



CHARLOTTESM

**City Council
Follow-Up Report**

January 10, 2014

January 6, 2014 – City Council Workshop

CDOT's FY13-14 Snow and Ice Control Presentation

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During the dinner briefing, Council member Lyles reported standing water at a location on Tyvola Road and concern black ice forming adjacent to the Smith Academy. Council requested that CDOT staff investigate the area to ensure that there is not a storm water drainage problem causing the standing water and to deploy salt trucks to the area to address the potential for black ice.

In response, CDOT deployed resources to investigate the concern. Staff located standing water at the 1700 block of Tyvola Road just east of Baker Drive. The water was in the curb line and was left over from the rain earlier in the day. To prevent freezing overnight, CDOT staff vacuumed the standing water and applied salt to the area. CDOT will collaborate with Stormwater Services to determine the repairs needed to prevent future ponding issues. In the meantime, CDOT has added this location to the list for anti-icing treatment during inclement weather until permanent repairs are completed.

CITIZENS' FORUM

Charlotte Taxicab Operating Certificate

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During the Citizens' Forum, Myahmad Alaoui, Speaker #2, indicated that his company now has vehicles and that it was a waste of his drivers' and staff time. Mr. Alaoui has requested an explanation as to why he claims he was misled into creating a company. Mr. Alaoui has alleged that there is no set time limit in the existing ordinance governing taxicab permits and that his company was following the application of the matter in the current City ordinance. Mr. Alaoui has requested that City staff talk with him one on one for a solution.

The following write up includes the outcome of the Passenger Vehicle for Hire (PVH) Board hearing and the next step for Mr. Alaoui, which is to submit a court appeal.

Charlotte City Code Section 22-62(d)(1) requires a taxi cab company to have thirty (30) taxi cabs or an equivalent number of taxi cabs, including allotments for disability accessible vehicles and/or alternative fuel vehicles, for the issuance of a Company Operating Certificate.

In March 2013, Charlotte Taxi Cab, via Mr. Myahmed Alaoui, submitted an application for a Company Operating Certificate to the PVH office. To be a fully operational taxi cab company, Charlotte Taxi Cab needed to obtain a single Company Operating Certificate and a Vehicle Operating Permit for each individual taxi cab.

PVH Manager Kirk Young ("PVH Manager Young") inspected the proposed Charlotte Taxi Cab fleet and determined that it had an equivalent number of taxi cabs to fulfill Charlotte City Code Section 22-62(d)(1). PVH Manager Young issued a single Company Operating Certificate on July 1, 2013, subject to Charlotte Taxi Cab equipping the vehicles with additional equipment such as credit card machines, taxi cab radios, and special state license tags. The PVH office could not issue the Vehicle Operating Permits until these modifications were completed.

Between July 2013 and October 2013, PVH Manager Young extended the date for compliance twice. Charlotte Taxi Cab painted twelve (12) vehicles and obtained five (5) Vehicle Operating Permits during that time. Additionally, Charlotte Taxi Cab did not renew some of the Vehicle Operating Permits that subsequently expired.

On October 15, 2013, PVH Manager Young issued a Notice of Revocation for Charlotte Taxi Cab's Company Operating Certificate pursuant to Charlotte City Code Section 22-62(d)(1). Charlotte Taxi Cab filed its Notice of Appeal to the PVH Board on October 23, 2013.

The PVH Board heard this appeal on December 3, 2013, and took evidence from all parties during the hearing. The PVH Board, after considering the evidence and testimony, decided that Charlotte Taxi Cab did not meet the requirements of Charlotte City Code Section 22-62(d)(1). As of December 3, 2013, Charlotte Taxi Cab had Vehicle Operating Permits for nineteen (19) equivalent taxi cabs – well short of the thirty (30) taxi cab minimum or an equivalent number.

Mr. Alaoui received by hand delivery the decision letter of the PVH Board on December 6, 2013, and had the right to appeal by January 6, 2014. However, Charlotte Taxi Cab did not appeal within the thirty (30) days and the decision revoking the Company Operating Certificate is binding upon Charlotte Taxi Cab. The PVH ordinance states that a company cannot reapply for a Company Operating Certificate until six (6) months have passed from the date of revocation.

As a result, Mr. Alaoui may either: (i) wait until May 6, 2014, to reapply for a Company Operating Certificate pursuant to the PVH ordinance; or (ii) create a new taxi cab company and submit a new application for consideration by the PVH manager.