

RESOLUTION NO. 2024-025**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING AN EIGHTH AMENDMENT TO AN AGREEMENT BETWEEN THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS) AND THE CITY OF IMPERIAL BEACH FOR THE ADMINISTRATION OF FOR-HIRE VEHICLE REGULATIONS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT**

WHEREAS, MTS is authorized under Section 120266, Chapter 2, Division 11 of the California Public Utilities Code (PUC), to enter into contracts with any city in the County of San Diego and with the County of San Diego to license or regulate by ordinance any For-Hire Vehicle Services rendered wholly within the city's corporate limits or within the unincorporated area of the county; and

WHEREAS, For-Hire Vehicle Services means vehicles, other than public transportation vehicles, transporting passengers over public streets for compensation, which includes taxicabs, non-emergency medical vehicles, passenger jitney service, low-speed vehicles, charts and sightseeing vehicles; and

WHEREAS, the City of Imperial Beach regulated taxicab and other for-hire vehicles in accordance with the Imperial Beach Municipal Code, Chapter 4.44; and

WHEREAS, The City of Imperial Beach desires that MTS regulate For-Hire Vehicles Services pursuant to PUC Section 120266 and in accordance with MTS Ordinance No. 11, "An Ordinance Providing for the Licensing and Regulating of Transportation Services Within the City and County by the Adoption of a Uniform Paratransit Ordinance" and its other policies and regulations; and

WHEREAS, The City of Imperial Beach and MTS entered into an agreement for the period of July 1, 1990, through June 30, 1995; a first amendment to that agreement for the period of July 1, 1995, through June 30, 1998; a second amendment to that agreement for the period of July 1, 1998, through June 30, 2003; a third amendment to that agreement for the period of July 1, 2003, through June 30, 2008; a fourth amendment to that agreement for the period of July 1, 2008, through June 30, 2013; a fifth amendment to that agreement for the period of July 1, 2013 through June 30, 2014; a sixth amendment to that agreement for the period of July 1, 2014 through June 30, 2019; and a seventh amendment to that agreement for the period of July 1, 2019 through June 30, 2024; and

WHEREAS, The City of Imperial Beach and MTS now desire to enter into an agreement to extend the period from July 1, 2024 through June 30, 2029.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

1. The above recitals are true and correct.
2. MTS will administer and enforce For-Hire Vehicle Services through MTS Ordinance No. 11 and its other policies and regulations as in effect on July 1, 2024, and as thereafter from time to time amended by MTS, and thereby regulate For-Hire Vehicles Services rendered wholly within the City's corporate limits during the period of July 1, 2024 through June 30, 2029, pursuant to PUC Section 120266.
3. MTS will collect and administer all such regulatory fees, fines, and forfeitures as now or hereafter provided by the MTS Ordinance No. 11 and its other policies and regulations.

4. The City Manager and MTS Chief Executive Officer may supplement this Agreement by executing a Memorandum of Understanding relative to administrative and operating procedures of For-Hire Vehicles Services regulation and to provide for reimbursable staff and legal support services.
5. This Agreement shall be effective upon execution by the City and MTS and shall continue until written notice of termination. This Agreement may be terminated at any time by either party upon 180 days' written notice to the other party.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 17th day of April 2024, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

ATTEST:

PALOMA AGUIRRE, MAYOR

JACQUELINE M. KELLY, MMC
CITY CLERK