



Agenda Date: 9/27/2005
Agenda Placement: 8B
Set Time: 9:30 AM PUBLIC HEARING
Estimated Report Time: 10 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Britt Ferguson for Nancy Watt - County Executive Officer
County Executive Office
REPORT BY: Pamela Miller, Clerk of the Board/Admin. Manager, 253-4196
SUBJECT: Public Hearing - Revocation of permits for Taxi Cabernet

RECOMMENDATION

Clerk of the Board requests the Board:

1. Open and conduct a Public Hearing regarding the revocation of Taxi Permits for three (3) owner/drivers and six (6) drivers for Taxi Cabernet; and
2. Close the Public Hearing and revoke the permits for all owner/drivers and drivers for Taxi Cabernet.

EXECUTIVE SUMMARY

In accordance with Napa County Code Chapter 5.48, the office of the Clerk of the Board shall receive and process all applications for taxi cab permits in the unincorporated area of the County. Taxi Cabernet has been operating a taxi cab business in the unincorporated area of Napa County and has been receiving its permits for owners/drivers and drivers from the Board of Supervisors.

The company providing the required liability insurance has notified the County that at the insured's request, they have canceled the insurance policy effective August 14, 2005. Furthermore, changes in status of the company, it's owners and drivers were not communicated to the Sheriff as required in Napa County Code Section 5.48.080 (D). Failure to comply with the requirements of maintaining a valid tax cab permit in accordance with Napa County Code Chapter 5.48 shall constitute grounds for revocation of the permit. Such action is taken through the course of a public hearing on the matter.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Taxi Cabernet has been operating a taxi cab service business centrally located in the unincorporated area for a number of years. As a result, permitting of the owners and drivers has been done by the County in accordance with Napa County Code Chapter 5.48. Currently, the County has issued permits to Taxi Cabernet as follows:

Owner/Driver

Deanna Marroquin
Angelina Luchin
Arlene Marroquin

Driver

Carlos Barreda
Edgar Bonilla
Christopher Cheng
Matthew Craig
Elaine Pina
Dustin Toney

It was recently brought to the attention of the office of the Clerk of the Board that Taxi Cabernet had gone out of business. Several attempts to reach the owner of record by telephone were unsuccessful. Consequently, American Business Insurance Services, Inc., who provided the Liability Insurance, was contacted for verification of insurance status. On September 8, 2005, a faxed verification statement was received by the Clerk of the Board from the insurer stating the insurance policy number 05CAB1105 for Taxi Cabernet was canceled effective August 14, 2005 per the insured's request. The notification states that the insured is no longer operating a taxi business. A copy of this verification is on file with the Clerk of the Board.

Pursuant to Napa County Code Section 5.48.080 (D), if the holder of a permit is an owner, he shall notify the Sheriff in writing of all changes in the personnel of his drivers; and if such holder is a driver, he shall notify the Sheriff in writing of any changes of the owner for whom he is driving. Failure to comply with this requirement within two (2) days of such change shall constitute grounds for revocation of the nontransferable permit. Furthermore, Section 5.48.050 states there shall be maintained in full force and effect a policy of public liability insurance during the time a license for operation is in effect.

In accordance with Napa County Code Section 5.48.080 (C), a notice of public hearing to consider revocation of permits for all owners and drivers of record was mailed to the owner of record (at their last known address) certified with a return receipt requested on September 12, 2005. Additionally, each driver of record was mailed a copy of the notice of public hearing on that same date. A copy of the letter is on file with the Clerk of the Board.

As a result of the above information, staff recommends the Board conduct a public hearing on the potential revocation of all permits issued to Taxi Cabernet, and at the close of the public hearing, revoke all permits issued to Taxi Cabernet.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Britt Ferguson