



## Staff Report

**Date:** June 7, 2016

**To:** City Council

**From:** Valerie J. Barone, City Manager

**Reviewed by:** Guy Swanger, Chief of Police

**Prepared by:** Cheryl Owens, Finance/Business Operations Manager  
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(925) 603-5878

**Subject:** **Considering authorizing the City Manager to pursue the potential formation of a Joint Powers Authority (JPA) and/or the negotiation of a Memorandum of Understanding (MOU) for the regional regulation of taxicab services within Contra Costa County**

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### Report in Brief

California Government Code Section 53075.5 requires cities and counties to protect the public health, safety, and welfare by adopting an ordinance or resolution governing the provision of taxicab services within each of their own respective jurisdictions. As a result, each city in Contra Costa County, and the County itself, is left to determine and enact its own independent regulatory scheme for taxicabs. In lieu of such independent efforts, the Public Managers Association of Contra Costa County, in coordination with local public safety officials, has been engaged in initial discussions regarding the possibility of regionalizing the regulation of taxicab services on a County-wide basis.

### Recommended Action

Staff recommends that the City Council adopt the Resolution No. 16-42 authorizing the City Manager to pursue the potential formation of a joint powers authority (JPA) and/or the negotiation of a memorandum of understanding (MOU) for the regional regulation of taxicab services within Contra Costa County.

### Background

Each jurisdiction in Contra Costa County is currently responsible for the regulation of taxicab services within its own respective boundaries. Accordingly, each jurisdiction

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has separately established rules and requirements governing a variety of issues such as licensing/permitting of vehicles and drivers, background checks, drug testing, vehicle inspections, and approval of rates. Given these separate regulatory schemes, each owner/driver is currently obligated to obtain a separate license/permit and to comply with a separate set of rules/regulations in each jurisdiction within which it operates.

**Analysis**

It is anticipated that the formation of a JPA and/or the negotiation of an MOU for the regional regulation of taxicab services within Contra Costa County, would allow for the enactment of uniform rules and regulations which could be applied on a County-wide basis across all participating jurisdictions. This would enable owners and drivers to obtain a single license/permit covering all participating jurisdictions instead of having to obtain multiple licenses/permits throughout Contra Costa County, while at the same time providing efficiencies that could potentially reduce the overall cost and staff time dedicated to the administration and regulation of these services across participating jurisdictions.

The following table provides an estimated timeline of events:

DATE RANGE	EVENT
May 2016	Each Participating Jurisdiction Adopts a Resolution Confirming its Intent to Form a JPA and/or otherwise Negotiate an MOU
June 2016	Participating Jurisdictions Coordinate and Begin Outreach to Affected Stakeholders
July 2016 – February 2017	Appointed Staff from Participating Jurisdictions Determine Feasibility of a JPA and/or an MOU and Draft appropriate Implementing Documents, which may include, but are not limited to the following: <ul style="list-style-type: none"><li data-bbox="971 1541 1432 1644">• A Joint Powers Agreement to be entered into among all Participating Jurisdictions</li><li data-bbox="971 1652 1432 1719">• Bylaws outlining the governance of a JPA</li><li data-bbox="971 1728 1432 1831">• A Memorandum of Understanding among Participating Agencies</li><li data-bbox="971 1839 1432 1860">• Uniform Taxicab Regulations</li></ul>

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	to be Adopted and Enforced by the JPA and/or in connection with an MOU, across all Participating Jurisdictions
July 2016 – February 2017	Continued Stakeholder Outreach and Updates to the Governing Boards of Participating Jurisdictions as appropriate
March 2017	Each Participating Jurisdiction, through an action of its Council or Governing Board at a public meeting, Enters into the JPA Agreement and/or MOU and Adopts Other Local Ordinance(s) Necessary to Repeal/Revise its current Regulatory Model

**Financial Impact**

Each jurisdiction currently funds its own independent regulatory activities on a cost-recovery basis through the imposition and collection of taxicab license/permit fees. It is anticipated that any costs incurred by the JPA, and/or by individual agencies in connection with an MOU, related to the administration of taxicab services will be funded in the same manner. Additionally, it is anticipated that efficiencies achieved through regional regulation will also reduce individual staff time incurred by each jurisdiction regarding the administration of taxicab services.

**Public Contact**

The City Council Agenda was posted.

**Attachments**

1. Resolution No. 16-42



1 dedicated to the administration and regulation of taxicab services, both within the City of Concord,  
2 and in other participating jurisdictions.

3 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CONCORD DOES**  
4 **RESOLVE AS FOLLOWS:**

5 **Section 1.** The City Manager, in partnership with other participating jurisdictions, is hereby  
6 authorized to investigate the feasibility of forming a joint powers authority (“JPA”) and/or negotiating  
7 a memorandum of understanding (“MOU”) for the regional regulation of taxicab services within  
8 Contra Costa County.

9 **Section 2.** The City Manager shall designate a staff representative to work with the  
10 representatives of other participating jurisdictions in an effort to determine the feasibility of creating a  
11 JPA and/or negotiating an MOU for the regional regulation of taxicab services within Contra Costa  
12 County, and, if feasible, to draft agreements and documents necessary to implement such JPA and/or  
13 MOU, including but not limited to: (i) a proposed joint powers agreement among participating  
14 jurisdictions, (ii) proposed bylaws and uniform taxicab regulations to be adopted by a JPA, (iii) an  
15 MOU among participating agencies, and/or (iv) any other local resolutions or ordinances necessary to  
16 implement the JPA and/or MOU, all subject to final review and approval by the City Council.

17 **Section 3.** The City Manager and/or the City Manager’s designated staff representative are  
18 further authorized and encouraged to coordinate and conduct outreach with appropriate community  
19 stakeholders, including but not limited to (i) police department representatives and other staff  
20 currently responsible for the implementation of taxicab regulations within individual participating  
21 jurisdictions, and (ii) taxicab drivers currently licensed/permitted within the participating jurisdictions.

22 **Section 4.** The City Manager and/or the City Manager’s designated staff representative  
23 shall provide periodic updates to the City Council regarding the work authorized by this Resolution.

24 **Section 5.** This resolution shall become effective immediately upon its passage and adoption.

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4 **PASSED AND ADOPTED** by the City Council of the City of Concord on June 7, 2016, by  
5 the following vote:

6 **AYES:** Councilmembers –

7 **NOES:** Councilmembers –

8 **ABSTAIN:** Councilmembers -

9 **ABSENT:** Councilmembers -

10 **I HEREBY CERTIFY** that the foregoing Resolution No. 16-42 was duly and regularly  
11 adopted at a regular meeting of the City Council of the City of Concord on June 7, 2016.

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Joelle Fockler, MMC

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City Clerk

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**APPROVED AS TO FORM:**

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Susanne Meyer Brown

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City Attorney

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