



Lompoc City Council

Agenda Item

City Council Meeting Date: February 16, 2010

TO: Honorable Mayor and City Council Members

FROM: Laurel M. Barcelona, City Administrator
L_Barcelona@ci.lompoc.ca.us

SUBJECT: Application for Certificate of Convenience and Necessity and Taxicab Owner's Permit by Armen Tosunyan dba Promenade Cab Company

RECOMMENDATION

That 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 Armen Tosunyan, dba Promenade Cab Company, and if the applicant is fit, willing, and able to provide taxi services; and
- 3) If so, then direct City Staff to issue a taxicab owner's permit to Mr. Tosunyan, dba Promenade Cab Company.

AUTHORITY

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.

BACKGROUND AND DISCUSSION

On November 20, 2009, Armen Tosunyan submitted an application for a Certificate of Convenience and Necessity and Taxicab Owner's Permit, to allow him to provide taxi service in Lompoc, 24 hours a day, 7 days a week. That service is not currently provided by the only other taxicab service licensed in the City, Lompoc Taxi. EZ Ride Taxi Service is no longer in business in Lompoc due to the owner not being able to insure that business and its vehicles.

As required by LMC Section 5.36.290, the Police Chief has reviewed and investigated the information submitted by Mr. Tosunyan 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.

The insurance certificate filed by Mr. Tosunvan has been approved by the City Attorney with minor editorial corrections. Mr. Tosunyan has no criminal history and has no convictions or accidents per the California DMV.

No Taxicab Driver's Permit to operate taxicabs for Promenade Cab Company has yet been filed. Mr. Tosunyan has indicated Robert Perry will be one of his taxicab drivers. Mr. Tosunyan has been advised his taxicab service cannot commence until Mr. Perry or any other person intended to operate the taxicabs for Promenade Cab Company has filed for and received a Taxicab Driver's Permit.

CONCLUSION

If Council finds the public convenience and necessity require the operation of Promenade Cab Company and, 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 staff issue a Taxicab Owner's Permit to Mr. Tosunyan dba Promenade Cab Company to operate a taxicab service upon proof of his compliance with all applicable laws and requirements.

Respectfully Submitted,

Laurel M. Barcelona,
City Administrator

Co-signed by:

Arleen Pelster,
Community Development Director

Brad J. Wilkie
Management Services Director

Joseph W. Pannone,
City Attorney

Attachments: [Police Department Report](#)