many of the drivers will argue with me and they will also involve bystanders, or bystanders will see what is going on and try to step in and argue with the driver, so it has become kind of a big public issue.

Another blind customer that I know who

recently tried to transport her service dog was sworn at by the driver. So it's a big issue and it needs to be addressed.

> FIRE CHIEF GERALD REARDON: Thank you. CHAIR ANDREA JACKSON: Thank you.

And the woman that is sitting next to you, if she can please come testify.

Good evening.

MIRIAM COOPER: Good evening.

CHAIR ANDREA JACKSON: Could you please state your name for the record, spelling your last name?

MIRIAM COOPER: Yes. My name is Miriam Cooper, C-O-O-P-E-R. Miriam is M-I-R-I-A-M.

I am a resident of Cambridge. I'm also a member of the Cambridge Commission for Persons With Disabilities. Mostly I'm going to, at this point, say ditto to what Sassi Outwater had to say.

I do just very briefly want to reemphasize the point that as people with disabilities, and specifically as blind individuals, we are not against this technology. We love this technology.

It allows us to use our mobile devices to accessibly access transportation, and the more transportation options we have, the more independently we can get around.

Also, as far as paying a fare, it allows us to -- the app allows us to see accessibly what we owe and not just rely on what the driver is telling us.

I am going to be a little less generous than Sassi and say that I specifically found Meghan's testimony to be fairly disingenuous in terms of responding to customer complaints because the refusals in my community for people with service dogs have gone directly to her and to her Boston customer complaint center. They have assured us they take this very seriously, but they can't be taking it too seriously because it happens repeatedly.

So I would say regulation where you're regulating out the use of the technology that is universally beneficial to people with and without disabilities is not what anybody would be looking for, but regulation to allow -- to give incentive to companies like Uber to comply with civil rights laws, an incentive that they don't seem to have right now, is something that we would be strongly in favor of.

FIRE CHIEF GERALD REARDON: Thank you. CHAIR ANDREA JACKSON: Good evening. State your name for the record, spelling your last name.

DONNA BLYTHE-SHAW: My name is Donna Blythe, B-L-Y-T-H-E-hyphen-S-H-A-W.

I represent the Boston Taxi Drivers Union with 1500 members, and we're here in support of regulation of smarter technology, and we're also here to declare objections to Uber and the way they do business in our industry.

We've recognized over the last several months that the unregulated industry of passenger for hire has not only tapped into and taken away 30 to 40 percent of our business, but Uber, as they conduct business is totally unregulated, their drivers are unvetted, their cars are uninspected.

There's no responsibility to the community or to any public entity. And they can pretty much run roughshod over our industry. It's not competition or American -- good old-fashioned American competition when you have a highly-regulated industry and you have a clearly unregulated industry competing for the same work.

You also have an industry that has gone from a small smart app operation in San Francisco to being invested by 18 billion dollars by Goldman Sachs and everyone on Wall Street. And what we would like to say here is Wall Street is coming to take over our main streets. And when that happens, what do we do after that without regulations?

As you heard from the last two speakers, they're not required to comply with ADA or any other regulations. They're not -- they don't need to comply to inspection of vehicles or any other public safety issues. So it's very important that regulations like those that are being proposed by the City of Cambridge, and what we here in Boston will be doing shortly to regulate Uber has open and transparent hearings and understanding what actually Uber is.

Uber wants to take over the transportation industry and deregulate every single public transportation industry that we have.

We have Uber boat. We might now have Uber bus and Uber train, Uber plane and maybe they will go into, you know, deliveries of services up to delivering your first baby. Who knows what they want to delivery or do in transportation.

But if they come here -- every innovative industry that comes through this country and has

made this country great has regulations. It's not going -- it's not unusual and it should be expected that Uber be expected to comply to the needs of every city and town in the Commonwealth of Massachusetts.

I thank you for your time. I applaud you for your efforts.

We look forward to seeing, you know, regulations for Uber and any other smart app. You have a population of workers here in this town, in Cambridge, as we do in Boston, hard working people who deserve to have a level playing field, so we thank you very much.

CHAIR ANDREA JACKSON: Thank you.

Did you want to speak?

I like that.

CHAIR ANDREA JACKSON: Good evening. JEAN LAMARTINE SYRION: Hi everybody. CHAIR ANDREA JACKSON: If you could

please state your name for the record, spelling your last name please, first and last?

JEAN LAMARTINE SYRION: My name is Jean Lamartine Syrion. Syrion, S-Y-R-I-O-N. And I'm a cab driver.

CHAIR ANDREA JACKSON: Please spell your name again?

JEAN LAMARTINE SYRION: Jean, J-E-A-N, Lamartine, L-A-M-A-R-T-I-N-E, Syrion,

S-Y-R-I-O-N.

I'm a cab driver and actually I am in the Uber system at work. Before driving as a cab driver, I used to drive for a person that owns a medallion, and they charge you either \$110 for 12 hours. \$110 for 12 hours. Plus, you have to put gas in this car that's gonna cost you at least \$45 for these 12 hours. Sometimes you may not make any money, but you have to pay the rent.

So that cause me some stress and I was asking myself, "Do I have a future in this economy" while you working just for medallion owner.

This medallion owner he has two people working two shifts at \$110 for this day he makes \$220. He just sits and make money while these two guys, we don't make no money out there.

Thank God Uber came as the new technology in the world. That's why we have MIT in Cambridge, we have Harvard University that's working on technology, how to improve the economy of this world.

So I thank you, the committee here, I'm thinking this is a nice thing that you applaud. You may applaud Uber because they use their brain as student to develop the new system that make life easier for drivers and riders.

So when I sign up to Uber -- and I did not understand what Uber mean. People kept telling me come to Uber. I'm like, Well, I used to make some money, cash money, in the street while Uber, you got paid every week, so I don't think I can afford to do that.

CHAIR ANDREA JACKSON: If I can get you to start wrapping it up a little bit.

JEAN LAMARTINE SYRION: All right. So I got to Uber now and I start to move up, and I have a new hope and I feel the change, I have my new companion, thanks to Uber, that support me and now I have a \$56,000 car, that I'm working and I pay less money than I used to pay for the taxi. And Uber give me the chance within three years I will pay off this car and this car gonna be my car and I will be making way more money. As far as what Ms. Sassi just said about Uber driver not picking her up, but me, I'm the witness of picking Ms. Sassi a couple weeks ago going to the Logan airport. That was an address between Common Street in Cambridge.

CHAIR ANDREA JACKSON: We don't need to give specific addresses.

JEAN LAMARTINE SYRION: I was very nice to Ms. Sassi. I take her to the airport. And then I understand a driver may not want to pick up somebody with a dog, but not because this person has some disability problem. The dog is a pet. A driver may be allergic.

CHAIR ANDREA JACKSON: No. The dog is not a pet. And that's part -- that's part of the misconception -- excuse me, excuse me -- that's part of the misconception, and apparently, that's part of the piece that we need to work on educating drivers about, but the dog is not a pet. JEAN LAMARTINE SYRION: I am sorry if I say it's a pet. But if somebody come, I see the person with the snake around his neck --

CHAIR ANDREA JACKSON: That's very different. And that's not an even apples and oranges.

GORDON GOSSAGE: California regs cover that.

JEAN LAMARTINE SYRION: Can we say the dog is --

CHAIR ANDREA JACKSON: If I can get you to wrap it up, please.

JEAN LAMARTINE SYRION: So as a driver, me, I have no problem with dogs because I don't have allergy.

SASSI OUTWATER: You did pick me up.

Thank you.

JEAN LAMARTINE SYRION: But if somebody would and they consult their doctor, they have a certificate to that, I think if that person say okay, well, this issue and to be out of Uber because of that as a driver.

I think Uber's great. Thank you for everybody that start this conversation, and I hope the best.

CHAIR ANDREA JACKSON: Thank you.

I was trying to think of the people who I know have been sitting in here who were probably here before everybody who is out in the hallway and I know it seems unfair, but I don't know any other way to do it other than just kind've go down the row. I don't -- I don't know possibly think I can listen to everyone this evening.

I don't know if there is someone who has

something different than they want to add --

AUDIENCE MEMBER: Yes.

CHAIR ANDREA JACKSON: Just a second, please.

-- than what has already been said.

Again, I will say it again, we're not talking a vote on these this evenings.

This is the beginning of a dialogue. We'll be scheduling another hearing because again we can't talk to one another about it unless we're sitting here in front of everyone which is fine, but this is about having a healthy dialogue.

If there's something different you would like to add than what I heard already, please come forward, and again, I would ask for two minutes and I would like the two minutes to be adhered to, please. PARMJIT SINGH: My name is Parmjit, P-A-R-M-J-I-T. Last name Singh, S-I-N-G-H.

CHAIR ANDREA JACKSON: Go ahead, sir.

I'm going to have to ask people in the back to please not speak when other people are speaking. It's very hard for everyone to hear. So please just be courteous to those that are speaking.

PARMJIT SINGH: I'm the Cambridge taxi drivers, and I like to tell you that Uber, you know, Uber she said, Do you have insurance? The private vehicle, they have buy the app for people, the Uber, private -- they don't have insurance. If they have an accident, who responsible for this one, and the Uber, they're not responsible.

They try to dispatch companies, you know. Just anyone come to the Uber, they allow to, anybody come to Uber, anybody come, come. You know, like, private. You know, like, livery license. No have anything license like that, you know.

And other thing, they charge for the people when you download the app. I show you the app. too. In the rush hour they always -- they always charging, like, up on the money, you know, like \$10.

CHAIR ANDREA JACKSON: Wouldn't you agree that's a personal choice that if someone decides that they want to use Uber and if they're -- they don't mind paying that fee, that that's a

personal choice for them?

PARMJIT SINGH: So why don't --

CHAIR ANDREA JACKSON: Excuse me.

PARMJIT SINGH: No, no. The taxi, they have regulation for us, you know, like, I have a

snow, in rush hour, you have to charge, like, same. I like to put out the question for this company you charge -- if they help for the American citizens, they have to charge, like, same amount, you know, like taxi driver charge for, like, same amount. You know, not, like, rush hour and, like, any, you know, like...

And other thing, the guy -- I drive to Cambridge, like, they said to \$110, they not charge for, like, that, you know. I make, like -- I make my own medallion now. I drive for someone else. I drive for myself now, because I work hard and now have my own medallion. I never complain to the owner.

They have a city -- they have a rule and regulation how much you charge for the driver. If they charge you too much, you have to complain for the Hackney. Not for the, like, the \$110. I never heard of my life. I never seen this guy in Cambridge.

And my question is, Uber is not, like, livery, you know. They're not taxi, you know. Like any car they pick up, they pick up. You know, like, they're not, like, livery taxi like that, you know.

CHAIR ANDREA JACKSON: Okay. Thank you. The woman in the plaid shirt who has been -- sorry. I'm just trying to -- I see people here raising their hands.

Do we have people over here? I see, right there. Is there anyone here in the second row that wanted to speak? No?

Is there anyone in the following row? Sir, starting with the green shirt with the blue stripe across?

The woman with the green necklace? No?

There was a woman who raised her hand back there. Yes, you. If you could please come forward, please.

I need you to come forward and state your name for the record.

CASSANDRA LOVERING: I can project really loudly.

CHAIR ANDREA JACKSON: No, we can't hear with the air. Sorry.

CASSANDRA LOVERING: Hi. My name is Cassandra, C-A-S-S-A-N-D-R-A, Lovering, L-O-V-as in Victor-E-R-I-N-G.

So I'll keep this really, really short. Thank you for considering all of the different sides. I know it's difficult. It's a burgeon industry, and you guys need to take it all in consideration, obviously.

I have a question for you rather than an

explanation. Before you make any decisions, and I know you're going to hear a lot of opinions and a lot of voices, have any of you taken a ride sharing service? CHAIR ANDREA JACKSON: I have. CASSANDRA LOVERING: What are your thoughts? CHAIR ANDREA JACKSON: I thought it was fine. CASSANDRA LOVERING: Wonderful. Have you? FIRE CHIEF GERALD REARDON: I have not. CASSANDRA LOVERING: Have you? POLICE COMMISSIONER ROBERT HAAS: I have not. CASSANDRA LOVERING: I implore you. Because we all grew up with taxis. We know the story, we know the system, so please in this

burgeoning industry where I think many

improvements can be made, have the experience with Lyft and Uber, and then you're going to see the differences not only between businesses, but how they can improve the overall ecosystem for drivers and passengers. That's all I ask.

Thank you.

(Applause.)

CHAIR ANDREA JACKSON: Thank you.

MARIA HARDIMAN: I'm reading on behalf of Cambridge City Council, Nadeem Mazen, M-A-Z-E-N. He's not able to be here today. I am his --

FIRE CHIEF GERALD REARDON: We need your name for the record.

MARIA HARDIMAN: Okay. My name is Maria Hardiman, H-A-R-D-I-M-A-N. "Dear License Commission,

I write you today in my capacity as a tech

advocate. My most recent film Silicon Prairie: America's New Internet Economy looks at entrepreneurship across the US and the ways in which tech-industry regulation tends to support a handful of lobbyists, but at greater costs to all of us and to innovation in general.

As a result of this and other advocacy work, I am periodically called to Capitol Hill to describe tech and internet innovation to congress people, staffers, and research entities that deal with internet regulation.

For the most part, legislative moves to limit new players in tech (whether in transit, content distribution, or communication), have failed for two reasons. One, regulating innovation to preserve existing commercial interests is a disservice to consumers and consumer outcry has consistently (sometimes unexpectedly) overwhelmed legislators and regulators. Two, the actual text of tech-limiting regulations rarely stands up to scrutiny. Assuring safety in the community and fairness in the market is one thing. But binding the hands innovative companies simply creates new unfairness, rather than increasing fairness for existing players.

Innovation in the transit space presents us with a unique opportunity not an inconvenience. Can we improve service and income in the taxi industry by learning from mobile-app based transit services? Can we leverage city or third-party data on safety and on performance in order to improve service, both in traditional and new transit options.

Through all of this, it's crucial to assure that all concerns and regulations are

driven by concrete data and that concerns about competition are divorced from concerns about safety. Indeed, concerns about competitiveness in this particular market sector are more easily addressed by alleviating outmode regulations on existing commercial interests or rather than by regulating new interests.

Personally speaking, when choosing
whether to take a taxi or a ride sharing service,
five main criteria affect my decision:
1. The ubiquity and availability of service
2. Timeliness from point of dispatch
3. Customer Care and politeness
4. Ease of payment and transaction
5. Affordability (especially during off-peak)
In all five categories mobile app
ride-sharing services outperform taxis. But it
doesn't have to be that way. In the city of

Boston, taxis have evolved with the changing market by mandating working credit card payment systems in all cabs. In terms of competitive off-peak (and increased on-peak) fares, the Cambridge taxicab community could someday employ a variable rate system or tie rates to accurate DPS solutions.

I want to emphasize that neither cab companies nor mobile-app ride sharing services are at fault.

This hearing and the proposed regulation provide an excellent opportunity for both sectors to learn from each other's best practices.

In terms of Uber, Lyft, Bridj and similar services specifically, we do not want to take away services people depend on (in addition to and not in lieu of taxicab service), we do, however, want to keep the transit ecosystem sustainable, customer centric and innovative.

That is why I oppose the proposed regulations and suggest we find a course of action that improves the quality and competitiveness of existing taxi services instead. Sincerely, Nadeem Mazen."

Thank you.

CHAIR ANDREA JACKSON: Thank you.

Is there anyone sitting who -- because I originally said I would go across.

With the glasses on, yeah.

JOEL FLEMING: Good evening. My name is Joel, J-O-E-L, Fleming, F-L-E-M-I-N-G.

I'm a resident of Cambridge since 2008, I'm also an attorney, although I'm here in my capacity as a concerned private citizen.

As an attorney, I look first to the regulation, and it's been suggested today that

this is about rogue taxis, this is not an I-hate-Uber reg, but, frankly, looking at the regulation that's not what I see.

The first page is the entitled "Regulations for Smartphone Technology," not Regulations for Rogue Taxis.

The definition of taxicab on Page 4 requires you to have a taxi medallion. Everyone else is a limousine or executive sedan.

And if we turn to Page 13 and 14 we see limousines and executive sedans have to charge a minimum of a 50-dollar fare. This is targeted at the heart of Uber's business model. This regulation cannot be the starting point.

I would also look at Page 3, the definition of mobile application. And I would point out there are three spelling mistakes in this paragraph. They misspell smartphone, they misspell iPod and they misspell iPad.

The point is not to make fun of anyone's spelling. The point is this is symbolic of the lack of thought, the lack of care and the lack of technological sophistication that went into these proposed regulations.

I would urge the Commission, start with the California standards or start from scratch. This is clearly not the place to go.

Finally, I would ask the Commission to consider the broader message here.

This just isn't Uber, this just isn't about the taxicab industry, this is about innovation in Cambridge generally. And this kind of Luddite regulations sends a dangerous message to started-ups.

It sends a message to students at Harvard, MIT, considering whether they want to start their careers here in Cambridge or New York or Silicone Valley. The message these regulations send is that this is a city that hates innovation and will protect incompetent incumbents, like the taxi medallion owners, at the expense of consumers.

Thank you.

(Applause.)

CHAIR ANDREA JACKSON: I was going across the row. The gentleman in the light blue shirt.

Let me do this. Let me just say -- and I know I'm going to irritate people, and I apologize -- I think I'm going to give this about 15 more minutes in terms of testimony, and again, I can't say it any more clearly, we're not approving these this evening.

We are clearly going back and looking at these and giving thoughtful consideration to all the testimony presented.

This will not be the only hearing that's held. There will be another discussion.

Again, we can't just pass them on until we have a hearing. So there will be other hearings. I would forecast probably a few to make sure at least that way we have everybody represented and everybody who gives their input.

So if I can ask everybody to please stick to the two-minute limit.

DAVID BROSE: They were a troubling starting point.

CHAIR ANDREA JACKSON: Excuse me?

DAVID BROSE: They were a troubling

starting point.

CHAIR ANDREA JACKSON: Can you please identify yourself for the record?

DAVID BROSE: Yeah. David Brose, B-as in

boy-R-O-S-E.

CHAIR ANDREA JACKSON: I understand that, so we'll go from there. It's a starting point.

EXECUTIVE DIRECTOR ELIZABETH LINT: Madam Chair, you may want --

DAVID BROSE: Troubling.

EXECUTIVE DIRECTOR ELIZABETH LINT: -- to announce we accept written testimony. We have many emails. They all become part of the record.

CHAIR ANDREA JACKSON: Right. So, again, if you're not able to speak this evening, you are able certainly to send an email into the office. With that being said...

JUSTIN DUCOTE: Sure. I'll try to keep it under two minutes.

CHAIR ANDREA JACKSON: Thank you.

JUSTIN DUCOTE: My name is Justin Ducote, D-U-C-O-T-E, I am a Cambridge resident. With respect to time, I will say that I have seven dittos and two disagrees.

Let's talk about only two disagrees.

The two disagrees are the first lady that came on representing a group of taxi owners who was making some amusing, though highly anecdotal statements of about 30 to 40 percent of businesses from taxis being taken away, and that this is not competition, that they're coming for your main street, that they're going to start delivering your babies, buses, et cetera.

The second one with which I disagree was a gentleman that was representing medallion saying that Uber drivers don't have insurance, who is responsible in the accidents, made a point about sliding cost scale, and that his last point, which I did actually agree with, was that Uber is not a livery service or anything else. It is a unique service and it needs to be regulated as such.

I would say then what is the purpose of a regulation? It is a thing by which we can protect the public to make sure that competition is fair, that public safety is actually addressed.

The proposed regulation as it stands does none of these things. Instead it attempts to adopt -- adapt -- excuse me -- a non-applicable statuette or at least idea to statuette to a technology that has not existed in, well, previous to four years ago.

So the gentleman the preceded me directly much more eloquently made most of my points.

I will echo just one thing which is what I really wanted to get that word in because that is what we see in this case and it is what we see across the nation.

It's not a case of, oh, gee, we're worried about people getting into unsafe taxis or unregulated taxies. It is, well, we have a business that is threatened by a new way of conducting that same business. And so, we need something to do to stop that new business from infringing on the older one. That's really what we see here.

Instead, I would encourage that taxi drivers, cab drivers, owners, medallions, whatever, that they adapt to the new emerging standard, adapt or die.

CHAIR ANDREA JACKSON: Got it. Thank you.

FIRE CHIEF GERALD REARDON: Just for the record, I want to, my point is public safety in terms of making sure that everyone who takes any

form of transportation is a safe reliable vehicle, and you know, those particular draft regs that have been floating out, they are not something that we're -- is part of -- my philosophy right now other than the safety, so that it is a new entrepreneur, it's a new area.

We just want to make sure that the playing field for the public is that they're getting safe, reliable service regardless what mode they particularly chose, so...

JUSTIN DUCOTE: Certainly.

FIRE CHIEF GERALD REARDON: I want you to understand that that's the goal here for me.

JUSTIN DUCOTE: I definitely understand that and I feel like that you're spot on.

FIRE CHIEF GERALD REARDON: I can't speak for my fellow commissioners. I want you to understand that.

JUSTIN DUCOTE: Yeah, I feel like -- yes, we can benefit from exactly your point. Not just on the new services, but also on the old. FIRE CHIEF GERALD REARDON: Correct. Thank you. JUSTIN DUCOTE: Thank you. CHAIR ANDREA JACKSON: The hand I see up in the back over here, are you drivers, taxi drivers? PETER BRUCE: Yes. CHAIR ANDREA JACKSON: Yes? PETER BRUCE: Yes. CHAIR ANDREA JACKSON: Come forward. Please state your name for the record, spelling your last name. PETER BRUCE: Peter Bruce, B-R-U-C-E. CHAIR ANDREA JACKSON: Mr. Bruce, why are you here this evening if you can tell me in two

minutes or less?

PETER BRUCE: Okay. Well, I think that Uber ought to be regulated the way that regular taxis are regulated.

I think it's a fiction that Uber is not a taxi. Maybe it doesn't buy medallions, but there are so many other important aspects of taxi driving and limousine driving.

Basically you're picking up people and charging them money. Private insurers don't allow people to just, you know, without insurance, without commercial insurance pick up their friends and charge them. I don't think any insurance company in the state will do that.

Now, my main concern is Uber can undercharge us sometimes ten or 15 percent, sometimes even more, and the way that they do that is by having very spotty insurance. Their insurance basically kicks in when the app is on and it doesn't at other times.

But there are a lot of other times when the app is not on when they're still driving those cars that picks up people for pay, and when they hit somebody and kill them, like they did in San Francisco, who pays? Well, the drivers, the emergency room, the City of San Francisco who tries to make the family whole and so forth.

Basically Uber shifts its costs onto the public and socializes its costs and privatizes the extra profit that it makes from that.

And that's how they can charge a lot less than we do because they don't pay full insurance.

Now, if you look at the insurance policies that they have, you will find that there are loopholes. Uber can -- Uber's considered to be an insurer when there's an Uber passenger in the car and when the app is on. But when it's off, the insurance is also off.

And if a driver is between jobs, or maybe going home after a shift, or going to work and hits somebody and kills them or something like that, or if that -- at those times, the insurance does not kick in.

You can find these exclusions and these kind of strained definitions of working and taxi in the middle pages of their contract and on the website even. It says that Uber is not a taxi.

But I would say that despite the lack of medallions, overall the basic concept of a taxi or a limousine or a livery vehicle is that you're, you know, picking up somebody for pay and I think that should be the controlling idea for defining Uber should be a taxi.

One other thing. I was at the airport last Sunday, the last day I drove for Veterans Taxi, and I encountered two Uber drivers there and they're not supposed to be there, as far as I know. I believe Mr. Ferro --

CHAIR ANDREA JACKSON: You need to wrap it up, please.

PETER BRUCE: Okay. Anyway, the relevant agency at Massport does not allow Uber to pick up there.

And yet, I saw two of these cars there and the police in Boston recently have caught Uber drivers scooping up flags, hails off the street that we pay medallions for.

I would be out of my jurisdiction in Boston if I picked a flag like that, I would get charged \$500, but Uber, because it's unmarked, can get away with this easily because nobody knows what they're doing, but I know they have done it and now the police in Boston are reporting it.

> CHAIR ANDREA JACKSON: Thank you. PETER BRUCE: Thanks very much.

(Applause.)

CHAIR ANDREA JACKSON: I will start with the guy in the plaid shirt and work my way down. I'm trying to figure out how many more people are out in the hall. I'm trying to be as fair and as respectful as possible.

Again, if you're hearing the same testimony, can you please tell me "ditto," and again there's nothing that precludes you from submitting an email.

TIM HARRINGTON: Hi. Name is Tim

Harrington. I'm sorry if I'm speaking very loud. I don't want to make it seem like I'm yelling at you guys.

So I'm a resident of Cambridge. Harrington, spelling okay?

My concern is given that -- this is kinda given nature of the taxi industry and Uber in general, I urge you when you draft these, to coordinate with other neighborhoods. So Cambridge, Boston, considering many, many fares go through Cambridge, my concern is that for a group like Uber or any other group that uses GPS locations, if there's any sort of discrepancy between one neighborhood to another, then they might be particularly targeted.

So that's just something to keep in mind when you're writing. And that's it, I'm done.

CHAIR ANDREA JACKSON: Thank you. Sir?

Yep, I'm working my way down.

Again, if I can ask you to adhere to two minutes. If it's something that's already been said, please feel free to say "ditto."

Please state your name for the record, spelling your name.

YONAS HALIEMICHAEL: My name is Yonas, Y-O-N-A-S. Last name is Haliemichael,

H-A-L-I-E-M-I-C-H-E-A-L.

First the lady, Uber refused them service. I really would like to --

CHAIR ANDREA JACKSON: Please address me, please?

YONAS HALIEMICHAEL: I would like to apologize to them in Uber's name. My question is -- I'm a Uber driver. I have been working for Uber and I'm asking the City of Cambridge how many complaints did you get about Uber drivers and where did the complaint come from? Do you have the data?

CHAIR ANDREA JACKSON: Is that a question you're asking?

YONAS HALIEMICHAEL: That's my question.

And how many drivers have you caught doing something illegal in the City of Cambridge? And we do this for a living. This is how we make a living.

I have been a cab driver. Now I'm working for myself. I'm independent, and if there's any complaints, Uber will not let me work at all, so there's the safety-wise. I pay my insurance, and I pay all the fees and all the drivers over here would like to -- you to see all the angles before you make a decision. That is what I would like to say.

CHAIR ANDREA JACKSON: Okay. Thank you

very much.

Again, working my way down, there's a gentleman sitting with the glasses who I know you have been there for a minute and then I'm going to the gentleman who is standing up. You, who is sitting down. Yes, you.

ANGEDA TILAHUN: Thank you.

CHAIR ANDREA JACKSON: If you could please state your name for the record, spelling your last name.

ANGEDA TILAHUN: My last name is T-I-L-A-H-U-N, A-N-G-E-D-A.

Well, I want to just stress two points because I heard the gentleman before person talk arguing about the Uber drivers that's picking people illegally from airport.

I'm the witness for that. We are legal, number one. We have to pass over the security checkpoint, you have to have a badge to pick up a customer from Logan Airport. We do our job locally.

Second of all, we have insured. I been working for Uber since October of 2012. From the first day I joined Uber, my car is insured for one million dollars, so I don't understand why the gentleman just mentioning this.

As far as I know, the Uber drivers are insured. We work legally, safely. That's what I think I'm trying to mention.

CHAIR ANDREA JACKSON: Okay. Thank you very much.

(Applause.)

CHAIR ANDREA JACKSON: Gentleman with the folder.

Good evening. State your name for the record --

ZAGLOUL AYAD: Good evening.

CHAIR ANDREA JACKSON: -- spelling your last name.

ZAGLOUL AYAD: My name is Zagloul, Z-A-G-L-O-U-L. Last name Ayad, A-Y-A-D. And I have a license from City of Cambridge for a livery license. And what I see on the road every day and I have documented here, basically Uber is threatening public safety.

Number one, Uber does not check employment authorization with any agency. Any international student will have driver license issued by the Commonwealth which they get their social security after one year and they would be able drive with license. Soon they own the car, they could be working on the street of Boston without any legalization documentation.

Uber does not check that at all.

And is basically a lot of city in the Commonwealth they do not have regulation for regulating the livery. Anybody will just go to the city hall and go to the Massport and said is not required by the city and be able to go and get Massport authorization.

Number two, Uber acts -- use the Mass highway and they do not pay the tolls for the taxi or livery vehicles.

Also, as a livery we required to have a million dollars insurance to go to Massport and to be minimum monthly fee Massport (inaudible) also by Uber since Uber -- they do not pay Massport too. If I pay \$5.25 to exit the airport, they should also paying that. Plus here I'm regulated by the City of Cambridge which under the current regulations is a minimum of \$40, not to compete with a taxi, but is -- Uber coming would take the job for \$15 and \$20. They could jack that up to 400 percent during rush hour, during snow emergency, during heat, during Rex Sox event, and that's basically whatever they call it, GPS, is a meter. They don't have the authorization from Weight and Measure Commission to be able to do that if they put just -- in a second just decide in half an hour, we're going to jack. Is the taxi driver allowed to -- able to do the taxi, they just basically hijack the rate the same thing is unfair.

CHAIR ANDREA JACKSON: If I can ask you to start to wrap it up, please.

ZAGLOUL AYAD: Yeah. I think I'm certain I just (inaudible) is a public safety trap for Uber because every citizen in the city has a commercial vehicles and basically does not pay the insurance required and does not pay the highway tolls which is off the highway --

FIRE CHIEF GERALD REARDON: So you're saying that if they exit Logan, they don't pay the same as a taxi with a livery plate?

CHAIR ANDREA JACKSON: One speaker at a time.

ZAGLOUL AYAD: Nope. Uber ask any citizen has a private car can work for Uber. They have the app for. I experience one is also Uber envision the privacy.

FIRE CHIEF GERALD REARDON: I'm asking if they have a livery plate, do they get charged that?

ZAGLOUL AYAD: Yes. They get charge --

FIRE CHIEF GERALD REARDON: You're saying someone without a livery plate who's working for Uber? I was trying to understand.

ZAGLOUL AYAD: Yes, with Uber. And with

Uber there's also not a check in employment authorization in US.

FIRE CHIEF GERALD REARDON: Okay. I gotcha.

ZAGLOUL AYAD: I don't think -- that's any person coming in and driving a car and basically Uber give them the authorization to go to various building or to various location. I think that's a threat to public safety.

Thank you.

(Applause.)

CHAIR ANDREA JACKSON: Thank you.

Were you out in the hall?

LEAH SCHAUBACH: Yes.

CHAIR ANDREA JACKSON: You may not have heard. I asked -- please have a seat. State your name for the record. Spell your name. If you're giving me testimony that we heard before, you can just say "ditto."

LEAH SCHAUBACH: I don't know all the testimony that's been given.

CHAIR ANDREA JACKSON: I'll catch you up as appropriate.

LEAH SCHAUBACH: Sounds good, thank you.

CHAIR ANDREA JACKSON: If you could please spell your name for the record?

LEAH SCHAUBACH: My name is Leah Schaubach. That is L-E-A-H, last name S-C-H-A-U-B-A-C-H. I have been a resident of Cambridge for five -- for one year.

I guess my point of view is from a security standpoint as a young female. A lot of my friends are in Boston. When I go out downtown and I try to come back to Cambridge, I have been kicked out of cabs because they will not take me to Cambridge. Uber offers me a very reliable way and affordable way, I mean, I will pay surge pricing for someone to come to me, pick me up at the bar, go right to the cab and then drop me off right at home.

So my fear as a resident of Cambridge is if you make it very difficult and very expensive to take Uber, it's an argument for me to leave Cambridge and I don't want to do that. So, anyway, that's my point of view.

CHAIR ANDREA JACKSON: Thank you. Thank you for coming in and thank you for waiting.

(Applause.)

The gentleman with the striped shirt, hand up. Working my way through.

DHARMVIR SHARMA: Good evening, everyone.

CHAIR ANDREA JACKSON: Good evening.

Please state your name for the record, spelling

your first and last name.

DHARMVIR SHARMA: First name is Dharmvir, last name Sharma. D-H-A-R-M-V-as Victor-I-R, and Sharma is my last name, S-H-A-R-M-A.

All right. So I'm here (inaudible) like livery service. I'm here to support the drivers, the professional drivers. So the thing is, like, the taxis have taxi plates and ambulance have ambulance plates.

And, you know, like, when are those -the Uber, if they want to do the livery service, they should have the livery plates.

CHAIR ANDREA JACKSON: Okay.

DHARMVIR SHARMA: And, you know, I'm a little nervous too.

CHAIR ANDREA JACKSON: That's okay. Just think you're in your living room and it's warm.

DHARMVIR SHARMA: The other thing is like

taxi drivers have to be checked, you know.

And, unfortunately, I don't think the Uber they do that. If they do that, what happened already, you know, a couple of things happened in San Francisco.

There's things going to be happening like people driving 100 miles per hour, they get a call and they start driving for Uber. So I just here for the professionals, you know.

Anything should happen, rules, regulation and professionally, and I'm just here for safety of the American people and, you know, quality.

We always -- you know, we want the quality, and the lady, she talk about she talk about taxi, sometimes these arguments happen, you know. This is -- it's not like the clapping is with both hands, it's not only with a single hand. Sometimes this happens, but sometimes whenever (inaudible), there's Hackney department we can complain on this, you know. They take the action against our driver and other things too, you know, but that's the thing I just want to say, you know.

CHAIR ANDREA JACKSON: Okay.

DHARMVIR SHARMA: If they want to come into the transportation industry, they have to follow the rules of the regulation, follow the rules and regulation of the transportation.

That's all.

CHAIR ANDREA JACKSON: Thank you. Thank you for coming in.

(Applause.)

Sir?

ROBERT BURKE: Hi. My name is Robert Burke, B-U-R-K-E. I am an Uber taxi driver. 58 years old. Laid off. Needed a job and I got one. Fully insured. Background checked.

CHAIR ANDREA JACKSON: Please address your comments to me, please.

ROBERT BURKE: Fully insured. Background checked. Okay. Safety driving school. It's about the consumer here. If the people that are upset or so upset, they need to change their model. And the consumer will make the decision.

Thank you very much.

CHAIR ANDREA JACKSON: Thank you.

(Applause.)

Sir, with the blue shirt.

ASHVIN GANDHI: My name is Ashvin Gandhi, A-S-H-V-I-N, Gandhi, G-A-N-D-H-I. I'm a Ph.D. candidate in economics at Harvard University. I'll try to be very brief and stick to

something I might know something about.

So I heard at least one person talk about Uber's surge pricing. I know there didn't appear to be anything in the proposed regulation on this.

But I would urge you not necessarily to regulate the pricing structure that Uber uses too heavily. At least as an economist my feeling is that what they do is they clear the market.

They try and set prices such that the maximum number of people who can get rides and are able to pay such that drivers are willing to drive are able to get rides.

And that's a good thing because sometimes it's really hard to get a taxi.

And if it means either walking home or worse yet driving home drunk, and people have an option even if it's an expensive option to get

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back versus no option, that's certainly a better
thing.
        Thank you.
        CHAIR ANDREA JACKSON: Thank you.
        (Applause.)
        Sir, all the way in the back with the
stripped shirt.
        Good evening.
        CARY CHATHAM: Good evening.
        CHAIR ANDREA JACKSON: Please state your
name.
        CARY CHATHAM: My name is Cary Chatham.
        CHAIR ANDREA JACKSON: Would you spell
your name, please?
        CARY CHATHAM: C-H-A-T-H-A-M is my last
name. C-A-R-Y.
        Basically I'm going to read an email that
I sent to the Mayor's Office this morning, to the
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citymanagerofcambridgema.gov.

"Dear City Official. It has come to my attention today that there's a hearing planned for this evening to discuss regulated ride sharing. I have read the proposed regulations. That will in essence cease free market competition in favor of inefficient, unfriendly, overpriced taxi services.

I am happy user of these safe and reliable, inexpensive ride sharing services that I often take in and around Cambridge. That fact that I can get transport to any location, including my home, in a matter of minutes is invaluable to me.

When might the last time you requested a cab to wait over an hour not to have them show up, or if they finally do pick you up, feel that they could care less. There's something so wrong with the current taxi business model. My feeling about ride sharing is that customers are always number one priority and it shows.

Nearly all drivers I have encountered have made my Uber or Lyft experience an extremely pleasant one, in which I have never received a level of service from taxis.

Safety is always a question no matter what transport you take, whether it be the T, taxi, or ride share.

What I like most about app-based services is I always know who I mean riding with. Cars are always clean, drivers are always curious, and they always use GPS.

The two-sided information and data that's shared through the app services collect and share with me, as a passenger, and assures a safe time for both myself and the driver. Having my credit card on file makes things simple, no cash. Safe for me, safe for the driver.

These services already self-regulate better as far I can see even traditional services. Cars are inspected in addition to Massachusetts inspections, drivers are fully background checked. Drivers carry a million dollars in gap and liability coverage from the companies they drive for. And lastly, they do not compete with taxis or street taxi stand fares.

It's my hope you will reconsider these ideas of overregulation that are being proposed at tonight's hearing and stand behind the people of Cambridge and essentially Greater Boston and completely support the movement that is changing an archaic and bad business model that supports one that is community -- in the community, but not the taxis' interest and the owners.

Free market, free competition are needed to advance and grow the community and the nation. Technology has changed many businesses for the better.

Taxi companies will need to compete on the customer service level not by forcing out a better business, but by self-reflecting on what they can do better, clearer cars, friendly attentive drivers, staying off the phone the entire ride, knowing where they're going and being an honest to goodness human being.

I hope you will take these words to heart and protect the sharing community that is customer driven and not the other way around and as innovation and technology that Cambridge represents through its prestige, through its

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tenets, such as MIT and Harvard, and more. Thank
for your time. Best regards.
        (Applause.)
        CHAIR ANDREA JACKSON: Thank you.
        The woman all the way in the back.
        JENNIFER PETERSON: I was in the hall.
Say my name and spell it?
        CHAIR ANDREA JACKSON: Yes.
        JENNIFER PETERSON: Jennifer Peterson,
P-E-T-E-R-S-O-N.
        CHAIR ANDREA JACKSON: And because you
were out in the hall, you may have not have heard
some of the other testimony that was been
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presented. So I've asked people that if you

heard the same testimony, please just say

"ditto."

JENNIFER PETERSON: Sure. Lots and lots of ditto. I did want to say I work in Cambridge. I live in Jamaica Plain. And so, being able to get a ride to and from work -- I work late at night and so I don't know where a cab stands are, and so it is a safety issue, which I am sure you heard a lot of it.

I also wanted to -- I was always felt very safe, I've always felt very -- my valuables, I lost a Charlie card when I first moved to Boston in a cab never to be seen again. I lost several things in Uber or Lyft, and because they're all tracked and because you know who you rode with and you know when you rode with them, I've not had any problem getting my stuff back and they bring it to me. It's a very personal connection.

I feel -- yeah, they're the whole reason I got a smartphone was so I would be able to have the ability to use these things. I -- sorry, I'm

overwhelmed. If -- if -- there are a number of occasions if there weren't Lyft and there weren't Uber, I would not have made it to work on time and I'm a manager in a local Starbucks. And, yeah, I guess that's all. I'm sorry. CHAIR ANDREA JACKSON: That's okay. Thank you. (Applause.) Please come forward. PETER SHEINFELD: Peter Sheinfeld. I live at 20 Lee Street here in Cambridge. S-H-E-I-N-F-E-L-D. And I support the institution of regulations because we need to have a level playing field. I mean, if a livery service is going to operate in Cambridge, well, that's the City of

Cambridge's decision. And they either do or don't.

But there should not be an uninsured, unregulated, unlicensed, unvetted drivers to varying degrees in varying situations whether it's Uber X or Uber regular or any of the other so-called ride sharing services.

That has to be brought into a level playing field.

(Applause.)

(Audience member shouts out.)

CHAIR ANDREA JACKSON: Excuse me.

Inappropriate.

AUDIENCE MEMBER: Well, you're not in your cab, cut it out, will you?

PETER SHEINFELD: But the -- and the other thing, though, I think is a message that a lot of speakers have made which is I think that the cab industry basically should get their act together. I mean, they've gotta to -- you know, there is a new technological situation out here. Why don't they take it and seize it and let them compete with Uber. That's how they can drive Uber away and how they should.

They hopefully I think have the leg up on them because they're the established entity, and they have proven their worth and all that, and a number of comments have been made about customer service and related things, I couldn't agree more on that, but I support the regulations. Thank you.

CHAIR ANDREA JACKSON: Thank you.

(Applause.)

I'm assuming -- are we done with testimony? Is that everybody? There's always got to be one last. CLARENCE RISHER: My name is Clarence Risher, R-I-S-H-E-R.

I commute to Cambridge from Medford. I was recently injured and I'm a cyclist.

I tried to use taxies for about a week arranging to get rides in and out of the two cities and that really didn't work.

I was able to use Uber for some stuff on my end of the trip. I've had trouble trying to use taxis in various ways since then. I'm kinda new to calling cabs since I'm used to getting myself around, and being able to get a ride where I need to go when I need to go was a big change and very helpful.

I would like to mention I missed the testimony of an attorney who spoke earlier who mentioned a typo in the regulations.

Much more substantive than that, there

are a couple of actual mistakes in the regulations, particularly fares for speed and time, which definitely, to reiterate his point, cover -- indicates that there was a lack of care in drafting these regulations and they need at least much more scrutiny.

That's really all I have to say.

CHAIR ANDREA JACKSON: Thank you.

(Applause.)

So with that, I would like to bring this to a close.

I want to thank everybody for bearing through the heat and the small room. Next time we will schedule it probably across the way in a bigger room with more air.

We're going to take this matter under advisement. As I said, we're not going to be voting on regs. It's really a starting point for us to kinda go back and look and see what is here and work from there.

With that, I'll make a motion that we adjourn.

EXECUTIVE DIRECTOR ELIZABETH LINT: You have to make a motion to take it under advisement.

CHAIR ANDREA JACKSON: All right. I make a motion that we take this matter under advisement. Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in

favor, signify by saying aye.

FIRE CHIEF GERALD REARDON: Aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

CHAIR ANDREA JACKSON: I make a motion

that -- do you want to call that one again?

EXECUTIVE DIRECTOR ELIZABETH LINT: Has

anyone seen Jean Moise?

CHAIR ANDREA JACKSON: Jean Moise?

I make a motion that the Executive Director send Mr. Moise a letter.

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: All those in favor --

EXECUTIVE DIRECTOR ELIZABETH LINT: And advise him.

POLICE COMMISSIONER ROBERT HAAS: What?

CHAIR ANDREA JACKSON: I need to know more about the allegations.

EXECUTIVE DIRECTOR ELIZABETH LINT: I

would be more than happy to fill you in.

CHAIR ANDREA JACKSON: You have to fill all of us in, so I guess we'll stay here a little longer.

EXECUTIVE DIRECTOR ELIZABETH LINT:

Mr. Moise has had an accessible medallion 250 for several years.

Under the accessible medallion agreement, he's required to keep that vehicle on the road 24/7 and he does not.

We have over the last year and a half, easily, invited him into the office for conversation to remind him of his obligation. At one point he -- his excuse was that he had a back problem. At another point, it was he couldn't find another driver.

We have told him repeatedly that if he does not live up to his obligation that we were going to take the medallion.

POLICE COMMISSIONER ROBERT HAAS: Was he before this Board? Was he same driver that was here before?

EXECUTIVE DIRECTOR ELIZABETH LINT: Same

driver.

CHAIR ANDREA JACKSON: When was that?

POLICE COMMISSIONER ROBERT HAAS: I've got my dates all messed up.

FIRE CHIEF GERALD REARDON: Several years ago.

EXECUTIVE DIRECTOR ELIZABETH LINT: Probably a year or two ago.

POLICE COMMISSIONER ROBERT HAAS: I remember we had the same issues.

EXECUTIVE DIRECTOR ELIZABETH LINT: We have had this discussion with him many times.

CHAIR ANDREA JACKSON: Was discipline

imposed before?

EXECUTIVE DIRECTOR ELIZABETH LINT: It was not.

CHAIR ANDREA JACKSON: What are our options in terms of discipline?

EXECUTIVE DIRECTOR ELIZABETH LINT: We seize the medallion. He's not living up to his obligations.

CHAIR ANDREA JACKSON: And he's been in here before for the same issue?

EXECUTIVE DIRECTOR ELIZABETH LINT: He has.

CHAIR ANDREA JACKSON: I make a motion that we seize the medallion effective immediately. Is there a second?

FIRE CHIEF GERALD REARDON: Second.

CHAIR ANDREA JACKSON: Discussion?

POLICE COMMISSIONER ROBERT HAAS: No

discussion.

CHAIR ANDREA JACKSON: All those in favor, signify by saying aye.

FIRE CHIEF GERALD REARDON: Aye.

POLICE COMMISSIONER ROBERT HAAS: Aye.

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Now may I make a my motion?
        (Applause.)
        I make a motion that we adjourn. Is
there a second?
        FIRE CHIEF GERALD REARDON: Second.
        CHAIR ANDREA JACKSON: All those in
favor, signify by saying aye.
        POLICE COMMISSIONER ROBERT HAAS: Aye.
        FIRE CHIEF GERALD REARDON: Aye.
        (The proceedings were adjourned.)
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CERTIFICATE

Commonwealth of Massachusetts Norfolk, ss.

I, Jill Kourafas, Certified Shorthand Reporter, in and for the Commonwealth of Massachusetts, do hereby certify that the hearing herein before set forth is a true and accurate record of the proceedings with the exception that some statements may not appear due to heavy accents, unclear speaking, rapid and overlapping speaking, those speaking too softly or incoherently, not identifying themselves and proper names/places will be spelled phonetically if not spelled while on the record.

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