



Agenda Date: 05/24/2016  
 Agenda Item: 3.14

## STAFF REPORT

**Date:** May 16<sup>th</sup>, 2016  
**To:** Bryan H. Montgomery, City Manager  
**From:** Chris Thorsen, Chief of Police

Approved and Forwarded to the City Council:

  
 Bryan Montgomery, City Manager

**SUBJECT:** CONSIDERATION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURSUE EITHER THE POTENTIAL FORMATION OF A JOINT POWERS AUTHORITY (JPA) OR THE NEGOTIATION OF A MEMORANDUM OF UNDERSTANDING (MOU) FOR THE REGIONAL REGULATION OF TAXICAB SERVICES WITHIN CONTRA COSTA COUNTY

**Summary:**

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.

**Background/Annalysis:**

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

It is anticipated that the formation of a regional JPA, or the negotiation of an MOU, 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

	either Form a JPA 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 either a JPA 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>• A Joint Powers Agreement to be entered into among all Participating Jurisdictions;</li> <li>• Bylaws outlining the governance of a JPA;</li> <li>• A Memorandum of Understanding among Participating Agencies; or</li> <li>• Uniform Taxicab Regulations to be Adopted and Enforced by the JPA, or in connection with an MOU, across all Participating Jurisdictions</li> </ul>
July 2016 – February 2017	Continued Stakeholder Outreach and Updates to the Governing Boards of Participating Jurisdictions as appropriate
March 2017	Each Participating Jurisdiction Enters into the JPA Agreement or MOU and Adopts Other Local Ordinance(s) Necessary to Repeal/Revise its current Regulatory Model

**FINANCIAL IMPACTS:**

The program is anticipated to be revenue neutral. Taxi companies/drivers will be charged a fee for participation in the program. The revenue will be collected by the JPA or the agency administering the MOU. No expenditure is anticipated of City of Oakley monies.

**RECOMMENDATION:**

Staff recommends that the City Council adopt the attached Resolution (Attachment 1) authorizing the City Manager to pursue either the potential formation of a joint powers authority (JPA) or the negotiation of a memorandum of understanding (MOU) for the regional regulation of taxicab services within Contra Costa County.

**Attachments:**

Attachment 1: Resolution Authorizing the City Manager to Pursue either the Potential Formation of a Joint Powers Authority (JPA) or the Negotiation of a Memorandum of Understanding (MOU) for the Regional Regulation of Taxicab Services within Contra Costa County

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF OAKLEY  
AUTHORIZING THE CITY MANAGER TO PURSUE EITHER THE  
POTENTIAL FORMATION OF A JOINT POWERS AUTHORITY (JPA) OR  
THE NEGOTIATION OF A MEMORANDUM OF UNDERSTANDING (MOU)  
FOR THE REGIONAL REGULATION OF TAXICAB SERVICES WITHIN  
CONTRA COSTA COUNTY**

**WHEREAS**, California Government Code Section 53075.5 states that every city or county shall protect the public health, safety, and welfare by adopting an ordinance or resolution regarding the provision of taxicab services within its jurisdiction;

**WHEREAS**, each individual jurisdiction within Contra Costa County is currently responsible for the regulation of taxicab services within its own boundaries, including but not limited to the licensing/permitting of vehicles and drivers, the conduct of driver background checks and testing for controlled substances, vehicle inspections, approval of taxicab rates, and the establishment and enforcement of other operating rules and procedures;

**WHEREAS**, the Oakley anticipates that the formation of a single regional taxicab authority, or the negotiation of a regional MOU, would provide a benefit to the residents, visitors, and businesses of Oakley, and those of other participating jurisdictions, through the promotion and establishment of consistent rules and standards for the regulation of taxicab services across the County;

**WHEREAS**, it is also anticipated that the formation of a single regional taxicab authority, or the negotiation of a regional MOU, would allow taxicab drivers to obtain a single license/permit covering all participating jurisdictions, instead of having to obtain multiple licenses/permits throughout the County; and

**WHEREAS**, it is also anticipated that the regulation of taxicab services through a single regional authority, or the negotiation of a regional MOU, would create efficiencies that could reduce overall staff time currently dedicated to the administration and regulation of taxicab services, both within the Oakley, and in other participating jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the Oakley **as follows:**

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

2. The City Manager shall designate a staff representative to work with the representatives of other participating jurisdictions in an effort to determine the feasibility of either creating a regional JPA or negotiating a regional MOU and, if feasible, to draft agreements and documents necessary to implement such regional JPA or MOU, including but not limited to: (i) a proposed joint powers agreement among participating jurisdictions, (ii) proposed bylaws and uniform taxicab regulations to be adopted by a JPA, (iii) an MOU among participating agencies, or (iv) any other local resolutions or ordinances necessary to implement the JPA or MOU, all subject to final review and approval by the City Council.

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

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