## City of Fayetteville Staff Review Form

2018-0774

Legistar File ID

2/5/2019

City Council Meeting Date - Agenda Item Only N/A for Non-Agenda Item

Greg Tabor, Chief of Police	12/31	/2018	POLICE (200)								
Submitted By	Submitt	ed Date	Division / Dep	artment							
	Action Recommendation:										
Request for public hearing to determi Payless Taxi.	ne if a Certificate	of Public Convenienc	e and Necessity sho	ould be issued to							
	Budge	t Impact:									
Account Number			Fund								
Project Number	<del></del>										
Budgeted Item?	NA =	Current Budget Funds Obligated	\$ \$	5 8							
		Current Balance	\$	12							
Does item have a cost?	No	Item Cost	la constant de la con								
Budget Adjustment Attached?	NA E	Budget Adjustment	-								
		Remaining Budget	\$	-							
Purchase Order Number:		Previous Ordinance	or Resolution #	V20180321							
Change Order Number:		Approval Date:									
Original Contract Number:											

**Comments:** 



#### CITY COUNCIL MEMO

#### **MEETING OF FEBRUARY 5, 2019**

TO:

Lioneld Jordan, Mayor

City Council

FROM:

Greg Tabor, Chief of Police

DATE:

December 26, 2018

SUBJECT:

Request for Public Hearing on a Certificate of Public Convenience and Necessity

for Payless Taxi.

#### **RECOMMENDATION:**

The council should schedule a public hearing to determine if a Certificate of Public Convenience and Necessity should be issued to Payless Taxi.

#### **BACKGROUND:**

City Ordinance 117.32 governs taxicabs and requires a public hearing to determine if there exists the further need for taxicab service and the applicant is fit, willing, and able to perform public transportation.

#### DISCUSSION:

The City of Fayetteville currently has two (2) authorized taxi service companies, which operate 7 taxis.

The owner/operator of Payless Taxi, Kyle Empsall, was previously an Uber driver with over two years of experience. Empsall is authorized to operate Payless Taxi in Washington County. Currently, he can drop off riders in Fayetteville, but he is not authorized to pick up riders in Fayetteville without a Certificate of Convenience and Necessity. He also is a Lyft driver, which allows him to pick up in Fayetteville under the Transportation Network Company Service Act. On December 6, 2018, Empsall was operating as Payless Taxi in Fayetteville, and he received citations for Operating without Public Convenience and Necessity Certificate 117.32, Operating without a Taxi Inspection Decal 117.34, and Operating without a Taxi Driver Permit 117.37.

Empsall is applying for certificate, so he can operate legally in the City of Fayetteville under his company Payless Taxi Service.

#### **BUDGET/STAFF IMPACT:**

These policies will not have any impact on budget or staff at this time.

#### **Attachments:**

Certificate of Public Convenience & Necessity Application with image of decal design Certificate of Liability Insurance Financial Statement

## **Certificate of Public Convenience & Necessity** Application/Renewal As required to comply with Chapter 117 of the Fayetteville Code of Ordinances

KYLE EMPSAII 12258 South EAST 479:236:239 Applicant Name Address CAMPBELL RD Phone Number West Fork Ackasas
Applicant Name Address CAMPET ACKASAS Phone Number
PAYLESS / AXL 479:236:239
Name of Business Phone Number
12258 Southeast Campbell ROAD West Fork
Arkansas Z.P 72774 Mailing Address
TAXI CAB Service
Type of Business (Sole Proprietor, Corporation, LLC)
Name and address of all owners, officers and stockholders:
Kyle Lee Empsall 12258 southeast campbell Road, West Fork, Arkansas, Zip 72774.
a a second and a second a second and a second a second and a second a second and a second and a second and a
Name of person to whom complaints should be directed:
Kyle Empsall
Type of Permit Requested: Taxicab Limousine
Financial status of applicant (Attach financial statement or profit and loss statement)
•
List any unpaid judgments against any of the owners, officers and stockholders and the nature or acts giving rise to said judgments:

passengers:
Over 2 and a half year's experince, Drove 11,707
trips For uber, as well as private taxi.
Give any facts you believe tend to prove the necessity of granting a certificate:
HAVE had experience in fagetteville driving uber
lyFt, tAxi, 30 year Resident of WAShington
County.
List the number of vehicles that will be under your operation or control:
$\sim$
Minimum and Maximum number of vehicles to be permitted:    Minimum   Maximum   Maximum
List the location of proposed depots and terminals:
Faxetteville, Springdale, all OF Washington
County,
. /
Describe the color scheme or insignia to be used to designate your vehicle:
TAX: light decals, Advertise phone number
NAME OF bussiness.
List your days and hours of operation:
24/ hour's Seven day's a Week +Axi
Service's
List any days you do not propose to provide taxicab service to the general public:
List your proposed passenger rate schedule:
Reservation, whom ever call's 1.93 a mile.

Certificate of Public Convenience & Necessity Page 3 of 3 Updated 02/26/14

Signature of Applicant	3-14-18 Date
State of AVKausas  County of Washingtox	
On this the 14th day of Mayok Tonyia Townshell, personally appeared	20 B, before me,
known to me (or satisfactorily proven) to be the person whose and affirms that the statements in this document are true and	
In witness whereof I hereunto set my hand and offici	al seal.
	ary Public OFFICIAL SEAL TONYIA S. TANNEHILL WASHINGTON COUNTY NOTARY PUBLIC - ARKANSAS My Commission Expires March 8, 2026 Commission No. 12347421
Police Department Representative	

# PAYLESS TAXI 479-236-2392 24/7 TAXI CAB NORTHWEST ARKANSAS

# Financial Statement

## Payless Taxi,12258 South East Campbell Road, West Fork, Arkansas Jan.2018-October 24,2018

**Current Assets:** 

Cash

Jan. 2018-Dec. 2018

**Gross Sales** 

12,185.54

Returns

(1.00)

Net Sales

12,184.54

Tax

\$0.00

Tips

\$147.73

**Total Collected** 

12,332.27

Fixed Assets –Transport Cars 29,000

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Office

60,000

**Investment Assets** 

Insurance

Bond

25/50/25

Liabilities & Loans

Car

16,282

Equity

Loan

16,282

Total:L&E 89,000



### CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 10/23/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lie

PRO	DUCER				CONTA	CT NAME:	Dylan Rober	ts	
American Business Insurance Services, Inc.			PHONE: 800-980-1950 27 FAX: 800-980-1960						
32107 W. Lindero Cyn Rd, Ste 120		,	EMAIL ADDRESS: dylan@abiweb.com						
	Westlake Village, CA 91		<del></del>					RDING COVERAGE	Alar
		001			INSLIDE			and the second s	NAI
INSURED					INSURER A: United Financial Casualty Company INSURER B:				
Kyle Empsall dba Payless Taxi								1 1	
	258 Cambell				INSURE				
	st Fork, AR 72774				INSURE				
• • •	317 011,711 72774				INSURER E:				
					INSURE	RF:			
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. 1	OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	] N/A			j 5		1000	E.L. DISEASE - EA EMPLOYEE	
	If yes, describe under DESCRIPTION OF OPERATIONS below					3			
-					WGD II			E.L. DISEASE - POLICY LIMIT	
۹	Uninsured Motorist	1.		07557097-0	2.	04/24/18	04/24/19	25,000 per pers / 50,000 per a	acc / 200 prop dam
۱۴	Underinsured Motorist			07557097-0		04/24/18	04/24/19	25,000 per person / 50	
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ESC	RIPTION OF OPERATIONS / LOCATIONS	/ VEHICL	ES (AC	ORD 101, Additional Remar	ks Sched	ule, may be at	tached if more	e space is required)	-:
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