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5-14-13

**Jackie Henderson**

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**From:** jpetersen@sipfirm.com  
**Sent:** Monday, May 13, 2013 6:01 PM  
**To:** City Council; City Council Aides; JoAnn Maldonado; Elaine Scott; Jackie Henderson  
**Subject:** Call.Click.Connect. #34050: Mayor, Vice Mayor City Council No descriptive text provided

Dear *Call.Click.Connect.* User

A request was just created using *Call.Click.Connect.* The request ID is 34050.

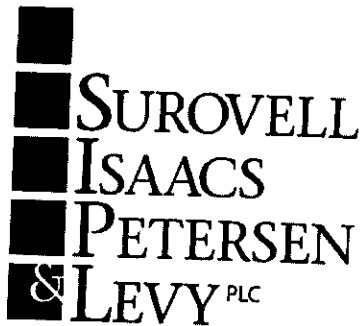
**Request Details:**

- Name: J. Chapman Petersen
- Address: No Address Specified
- Phone Number: 703.277.9702
- Email: [jpetersen@sipfirm.com](mailto:jpetersen@sipfirm.com)
- Service Type: Mayor, Vice Mayor City Council
- Request Description: No description provided.
- Attachment: <http://request.alexandriava.gov/GeoReport/UploadedFile.ashx/pdf/30064083-4619-466d-8ac6-16929ce5084c>
- Expected Response Date: Monday, May 20

Please take the necessary actions in responding, handling and/or updating this request at the [Call.Click.Connect. staff interface.](#)

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WRITER'S DIRECT DIAL: 703.277.9702  
WRITER'S EMAIL: JPETERSEN@SIPLFIRM.COM

May 13, 2013

*by electronic mail and first-class mail*

Mayor Bill Euille  
City Manager, City of Alexandria  
Alexandria City Hall  
301 King Street  
Alexandria, VA 22314

re: *Taxicab Task Force*

Dear Mayor Euille:

This firm represents Alexandria Yellow Cab and White Top Cab, the two dispatch-based taxicab companies serving the City of Alexandria. We are aware that tomorrow evening the City Council will be reviewing (and presumably voting upon) a Resolution to establish a Task Force to look at certain issues.

The two issues itemized in the proposed Resolution are (i) the proposal by Tenant and Workers United to "liberalize" the taxicab driver transfer process, and (ii) the Traffic and Parking Board's proposal to allow grandfathered (pre-1983) certificates to become permanently affiliated with the driver's present company.

First of all, we are glad to see that the City is looking at the City's taxicab code. Second, the principal of Alexandria Yellow Cab, **Mr. Spencer Kimball**, is willing and able to serve as the "Taxicab Owner Representative" on that task force.

Third, we have additional issues that we believe the Task Force should study:

- (i) the 2006 decision by the City to allow the drivers to change companies and effectively reduce the size of taxi companies, even if the company had otherwise fulfilled its legal obligations for service. This was a monumental change in the governing law, which to the best of my knowledge has not been followed by a single other jurisdiction in Virginia which regulates taxis.

ROBERT J. SUROVELL  
DOROTHY M. ISAACS\*  
DAVID M. LEVY  
SCOTT A. SUROVELL\*  
J. CHAPMAN PETERSEN\*\*  
CORY FREDERICK GORIUP\*  
JENNIFER B. BAUMGARTNER  
CAMILLE ALLAN CRANDALL  
JASON E. BRAUN  
NATHAN D. ROZSA  
JASON F. ZELLMAN  
MICHELE L. JOSEPH  
KRISTI CAHOON KELLY\*  
ERIN E. WITTE  
ANDREW R. TANK  
ANDREW J. GUZZO  
MARGARET B. CRAIG

OF COUNSEL  
DAVID J. FUDALA\*  
G. DONALD MARKLE\*

\* ALSO ADMITTED IN DC  
+ ALSO ADMITTED IN MD

- (ii) The fact that the City continues to allow certain companies to operate without meeting the dispatch requirements of Section 9-12-32(c) and how that contributes to the over-supply of taxicabs.

In regard to the first issue, the General Assembly in 2012 unanimously enacted a statute which effectively limited the ability of localities to take away certificates already issued to cab companies. Section 46.2-2067 states in pertinent part:

However, such ordinances and regulations shall not prescribe the wages or compensation to be paid to the driver or lessor of any such motor vehicle by the owner and lessee thereof; **nor shall such ordinances and regulations authorize the governing body to reduce the number of taxicabs permitted to be operated by a taxicab operator or a holder of a certificate issued under such ordinance, other than for non-use of such taxicabs or for cause as defined by such ordinance.**<sup>1</sup>

To reiterate, the Alexandria Taxicab Ordinance under § 9-12-5.2 currently permits its drivers to change companies and take their permits, during the biennial review process. This transfer process is militated to some extent by the "back-filling" provision of City Code § 9-12-31(j). However, all parties would agree that the net effect is simply to open the door for more taxicabs, when the City's market is already over-saturated with 766 licensed taxis – the highest number in northern Virginia by a significant amount.

In summary, if a Task Force is to be formed, we would seek to have (i) Mr. Spencer Kimball named as a member, and (ii) have the Task Force review the additional issues we have cited.

Thank you for considering our wishes.

Very Truly Yours,

  
J. Chapman Petersen

jcp

cc: Members of the City Council and City Clerk  
Mr. Ahmad Latif, White Top Cab  
Mr. Spencer Kimball, Alexandria Yellow Cab

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<sup>1</sup> The darkened portion is the 2012 amendment, Senate Bill 231 carried by Senator Mark Herring (D-Loudoun)