

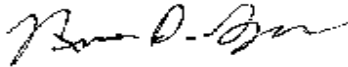
# City of Calistoga

## Staff Report

**TO:** Honorable Mayor and City Council Members  
**FROM:** Mitchell Celaya, Chief of Police  
**DATE:** July 7, 2015  
**SUBJECT:** Consideration of a Request for a Determination of Public Convenience and Necessity authorizing a permanent Pedi-Cab for rent service in the City of Calistoga

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APPROVAL FOR FORWARDING:




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Richard Spitler, City Manager

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1 **ISSUE:** Consideration of a request for a Determination of Public Convenience  
 2 and Necessity (PCN) authorizing a Pedi-Cab taxi service (Application No. PCN  
 3 2015-0).  
 4

5 **RECOMMENDATION:** Approve a Resolution making a Determination of Public  
 6 Convenience and Necessity (PCN) authorizing the Pedi-Cab taxi service  
 7 business.  
 8

9 **BACKGROUND / DISCUSSION:** On April 30, 2015, Kathleen Wright submitted  
 10 an application for a PCN Determination required by the Calistoga Municipal Code  
 11 (CMC) Chapter 5.16. It is the intention of the applicant to start a Pedi-cab taxi  
 12 service that can provide and assist Calistoga residents but focus on tourists with  
 13 transportation needs.  
 14

15 **DISCUSSION:** The Calistoga Municipal Code (CMC), Chapter 5.16, governs  
 16 vehicles for hire. On October 11, 2002, the City Council adopted by Ordinance  
 17 No. 584, requiring that any person engaging in the business of operating taxicab  
 18 or vehicle for hire in the City must first be granted a PCN from the City Council. A  
 19 PCN certificate is not granted until the City Council declares, by resolution after a  
 20 public hearing, that the public convenience and necessity is supported by the  
 21 proposed vehicle for hire. Chapter 5.16 of the CMC also defines the  
 22 circumstances under which the City Council may deny, approve, or conditionally  
 23 approve a PCN application. Furthermore, Section 5.16.020 and Section

24 5.16.040 includes guidelines and findings, which Council should use in order to  
25 evaluate and consider public convenience and necessity determinations. The  
26 Following are guidelines and findings for PCN applications:

27  
28 **Certificate of Public Convenience and Necessity - Required (Section**  
29 **5.16.020)**

30  
31 *1. A full identification of the applicant and all persons to be directly or indirectly*  
32 *interested in the permit, if granted;*

33  
34 The applicants applying under the name of Pedi-cab of Calistoga is Kathleen  
35 Wright of 1446 3rd Street, Calistoga CA 9415. Wright will be the owner operator  
36 of the pedi-cab service.

37  
38 *2. The residence and business address and the citizenship of the applicant,*  
39 *including all members of any firm or partnership, or all officers and directions of*  
40 *any corporation applying;*

41  
42 Applicant Wright lives at 1446 3rd Street in Calistoga CA. Applicant is a US  
43 citizen. The business office of the pedi-cab service will operate out of 1446 3rd  
44 Street, Calistoga CA.

45  
46 *3. The exact nature of the proposed business for which the permit is requested,*  
47 *and the name under which it is operated;*

48  
49 Pedi-cab of Calistoga will be organized as a limited liability corporation and will  
50 operate as a vehicle for hire company, running on pedi-cab vehicle in the City of  
51 Calistoga.

52  
53 *4. Whether or not any permit of the applicant has been revoked, and, if so, the*  
54 *circumstances of such revocation;*

55  
56 The City has no record of a previous PCN application filed by the applicant.

57  
58 *5. The Number of vehicles proposed to be operated;*

59  
60 Pedi-Cab of Calistoga proposes one (1) pedi-cab vehicle to be operated at this  
61 time.

62  
63 *6. The complete description of the vehicle proposed to be operated and of the*  
64 *proposed operations;*

65  
66 The Pedi-cab of Calistoga will use a modified bicycle with attached cab to  
67 accommodate up to two passengers (see attached photo). The bicycle portion of

68 the pedi-cab will be black & white and the cab portion of the vehicle that will  
69 transport the passengers will be orange.

70

71 *7. The color scheme and characteristic insignia to be used to designate the*  
72 *vehicle of said owner;*

73

74 The Pedicap of Calistoga logo with telephone number will be affixed to the cab  
75 which will be a black sign with white letters and numbers.

76

77 *8. Such other further and additional information as the Council may require.*

78

79 If a PCN is granted, the applicant and any future employees must obtain a permit  
80 from the Chief of Police and provide proof of liability insurance to the City Clerk  
81 pursuant to Section 5.16.050 and 5.16.060 of the Calistoga Municipal Code.

82

83 Also, pursuant to 5.16.080 of the Calistoga Municipal Code, each pedi-cab shall  
84 be equipped with meter, inspected and certified by the Department of Weights  
85 and Measures. The rate of fare shall be posted in a conspicuous location within  
86 the pedi-cab and shall be visible to the occupant upon entering the pedi-cab.

87

88 **Certificate of Public Convenience and Necessity - Application -**  
89 **Hearing (Section 5.16.040(D))**

90

91 *1. The demand of the Public for additional pedicab or rent vehicle service;*

92

93 The Police Department conducted a canvass of area of visitor accommodations  
94 and restaurants to determine if these local merchants had a need for additional  
95 transportations services in the community. **NEED TO CONTACT LOCAL**  
96 **BUSINESSES...**

97

98 *2. The adequacy of the existing taxicab or vehicle for hire service;*

99

100 Currently, there is one traditional taxicab service within Calistoga. This operation  
101 is named Cab Hopper and the owner is Leslie Lodestro. Ms. Lodestro was  
102 granted a PCN to operate Cab Hopper in October 2012. Cab Hopper currently  
103 operates two taxicabs on an on-call basis.

104

105 The Calistoga Shuttle currently operates a door to door service Monday through  
106 Thursday 7 am to 9 pm, Friday 7 am to 11 pm, Saturday 8:15 am to 11 pm and  
107 Sunday 11 am to 9 pm (limited service May through November). The service  
108 costs one dollar.

109

110 *3. The financial responsibility and experience of the applicant:*

111

112 The applicant will be required to provide proof of liability insurance to the City  
113 Clerk pursuant to Section 15.16.050 of the Calistoga Municipal Code. Upon  
114 issuance of the PCN the applicant should provide the certificate of insurance to  
115 the City Clerk including an indemnification agreement. Once in operations, if the  
116 policy changes or is terminated the applicant should notify the City Clerk's Office  
117 within thirty (30) days of change or termination. In the event that any State or  
118 Federal regulatory agency has more restrictive guidelines the more restrictive  
119 requirements should take precedence.

120  
121 *4. The number, make and type of the equipment and the color scheme to be*  
122 *used;*

123  
124 The proposed pedicab fleet would be one (1) pedi-cab: a modified bicycle with  
125 cab to accommodate up to two passengers.

126  
127 *5. The effect of the service on the health, safety and general welfare of the City,*  
128 *the public, and/or animals used for public transportation;*

129  
130 A typical vehicle for hire operation would not have a detrimental impact on health,  
131 safety and welfare of the City, the public, and/or animals. The pedi-cab has the  
132 potential to reduce traffic, and promote safe driving practices in an area known  
133 for a significant amount of wineries. The operations could also reduce vehicle  
134 emissions while promoting accessibility in Calistoga for those in need of  
135 transportation.

136  
137 *6. The adequacy of any operating guidelines or procedures for protection of*  
138 *animal health, safety, and general welfare;*

139  
140 The applicant does not pose to use any animals. Therefore, no animals will be  
141 harmed as a result of this operation.

142  
143 The applicant has submitted a request to operate a pedi-cab taxi service within  
144 the City limits. Staff along with other appropriate City departments have reviewed  
145 the request and has determined that the use would provide a convenient,  
146 environmentally friendly service and reduce gas emissions as well as provide a  
147 service to the residents but primarily to the visitors to Calistoga.

148  
149 **CONSISTANCY WITH CITY COUNCIL GOALS AND OBJECTIVES:**

150  
151 Goal #4: Create an environmentally sustainable community.

152  
153 Goal #5: Enhance Calistoga's small town character by making it attractive and  
154 safe.

156 **FISCAL IMPACT:** The proposed pedi-cab taxi service is not anticipated to have  
157 a fiscal impact on the City of Calistoga.

158 **ATTACHMENTS:**

159

160 1. Draft Resolution

161 2. Applicants Vehicle for Hire Permit Application Form dated April 30, 2015.

162 3. Photo