

## 2012 Council Study Issue

## DPS 12-01 Taxicabs: Franchises, Regulation, and Enforcement

**Lead Department** Public Safety

**History**                    **1 year ago** None        **2 years ago** None

### 1. What are the key elements of the issue? What precipitated it?

City Charter Section 1601 provides that all franchises must be awarded by the City Council and by ordinance. During the first half of FY 2011/2012, the City Council granted four (4) new taxicab franchises, which has increased the total number to ten (10). This dramatic increase in a relatively short time has caused concern within the City's business community.

In November 2011, Council directed these concerns be addressed and a thorough examination of issues related to taxicabs in Sunnyvale be conducted. Staff should present information on taxicab parking, regulation of taxicabs and limousines in the City of Sunnyvale, and enforcement. Topics should include, but are not limited to:

1. Parking Enforcement at the Sunnyvale CalTrain Parking Lot. DPS will examine the relationship with San Mateo County Sheriff's Department regarding parking enforcement at the Sunnyvale CalTrain parking lot, as well as options for expanding the available taxicab parking at the CalTrain lot.
2. Taxicab Parking in Downtown Sunnyvale. DPS and OCM-Economic Development will examine the effect of taxicab parking in Downtown Sunnyvale. The issue will be examined within the context of how taxicab parking in Downtown affects the businesses in that area. Alternatives and possible options for enhancing the relationship between the businesses and taxicabs will be included.
3. Regulation of Taxicab Franchises in Sunnyvale. The regulatory aspects should include any relationship between taxicab franchises and limousine/drive for hire services. Fares and rate information should be examined.
4. Options for changing the current City Charter provision requiring City Council take formal action via Public Hearing to allow a taxicab franchise to operate in Sunnyvale. (example: Make this an administrative staff function.)
5. Examination of the City's current fee structure as it relates to taxicab franchises and driver's permits.
6. Enforcement options.

### 2. How does this relate to the General Plan or existing City Policy?

2012 Study Session DPS 12-01 relates to the City of Sunnyvale Charter, the General Plan, and existing policy. City Charter Section 1601 provides that all franchises must be awarded by the City Council and by ordinance.

DPS 12-01 also relates to Sunnyvale Municipal Code (SMC). Specifically, the City's non-exclusive taxicab franchise requirements are contained in SMC Section 5.36, which states it is unlawful to operate any taxicab in the City unless the owner applies for and obtains a franchise. The City Council may deny a franchise in certain conditions. However, a franchise to operate a taxicab service should be issued to the applicant(s) if the provisions as outlined in SMC are met and no conditions occurred that could cause Council to deny the application. A franchise is issued for a term of two years. At the expiration of the term, the franchise shall be deemed expired and shall no longer be valid unless a new franchise is issued under the provisions of SMC Section 5.36.

DPS 12-01 relates to the General Plan, as well. In general, DPS regulates taxicab franchises and taxicab drivers to meet Goal SN-3 – Safe and Secure City: Ensure a safe and secure environment for people and property in the community by providing effective public safety response and prevention

and education services.

All of which should be considered in the context of Goal LT-6 – Supportive Economic Development Environment: An economic development environment that is supportive of a wide variety of businesses and promotes a strong economy within existing environmental, social, fiscal and land use constraints.

**3. Origin of issue**

**Council Member(s)** Moylan, Spitaleri, Lee, and Griffith

**4. Staff effort required to conduct study** Moderate

**Briefly explain the level of staff effort required**  
Research of existing code, policy, and procedures.

**5. Multiple Year Project?** No **Planned Completion Year** 2012

**6. Expected participation involved in the study issue process?**

**Does Council need to approve a work plan?** No  
**Does this issue require review by a Board/Commission?** No  
**If so, which?**  
**Is a Council Study Session anticipated?** No

**7. Briefly explain if a budget modification will be required to study this issue**

**Amount of budget modification required** 0

**Explanation**  
None.

**8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts**

**Are there costs of implementation?** No

**Explanation**  
None.

**9. Staff Recommendation**

**Staff Recommendation** None

**If 'Support', 'Drop' or 'Defer', explain**

**Reviewed by**

  
**Department Director**

11-3-11  
**Date**

**Approved by**

  
**City Manager**

11-3-11  
**Date**