



Contra
Costa
County

To: Board of Supervisors
From: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE
Date: May 24, 2016

Subject: RESOLUTION DECLARING FORMAL INTEREST IN A REGIONAL TAXICAB REGULATION PROCESS

RECOMMENDATION(S):

ADOPT Resolution No. 2016/382 authorizing the County Administrator to participate in a regional effort to evaluate the feasibility of a countywide taxicab regulation process and DIRECT the County Administrator to make regular updates to the Transportation, Water and Infrastructure Committee as the process moves forward.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

On September 5, 2013, the Transportation, Water and Infrastructure Committee (the "Committee") received a staff report regarding the status of a regulatory structure for taxicab permitting within the unincorporated area, pursuant to Government Code § 53075.5. At that time, the Committee directed staff to work with the County Administrator's Office (CAO) to:

1. Obtain advice from County Counsel regarding the County's potential risk and exposure for not having a taxicab permitting ordinance or resolution pursuant to the California Code.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/24/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 24, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Timothy Ewell, (925)
335-1036

cc:

2. Coordinate with the Office of the Sheriff to identify resources and develop a budget for codifying and administering a taxicab permitting ordinance or resolution.

On June 5, 2014, the County Administrator's Office returned to the Committee with a framework for the implementation of a taxicab ordinance in unincorporated areas of Contra Costa County. The implementation frame work, including roles of County departments, is summarized below:

BACKGROUND: (CONT'D)

Treasurer-Tax Collector

- I. Issues general business license to taxi companies operating in the unincorporated area.
- II. Notifies applicants of the need to acquire a taxicab permit in jurisdiction where business is located.

Sheriff's Office

- I. Issues Permits to new taxicab operators and businesses located in the County unincorporated area.
 - a. Applicant provides valid business license to operate in the unincorporated area.*
 - b. Sheriff facilitates referrals for the California Department of Justice Live Scan and drug testing for permit applicants with businesses established in the unincorporated area, at cost of the applicant.*
 - c. Applicant provides proof of taxicab vehicle inspection conducted by private entity at time of application for a permit, at cost of the applicant.*
 - d. Sheriff to establish a fee for reviewing new applications and annual renewals as part of the Taxicab ordinance.*
- II. Existing taxicab operators and businesses permitted in other jurisdictions within Contra Costa County doing business in an unincorporated area.
 - a. Ordinance to allow a permit from any other jurisdiction within Contra Costa County to operate a taxicab to be accepted with no further action required by Sheriff's Office.*
 - b. Business owner are still responsible for acquiring a business license to operate in the unincorporated area from Treasurer Tax Collector.*

At the June 5, 2014 meeting, the Committee approved the implementation framework and directed staff to work with County Counsel to draft the Ordinance for review by the Committee. Shortly following the meeting, the Contra Costa County Police Chief's Association discussed, at a regular meeting, the notion of a regional taxicab cooperative.

On October 23, 2014, the County Administrator's Office and Sheriff's Office met with the Concord Police Chief and staff to explore options for implementing a regional taxicab cooperative with the intention of reporting back to the Committee with options and requesting direction.

Shortly after that meeting, the Contra Costa County Local Government Leadership Academy, sponsored by the Contra Costa County Public Manager's Association and local jurisdictions, received a submission from the City of Walnut Creek to explore, as a project for Academy participants, the implementation of a regional taxicab permitting program. The project duration was from January through July 2015.

In light of the Academy submission, staff recommended and the Committee approved the tabling of further discussion about implementing a taxicab permitting regime for the unincorporated area until the results of the Academy project were complete and an analysis by County and municipal stakeholders was completed to assess the viability of a regional approach.

In August 2015, the Academy completed and a workgroup of participants issued a thorough report on how best to move forward with a regional approach. The research of the workgroup cited a current Joint Exercise of Powers Authority (JPA) model in Marin County as a successful example of a regional effort to address taxicab permitting.

On August 26, 2015, the regional workgroup convened to discuss the Academy workgroup's findings and recommendations. The City of Walnut Creek, as the lead agency, offered to invite the General Manager of the Marin General Services Agency to discuss how that program worked and the interaction between the Authority, Marin County and cities within the County.

On September 21, 2015, the regional workgroup convened to hear a presentation from the General Manager of the Marin General Services Authority about its operations and experience regulating taxis. Following that presentation, the workgroup was encouraged that an example of a regional model had proved to be a feasible endeavor, but had reservations about establishing a new, standalone JPA within Contra Costa County to manage the operations.

Alternatively, there was discussion regarding setting up an MOU process whereby a regional process would be "governed" by a set of MOUs between the County and cities. Following the discussion, the group agreed to report back to home agencies and return to the next workgroup meeting with the current position of each agency.

On February 11, 2016, representatives from the City of Walnut Creek presented a proposal to the Public Manager's Association (PMA) regarding a regional framework for regulation of taxicabs within the County. The proposal used a JPA model and the representatives provided a template policy resolution for governing boards to consider – essentially agreeing to participate in the next phase of planning. Following that meeting, there was discussion between some city and county representatives as to the relative benefits and drawbacks of a JPA vs. MOU approach and whether the two options had been fully vetted prior to making a formal recommendation to establish a JPA.

Following those discussions, the City of Walnut Creek agreed to hold a conference call with city and county representatives, and their legal counsel, to determine a path forward. In the end, the group agreed that it would be best to continue vetting a JPA vs. MOU structure, but ask jurisdictions to adopt a policy resolution declaring formal interest in participating in a regional taxicab effort. This will help to get an accurate count of interested jurisdictions to determine the financial feasibility of a regional process.

On May 12, 2016, the Committee directed staff to bring the attached policy resolution forward to the full Board of Supervisors for review and approval.

CONSEQUENCE OF NEGATIVE ACTION:

The County will not have declared formal interest in reviewing the feasibility of establishing a regional taxicab regulation process.

CHILDREN'S IMPACT STATEMENT:

No impact.

ATTACHMENTS

Resolution No. 2016/382