

RESOLUTION NO. 211663

R. 75-493

SEP 26 1974

WHEREAS, CUSH TOURS, INC., dba Smedley Towne Tours, has applied to the City Council for five Certificates of Public Convenience and Necessity to operate automobiles for hire within the limits of the City of San Diego; and

WHEREAS, pursuant to Section 72.13 of the San Diego Municipal Code, the City Manager has caused an investigation to be made and has reported his findings in writing to this Council, which report indicates:

(a) There is a demand for this service. Smedley's Towne Tours now operates nine tours a day: a four-hour City tour; two Harbor Excursion tours; two San Diego Zoo tours, two Sea World tours; and two tours to the Wild Animal Park at San Pasqual. All have experienced an increase in use, with the Wild Animal Park tour having to turn down customers on many occasions for lack of available seating.

(b) Existing mass transportation does not provide services for sight-seeing tours. There are other sight-seeing tour companies which can provide a similar service.

(c) The applicant is experienced in the sight-seeing transportation business and is financially capable of providing the additional service.

(d) The vehicles proposed for use are three 1974 Overland stages, Model 22 (on 350 Dodge chasis), 21-passenger capacity; and one 1973 Dodge 14-passenger maxi-van and one 1958 GMC coach,

45-passenger capacity. These vehicles have been inspected and conform to the necessary public safety requirements.

(e) The Traffic Engineer reports that the additional vehicles will not present any additional traffic hazards or parking congestion problems.

(f) The San Diego Transit Corporation has no objections to the additional vehicle request.

(g) The proposed fare is included in the tour package and is within the limits of Section 72.21 of the Municipal Code.

(h) The Ad Hoc Committee for Taxicabs and Automobiles for Hire reviewed the applicant's request for additional certificates on July 8 and July 22, 1974. During this review, certain operational irregularities by Smedley's Towne Tours were reported by the Police Department (a member of the Committee), who had issued four notify warrants related to operating a vehicle without a certificate (three violations) and an unlicensed driver (one violation). Two of the warrants had been dismissed by the City Attorney's office and two were pending at the time of the Ad Hoc Committee review. Since that time, the City Attorney's office dismissed the remaining two warrants.

The Ad Hoc Committee referred the application to Council for a public hearing in accordance with the Municipal Code, with no recommendation to Council.

WHEREAS, the Council this date, after a public hearing, has found the contents of the City Manager's report to be correct and accurate; NOW, THEREFORE,

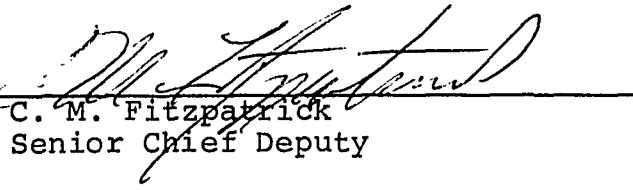
211663

BE IT RESOLVED, by the Council of The City of San Diego,
as follows:

That Cush Tours, Inc., dba Smedley's Towne Tours, having filed an application for five Certificates of Public Convenience and Necessity to operate automobiles for hire pursuant to the provisions of Section 72.11 of the San Diego Municipal Code, and the City Manager having conducted the required investigation, the City Council hereby grants five Certificates of Public Convenience and Necessity to Cush Tours, Inc., dba Smedley's Towne Tours, to operate the vehicles specified in the application subject to compliance with all provisions of the San Diego Municipal Code.

APPROVED: JOHN W. WITT, City Attorney

By


C. M. Fitzpatrick
Senior Chief Deputy

CMF:v1
8/21/74
File #504

211663

SEP 26 1974

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

By Patricia Polen, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **211663** Adopted **SEP 26 1974**