

RESOLUTION NO. 10-

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
FAIRFAX ADOPTING THE FEE SCHEDULE ESTABLISHED BY
THE MARIN GENERAL SERVICES AUTHORITY
FOR TAXICAB REGULATIONS**

WHEREAS, the Town of Fairfax is a member of the Marin General Services Authority;
and

WHEREAS, the Town of Fairfax has delegated to the Marin General Services Authority its authority under Government Code § 53075.5 to regulate the operation of taxi cabs on certain specific issues; and

WHEREAS, the Marin General Services Authority has established a fee schedule for various taxi permits attached as Exhibit "A"; and

WHEREAS, under its applicable ordinance, the fee schedule established by the Marin General Services Authority shall be adopted by separate resolution of the Town Council;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Fairfax hereby adopts the fee schedule established by the Marin General Services Authority for taxicab regulation.

The Foregoing Resolution was adopted at a regular meeting of the Fairfax Town Council held on February 3, 2010, by the following vote:

AYES:
NOES:
ABSENT:

LEW TREMAINE, MAYOR

Attest:

Town Clerk

MARIN GENERAL SERVICES AUTHORITY

555 Northgate Drive, San Rafael, CA 94903

PHONE: (415) 448-0359

MEMORANDUM

DATE: November 12, 2009

TO: MGSA Board of Directors

FROM: Paul Berlant, Executive Officer

SUBJECT: AGENDA ITEM **D**: TAXICAB REGULATION PROGRAM UPDATE AND DISCUSSION OF PERMIT FEES

Recommendation: Receive this update and review the current and proposed fee structures and adopt a resolution increasing permit fees for taxicab vehicles.

Update: As of the end of October, we have issued permits to 11 taxicab companies using 16 "brand" names, 83 vehicles and 146 drivers. A list of permitted taxicab companies and drivers has been posted on the MGSA web site and is kept current.

As reported in September, Jeff Rawles and I have placed considerable emphasis on enforcement issues. On September 18, 2009, I issued our first Compliance Order under the revised Taxicab Regulations. The alleged violations related to allowing drivers to operate company taxicabs without having Driver Permits. The company was given until the end of September to bring all of their drivers in to compliance with regulations and agree to comply in the future. The company responded in a timely fashion, with about a dozen drivers submitting applications for permits (although we have no way to verify this, we believe several of the new drivers signed up as a result of the compliance order).

We continue to work with local police. On October 28th, Jeff Rawles and I attended a Marin County Traffic Court hearing for a citation issued to a Novato taxi driver. The hearing was postponed in order to hear a pre-trial motion by Novato Taxi as well as consolidate hearings on all nine citations issued by the Novato Police to Novato Taxi Company drivers. The pre-trial motion will be heard on December 17, 2009, after which the consolidated trial hearing will be scheduled, should the pre-trial motion be denied. Novato Taxi is going to provide legal defense for all the drivers.

Regulations: As of the end of October, six of the seven MGSA members that needed to adopt resolutions confirming our latest amended Regulations have done so. The Compliance Order referenced above used the new Section G approved by the Board at the May 2009 meeting.

Fees: The Board amended taxi regulation permit fees last November. Attached is the Board's Resolution 2008-04 reflecting your action. The Board created a two-tiered system based on

when a taxi company initiated its permit application process, with the cutoff date for the “old” being November 13, 2008. New applications filed after that date have been charged the higher rate for company and vehicle fees (three taxicab companies and three vehicles). Driver fees were not changed. The rationale for assessing costs still focuses on vehicles, since the number of vehicles determines the number of driver permits, which in turn is where most MGSA costs are incurred.

Attached is a worksheet reflecting the current fee structure, using the current number of taxi companies, drivers and vehicles, and a proposed incremental increase of \$200 for each of the next three years for vehicles owned by “old” companies. The worksheet uses annualized fees for permits that are good for multiple (five) years. Under the incremental fee increases, revenues will approximate costs in 2012, assuming other revenue assumptions do not change. Should the Board wish to implement this increase, a draft resolution is attached showing the rates used in the worksheet. The permit fee increases would become effective December 1 of 2009, and on December 1 of 2010 and 2011. I recommend that we look at the fee structure each year over this period to track revenues versus costs.

This memorandum and worksheet have been sent to all taxicab companies in our roster.

Attachments

- MGSA Resolution 2008-04, amending fees in November 2008
- Fee Revenue Worksheet
- Draft resolution amending fees

**MARIN GENERAL SERVICES AUTHORITY
TAXICAB REGULATION PROGRAM
RESOLUTION 2008 – 04**

WHEREAS, Government Code Sections 53075.5 requires local jurisdictions to protect the public health, safety, and welfare by adopting an ordinance or resolution with regard to taxicab Transportation; and

WHEREAS, the MGSA adopted a Taxicab Regulation Program in 2006; and

WHEREAS, the MGSA wishes to continue to review fees charged to taxicab companies that started the permit application process prior to November 13, 2008; and

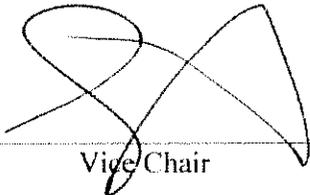
WHEREAS, the implementation of such regulation program requires that the MGSA adopt fees that recoup the cost of issuance of required permits.

NOW THEREFORE, BE IT RESOLVED, that the Marin General Services Authority adopts an amended fee schedule for the Marin County Taxicab Regulation Program, which shall take effect immediately:

	For Company Applications filed prior to November 13, 2008	For Company Applications filed after November 13, 2008
Company Permit Fee	\$250 per five years	\$1000 per one year
Driver Permit Fee	\$100 per five years	\$100 per five years
Vehicle Permit Fee	\$100 per one year	\$1000 per one year

Adopted this 13th day of November 2008.

Ayes: Broad, Bush, Daniel, Thompson, Rodericks, Shamsapour
Noes: None
Absent: Nordhoff



Vice Chair

Attested By:



Executive Officer

TAXICAB REGULATION REVENUE

Numbers of Drivers, Companies, and Vehicles

146 Drivers
 11 Companies
 83 Vehicles

Cost

2009 = \$67,000/YEAR (\$57,000 Admin/\$10,000Legal)

Next three years (2010 - 2012)

25 out of 146 drivers are new each year to replace those who quit. Fees remain at \$100/yr for 5-year permit. "Old" permits are good for 5 years; "old" companies pay \$50/year (using annualized rate), "new" pay \$1000/year. (old/new cutoff 11/13/08)

Revenues from Current Fee Structure

Drivers	146				
Companies	11 using 16 names		146X\$20*/yr	\$2,920	
Sub-total Drivers & Co's		(8x\$50*)+(3x\$1000)/yr		<u>\$3,400</u>	
Vehicles	83	(80x\$100)+(3x\$1000)/yr		\$6,320	
Total Annualized Revenue				<u>\$11,000</u>	
					\$17,320

Current net annualized cost to MGSA

Cost	\$67,000
Revenue	\$17,320
Net cost	<u>\$49,680</u>

Incremental Fee Increases to vehicles of "Old" companies and net cost to MGSA

	Vehicles Permit Fee Revenue	Total from Vehicles	Drivers & Co's	Annual Cost	Net Cost
2010 add \$200, total \$300	(80x\$300)+(3x\$1000)/yr	\$27,000	\$6,320	\$67,000	\$33,680
2011 add \$200, total \$500	(80x\$500)+(3x\$1000)/yr	\$43,000	\$6,320	\$67,000	\$17,680
2012 add \$200, total \$700	(80x\$700)+(3x\$1000)/yr	\$59,000	\$6,320	\$67,000	\$1,680

*Fees for multi-year permits are shown at an annualized rate

Taxi Reg Rev 10-28-09

**MARIN GENERAL SERVICES AUTHORITY
TAXICAB REGULATION PROGRAM
RESOLUTION 2009 – __**

WHEREAS, Government Code Sections 53075.5 requires local jurisdictions to protect the public health, safety, and welfare by adopting an ordinance or resolution with regard to taxicab Transportation; and

WHEREAS, the MGSA adopted a Taxicab Regulation Program in 2006; and

WHEREAS, the implementation of such regulation program requires that the MGSA adopt fees that recoup the cost of issuance of required permits.

NOW THEREFORE, BE IT RESOLVED, that the Marin General Services Authority adopts the following fee schedule for the Marin County Taxicab Regulation Program, which shall take effect immediately:

	For Company Applications filed prior to November 13, 2008	For Company Applications filed after November 13, 2008
Company Permit Fee	\$250 per five years	\$1000 per one year
Driver Permit Fee	\$100 per five years	\$100 per five years
Vehicle Permit Fee	Effective November 12, 2009 - \$300 per one year Effective November 12, 2010 - \$500 per one year Effective November 12, 2011 - \$700 per one year	\$1000 per one year

Adopted this 12th day of November 2009.

Ayes:
Noes:
Absent:

Chair

Attested By:

Executive Officer