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CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Department of Aviation
AGENDA DATE: 09-18-07
CONTACT PERSON/PHONE: Patrick T. Abeln, A.A.E. / 780-4724
DISTRICT(S) AFFECTED: District 3

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what?
Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion and action on the appeal of a denial of an Airport Operating Permit for El Paso International Airport by Mr. Oliver Olivar of City Cab Company.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Mr. Olivar of City Cab Company requested an Airport Operating permit to provide ground transportation services to the Airport. After a hearing, his request was denied based on the Airport's conclusion that ground transportation services at the Airport are more than sufficient and no additional ground transportation services are necessary at this time. The permit was denied in accordance with Section 14.16.408B(1) of the El Paso City Code. Mr. Olivar is appealing this decision to the City Council pursuant to the appeals process enumerated within Section 14.16.411 of the El Paso City Code.

Formal changes to Airport Ground Transportation Services are expected in December 2007 & January 2008, based upon the August 20, 2007 recommendations of the Transportation Legislative Review Committee (LRC). Airport and El Paso Police Department Staff met with the Transportation LRC to discuss ground transportation services at the Airport. Airport Staff will present material supporting the denial of City Cab at the September 18, 2007 Council Meeting.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

N/A

CITY CLERK DEPT.
07 SEP 14 AM 8:24

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) Ray F. Steeg **FINANCE:** (if required) _____

DEPARTMENT HEAD: JAR.d

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

APPEAL TO THE CITY COUNCIL

CITY CLERK DEPT.
07 SEP -6 PM 2:24

DATE: 9-6-07

HONORABLE MAYOR AND CITY COUNCIL
CITY OF EL PASO, TEXAS

DEAR MAYOR AND COUNCIL:

After a public hearing held on June 28, 2007, the
Director of Aviation denied my request for
air port operating permit

legally described as:

I hereby request the City Council to review the decision of the _____
Director of Aviation AND CONSIDER MY REQUEST

SET OUT ABOVE. I AM ATTACHING A LETTER SETTING FORTH MY
REASONS FOR BELIEVING THEIR DECISION TO BE IN ERROR.

Oliver Oliver
APPLICANT

ADDRESS

TELEPHONE NUMBER

Two (2) copies filed in City Clerk's Office on: _____



El Paso International Airport

CITY CLERK DEPT.

07 SEP -6 PM 2:24

August 27, 2007

CERTIFIED MAIL

7007-0220-0000-6500-8489

Mr. Oliver Olivar
City Cab Company

Re: Application for New Taxicab Airport Operating Permit

Dear Mr. Olivar,

The El Paso International Airport (EPIA) has reviewed your recent application for an Airport Operating Permit. Based upon our findings and pursuant to the hearing of Thursday, June 28, 2007, your application for an operating permit is hereby denied. In review of your application and the current amount of ground transportation providers, EPIA has concluded that no additional ground transportation services are necessary at this time. As set forth in the El Paso City Code, the Director of Aviation may deny the issuance of a new permit upon a finding that the needs of airport patrons do not require such additional ground transportation service. As EPIA has determined that the needs of airport patrons are being met with existing levels of ground transportation service, your application is being denied at this time.

Although we are not able to accommodate the additional service at this point in time, thank you for your continued interest in providing service to the El Paso International Airport. If you have any questions, please feel free to contact Shirley Kaiser at (915) 780-4772.

Sincerely,

Patrick T. Abeln, A.A.E.
Director of Aviation

cc:

Shirley S. Kaiser, Administrative Analyst
Monica Lombrana, Assistant Director of Aviation Development
Raymond L. Telles, Assistant City Attorney
Sgt. Jack Matthews, EPPD Vehicle For Hire Administrator
Daniel Fuentes, EPPD Taxi Detail – Vehicle For Hire Supervisor

CITY CLERK DEPT.

07 SEP -6 PM 2:24

CITY CAB CO.

SEPTEMBER 06, 2007

TO WHOM IT MAY CONCERN:

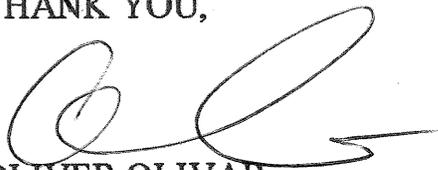
THIS LETTER IS TO CERTIFY THAT I OLIVER OLVAR AM OFFICALLY FILING AN APPEAL WITH CITY COUNCIL OF THE DECISION MADE BY THE DIRECTOR OF AVIATION. IN THE DENIAL OF AN OPERATING PERMIT FOR CITY CAB CO. AT THE EL PASO INTERNATIONAL AIRPORT. I AM APPEALING ON THE GROUNDS THAT THE NEEDS OF AIRPORT PATRONS ARE NOT BEING MET, AND THAT EXISTING GROUND TRANSPORTION SERVICE SHOULD BE AT A HIGHER STANDARD. WHICH I INTEND TO PROVIDE , ALSO FREE INTERPRISE SHOULD BE ALLOWED.

YOUR ATTENTION TO THIS MATTER WOULD BE GREATLY APPRECIATED.

I RECEIVED NOTICE OF DENIAL ON AUGUST 28, 2007

IF YOU HAVE ANY FURTHER QUESTIONS FEEL FREE TO CONTACT ME AT THE NUMBER ABOVE.

THANK YOU,



OLIVER OLIVAR
MANAGER CITY CAB CO.