



## AGENDA REPORT

**Meeting Date:** June 21, 2016  
**Item Number:** E-7  
**To:** Honorable Mayor & City Council  
**From:** Chad Lynn, Assistant Director of Public Works Services  
Genevieve Row, Parking Services Manager  
Logan Phillippo, Management Analyst  
**Subject:** AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING MINIMUM NUMBER OF OPERATING TAXICABS PER FRANCHISEE  
**Attachment:** 1. Ordinance

---

### **RECOMMENDATION**

It is recommended that the City Council move to waive the full reading and adopt the ordinance entitled "AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING MINIMUM NUMBER OF OPERATING TAXICABS PER FRANCHISEE".

### **DISCUSSION**

Beverly Hills Municipal Code ("BHMC") currently requires that City Taxicab Franchisees ("Franchisees") maintain a minimum fleet size of 25 taxicabs in operation, unless a higher number is specified in a particular Franchisee's Taxicab Franchise Agreement with the City. The proposed Ordinance (Attachment 1) will modify this number to one determined appropriate by the City's Transportation Official, which BHMC identifies as the Public Works Services Director or designee. There are currently four active Franchisees operating a taxicab service in the city. The following list identifies each of these Franchisees and the corresponding current fleet size. Currently only Beverly Hills Cab meets the minimum requirement of having 25 taxicabs in service.

<b>Franchisee</b>	<b>Current Fleet</b>
Bell Cab Company, Inc.	8 taxicabs
Beverly Hills Cab	60 taxicabs
ITOA	19 taxicabs
United Independent Taxi Drivers	13 taxicabs

The growth of rideshare services such as Uber and Lyft has disrupted the traditional taxicab service model and is considered a major factor effecting the performance of the Franchisees, which have difficulties maintaining fiscal feasibility while meeting the minimum fleet requirements and other requirements as outlined in BHMC and the City's Taxicab Franchise Rules and Regulations document.

Upon approval of the amended Ordinance, the City will have the ability to set forth a minimum number of taxicabs in the City's Taxicab Franchise Rules and Regulations to so that the minimum requirement is reasonable given Franchisee and taxicab customer needs as well as market trends. Title 7 Chapter 5 Article 1 of BHMC grants the Transportation Official the authority to promulgate rules and regulations for the implementation and enforcement provisions of the Taxicab Franchise. The City may memorialize this adjusted minimum requirement within this document and distribute the updated document to each Franchisee.

### **FISCAL IMPACT**

There are permit fees associated with each Taxicab in operation, but because three Franchisees already operate a fleet less than the current required minimum, staff does not anticipate fiscal impacts associated with this Ordinance Amendment. The intent of this Ordinance Amendment is to establish more practicable compliance requirements given changing industry conditions.

  
George Chavez  
\_\_\_\_\_  
Approved By

# **Attachment 1**

**AN ORDINANCE OF THE CITY OF BEVERLY HILLS  
AMENDING THE BEVERLY HILLS MUNICIPAL  
CODE REGARDING MINIMUM NUMBER OF  
OPERATING TAXICABS PER FRANCHISEE**

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS DOES HEREBY  
ORDAIN AS FOLLOWS:

Section 1. The city council hereby amends and restates paragraph F of Section 7-4-102 (“FRANCHISE REQUIREMENTS”) of Article 1 (“Taxicab Franchises”) of Chapter 4 (“PUBLIC TRANSPORTATION VEHICLES”) of Title 7 (“TRAFFIC, PARKING, AND PUBLIC TRANSPORTATION”) of the Beverly Hills Municipal Code to read as follows:

7-4-102: FRANCHISE REQUIREMENTS:

F. Each taxicab franchisee shall maintain in operation in the city at all times a minimum number of properly permitted taxicabs as determined by the transportation official or such higher number as specified in its franchise agreement.

Section 2. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 3. Publication. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the city within fifteen (15) days after its passage in accordance with Section 36933 of the Government Code, shall certify to the adoption of this Ordinance and shall cause this Ordinance and the city Clerk’s certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this city.

Section 4. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

Adopted:  
Effective:

\_\_\_\_\_  
JOHN A. MIRISCH  
Mayor of the City of Beverly Hills

ATTEST:

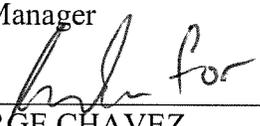
\_\_\_\_\_  
(SEAL)  
BYRON POPE  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
MAHDI ALUZRI  
City Manager

  
\_\_\_\_\_  
GEORGE CHAVEZ  
Assistant City Manager /  
Director of Public Works Services