

Lompoc City Council Agenda Item



City Council Meeting Date: July 1, 2014

TO: Honorable Mayor and Council Members

FROM: Patrick Wiemiller, City Administrator
p_wiemiller@ci.lompoc.ca.us

Joseph W. Pannone, City Attorney
jpannone@awattorneys.com

Brad Wilkie, Management Services Director
b_wilkie@ci.lompoc.ca.us

Teresa Gallavan, Economic Development Director/Assistant City
Administrator
t_gallavan@ci.lompoc.ca.us

SUBJECT: Application for Certificate of Public Convenience and Necessity; Taxicab
Owner's Permit by Joanna Newell dba Jo's Taxi

Recommendation:

Staff recommends the City Council, pursuant to sections 5.36.100 and 5.36.290 of the Lompoc Municipal Code (LMC):

- 1) Conduct a public hearing and receive oral testimony;
- 2) Determine if the public convenience and necessity require the operation of passenger transportation by Joanna Newell dba Jo's Taxi, and if the applicant is fit, willing, and able to provide taxi services; and
- 3) If so, then direct staff to issue a taxicab owner's permit to Joanna Newell dba Jo's Taxi.

Background:

California Vehicle Code Section 21112 authorizes cities to adopt rules and regulations regarding operation of taxicabs. LMC Chapter 5.36 regulates the operation of taxicabs on the public streets of the City. Prior to operating any taxicab, the business owner must apply for a Taxicab Owner's Permit, which is issued by the City after (a) completion of a background investigation by the Lompoc Police Chief; (b) Council

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approval of a Certificate of Convenience and Necessity; and (c) verification of required insurance coverage.

Discussion:

On May 30, 2014, Joanna Newell submitted an application for a Certificate of Convenience and Necessity and Taxicab Owner's Permit (Attachment 1), to allow her to provide taxi service in Lompoc, 24 hours a day, seven days a week. That service is currently also provided by Promenade Cab Company, for which Ms. Newell has operated a tax in the City of Lompoc for the past several years.

As required by LMC section 5.36.290, the Police Chief has reviewed and investigated the information submitted by Ms. Newell and filed a report regarding the same (Attachment 2). This report also shall constitute the report required to be filed by the City Administrator, the City Attorney, the Management Services Director and the Director of Community Development, also pursuant to LMC section 5.36.290.

The insurance certificate (Attachment 3) filed by Ms. Newell has been approved by the City Attorney. Ms. Newell has no criminal history and has no convictions or accidents, per the California DMV.

Ms. Newell has applied for and was issued, a City of Lompoc Taxi Driver Identification (Attachment 4) and has indicated she will be the single taxicab driver for Jo's Taxi.

Fiscal Impact:

LMC section 5.36.280 provides for a \$100 investigation fee as the application fee for a Certificate of Public Convenience and Necessity. In addition, the prospective business would be subject to a business license application fee and business license fee, based on gross receipts if a permit is issued.

Conclusion:

If Council finds the public convenience and necessity shall be provided by the operation of Jo's Taxi; and furthermore, based upon the attached investigation report, finds the applicant is fit, willing, and able to provide the proposed services, then it is recommended Council direct the City Clerk to include those findings in the Official Minutes of the City Council, and direct staff issue a Taxicab Owner's Permit to Ms. Newell dba Jo's Taxi to operate a taxicab service upon proof of her compliance with all applicable laws and requirements.

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Respectfully submitted,

Patrick Wiemiller, City Administrator

Joseph W. Pannone, City Attorney

Brad Wilkie, Management Services Director

Teresa Gallavan, Economic Development Director/Assistant City Administrator

- Attachments:
- 1) [City of Lompoc Application for Certificate of Public Convenience and Necessity \(Taxicab\)](#)
 - 2) [Lompoc Police Department Report 5/20/14](#)
 - 3) [Farmers Insurance Group Memo 6/2/14](#)
 - 4) [City of Lompoc Taxi Driver Identification issued 5/20/14](#)