

Lompoc City Council Agenda Item



City Council Meeting Date: February 1, 2011

TO: Honorable Mayor, Mayor Pro Tem and Council Members

FROM: Laurel Barcelona, City Administrator
Joseph W. Pannone, City Attorney

Subject: Application for Certificate of Convenience and Necessity and Taxicab Owner's permit by Eyyup Mendi dba 805 Taxicab/Mendi International Corp.

RECOMMENDATION:

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 or do not require the operation of passenger transportation by Eyyup Mendi, dba 805 Taxicab/Mendi International Corp., and if the applicant is fit, willing, and able to provide taxi services; and
- 3) If the determination in 2) above is affirmative, then direct City Staff to issue a taxicab owner's permit to Mr. Eyyup Mendi dba 805 Taxicab/Mendi International Corp.

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

As required by LMC Section 5.36.290, the Police Chief has reviewed and investigated the information submitted by Eyyup. Mendi and filed a report regarding the same. That report is attached as Exhibit 1 to this report. 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.

DISCUSSION:

On October 27, 2010, Eyyup Mendi submitted an application for a Certificate of Convenience and Necessity and Taxicab Owner's Permit, to allow him to provide taxi service in Lompoc. Taxi service in Lompoc is currently being provided by two taxicab companies (Lompoc Taxi and Promenade Cab Company).

805 Taxicab/Mendi International is operated out of Santa Barbara. Mr. Mendi has proposed one taxicab for Lompoc with one driver. The vehicle identified as a taxicab is not presently registered with the DMV, nor is Mr. Mendi currently a licensed taxicab driver. The City also has not received any Taxicab Driver's Permit applications to operate the proposed taxicab. Mr. Mendi provides only anecdotal reasons to support his claim an additional taxi cab business is needed in Lompoc. The reasons offered are Lompoc is "a fast growing city" and wait times for taxis is 10 to 15 minutes.

Assuming one of the individuals listed on the insurance certificate would be assigned to Lompoc to provide taxi service by this provider, the insurance certificate provided by Mr. Mendi has been approved by the City Attorney. Mr. Mendi has no criminal history, but while he has been issued an index number, he has not been issued a driver's license by the DMV.

CONCLUSION:

In light of the fact Lompoc presently has two taxicab companies providing service to the community and the only evidence provided by Mr. Mendi is non-statistical and anecdotal, staff finds Mr. Mendi's application fails to adequately establish a factual basis for a Public Convenience and Necessity for a third taxicab service.

Respectfully submitted,

Laurel M. Barcelona, City Administrator

Joseph W. Pannone, City Attorney

Arleen Pelster
Community Development Director

Brad J. Wilkie
Management Services Director

ATTACHMENTS:

Attachment 1: [Police Department Report](#)