

.....  
Date ..... September 13, 2010 .....

RESOLUTION SETTING DATE OF PUBLIC HEARING UPON APPLICATION OF  
CITY CAB LLC  
FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY  
TO OPERATE TAXICAB SERVICES

WHEREAS, Section 126-181 of the Municipal Code forbids the operation of a taxicab as a vehicle for hire upon the streets of Des Moines without obtaining a Certificate of Public Convenience and Necessity; and

WHEREAS, City Cab LLC has filed an application with the City Traffic Engineer requesting permission of the City Council to operate a taxicab service in the City of Des Moines, which application is now on file in the office of the City Clerk for public review and consideration; and

WHEREAS, upon the filing of an application for a Certificate of Public Convenience and Necessity, Section 126-185 of the Municipal Code requires the City Council to fix a time and place for a public hearing on the matter of the issuance of a certificate to operate a taxicab service; and

WHEREAS, Section 126-185 does require that written notice of the hearing be given to the applicant and all present holders of a certificate, if any.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That the Des Moines City Council shall hear the matter of the request to operate a taxicab service in the City of Des Moines at the regularly scheduled City Council meeting on September 27, 2010, in the City Council Chambers at 5:00 p.m.; and

2. That the City Clerk is directed to give written notice of the time and place of the scheduled hearing to the applicant at the following address and to all the present holders of a taxicab certificate at their addresses of record.

Shani Amin and Mohamed Ahmed  
City Cab LLC  
100 East Euclid Avenue, Suite E  
Des Moines, IA 50313

★ Roll Call Number

Agenda Item Number

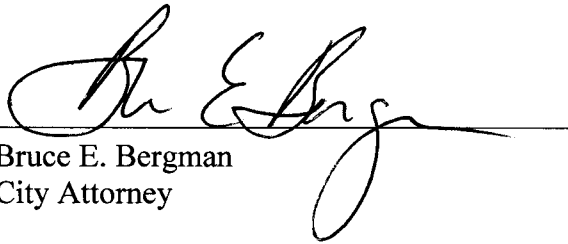
30 C

Date September 13, 2010

3. That any interested person, pursuant to Section 126-185, may file with the City Clerk a memorandum in support of or opposition to the issuance of the certificate.

MOVED BY \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

  
 Bruce E. Bergman  
 City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

\_\_\_\_\_ Mayor

\_\_\_\_\_ City Clerk

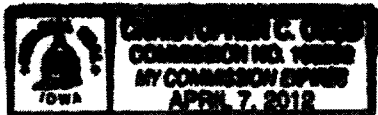
# Taxi Cab Company Application -

August 17  
2010

Statement: I, Michael R. Berry, Traffic Facilities Administrator with the City of Des Moines, Engineering Department, Traffic & Transportation Division, certify that I have prepared the preceding "Limousine Company Application Checklist." The attached documents that have had information blocked out, have had that information removed for identity theft protection of the applicant and others referenced by the applicant and to protect confidential records under Iowa Code Chapter 22. The original documents are on file with the Traffic Engineers Office and the entire document(s) may be reviewed by anyone with the provisions of Iowa Code Chapter 22.

City Cab,  
LLC

 8-17-10 August 17, 2010  
Michael R. Berry, Traffic Facilities Administrator, City of Des Moines



Christyl C. Coco  
8/17/2010

# CITY CAB

## APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

COMES NOW, City Cab, LLC, an Iowa limited liability company ("City Cab" and "Applicant"), and for its Application for Certificate of Public Convenience and Necessity (as required by Des Moines City Ordinance sec. 126-183) states:

1. IDENTIFICATION:

- a. Applicant is an Iowa limited liability company formed on June 24, 2010.
- b. The principal place of business of the Applicant is: 100 East Euclid Avenue, Suite E, Des Moines, Iowa.
- c. The phone number of the applicant is 515-279-5555
- d. The names and addresses of the owners of Applicant are:
  - i. Shani Amin 6000 Creston Avenue Apt C9, Des Moines, Iowa 50321; and
  - ii. Mohamed Ahmed 6009 Creston Avenue Apt C21, Des Moines, Iowa 50321.
- e. The Name and address of the member authorized to accept correspondence from the City pertaining to its members and/or drivers is: Shani Amin 6000 Creston Avenue Apt C9, Des Moines, Iowa 50321.
- f. The registered agent of the Applicant is: Samuel I. Kreamer, Kreamer Law Firm, P.C., 6600 Westown Parkway #190, West Des Moines, Iowa 50266.

2. SEC. 126-118 VEHICLES. The 6 vehicles which the Applicant will initially use for its taxi service are as follows:

MAKE	MODEL	YEAR	CONDITION	DATE OF INSPECTION*	INSPECTOR
Ford	Taurus	2003	Good Working Condition	7/2/10	Midas, 2010 Ingersoll, Des Moines, IA 50312
Ford	Taurus	2003	Good Working Condition	7/2/10	Midas, 2010 Ingersoll, Des Moines, IA 50312
Ford	Taurus	2003	Good Working Condition	7/2/10	Midas, 2010 Ingersoll, Des Moines, IA 50312
Ford	Taurus	2002	Good Working Condition	7/2/10	Midas, 2010 Ingersoll, Des Moines, IA 50312
Ford	Windstar	2002	Good Working Condition	7/2/10	Midas, 2010 Ingersoll, Des Moines, IA 50312
Dodge	Grand Caravan	2005	Good Working Condition	7/8/10	Midas, 2010 Ingersoll, Des Moines, IA 50312

\* Inspections available upon request

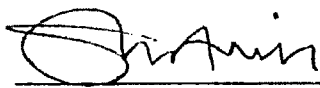
I Shani Amin hereby state:

1. I am the President/Manager of City Cab, LLC.
2. At the time of submission of City Cab, LLC's application for license, the list of drivers who will take their cars home when not on shift and the addresses they will be parking the cars will be:

NAME	ADDRESS
Shani Amin	6000 Creston Avenue Apt C9 Des Moines, Iowa 50321
Mohamed Ahmed	6009 Creston Avenue Apt C21 Des Moines, Iowa 50321
Daud Mohamed	1081 22 <sup>nd</sup> Street Des Moines, Iowa 50311
Abdi Mohamed	6081 Creston Avenue Apt 14 Des Moines, Iowa 50321
Dini Habib	3121 Kingman Blvd. #1 Des Moines, Iowa 50311
Abdullahi Roble	700 E. 5 <sup>th</sup> Street Apt. 309 Des Moines, Iowa 50321

3. As the names and/or addresses of drivers change, City Cab, LLC will supply The Planning and Zoning department of the City of Des Moines, Iowa with a written statement as to who is no longer a driver for the Company, any change in address of any driver who are driving cars home, and the name any new driver and the address to which they will be driving their car when not on shift.
4. While on duty, drivers will not be dispatched from their residence, and if this dispatch policy changes, all drivers who are dispatched from their residence shall first obtain permission from the Board of Adjustment for a home occupation.

City Cab, LLC

By:   
Shani Amin, President/Manager

Date: 8/12/10

3. SEC 126-119. DESIGNATION

- a. Attached as Exhibit A are copies of the "logo" which will be affixed to the side of each taxicab. When affixed the lettering and numbers will be at least 2" in height.
- b. When placed in service the taxicabs will be blue in color and will not conflict or imitate any existing taxicab or any official or emergency vehicle.
- c. Inside each taxicab affixed to the window of the back seat passenger door will be a sign visible to passengers denoting the number of the taxicab and its "holder". As a non-exhaustive example the sign might read: City Cab, LLC #1. See Exhibit A-1.

4. SEC 126-120. TAXIMETERS

Each taxicab will have a taximeter which shall meet the requirements of Sec. 126-120. Attached as Exhibit B is a picture of the taximeter which will be in each taxicab.

5. SEC 126-123 POSTING OF RATES

Posted on the dashboard of each taxicab will be a rate card plainly visible to all passengers or occupants. Attached as Exhibit C is a picture of the rate card which will be on the dashboard of each taxicab.

6. SEC 126-149 SERVICE

- a. All drivers employed by the Applicant shall render an overall service to the public desiring to use taxicabs. No driver shall be authorized to deny service to any individual on the basis of race, creed, religion, national origin, sexual orientation, or gender.
- b. The principal place of business of the Applicant (100 East Euclid Avenue, Suite E, Des Moines, Iowa) is properly zoned for the operation of a taxicab business.
- c. The listed telephone number for receiving calls is 515-279-5555.
- d. Dispatch records will be maintained on a computerized system using "Comet Tracker" software. This software will allow Applicant to keep track of time of call of service; time trip was dispatched; address of the origin and destination of the trip; and time the trip was started (taximeter activated) and ended.

- e. Applicant will answer all calls received for services inside the corporate limits of the city as soon as they can do so. If services cannot be rendered within a reasonable time, Applicant will notify the prospective passenger how long it will be before the call can be answered and the reason therefore.
- f. Drivers:

NAME	Gender	EXPERIENCE IN TRANSPORTATION OF PASSENGERS	STATE OF TAXICAB LICENSURE  (photocopies of licenses are attached As Exhibit D)	ANY LICENSURE REVOCATION, SUSPENSION, OR DENIAL (AND REASON FOR SAME)
Amin	Male	2 years	IOWA	NONE
Mohamed	Male	1 year (has also driven semi-trucks for 4yrs)	IOWA	NONE
Ahmed	Male	15 years in Africa; 2 yrs in Iowa	IOWA	NONE
Mohamed	Male	2 years	IOWA	NONE
Habib	Male	2 years	IOWA	NONE
Roble	Male	2 years	IOWA	NONE

- g. Applicant will have a minimum of 4 of the vehicles listed above available to respond into operation at all times.
- h. Applicant acknowledges that it refuses to accept a call anywhere in the corporate limits of the city at a time when it has available cabs or if it fails or refuses to give overall service, its certificate may be revoked at the discretion of the city council.

## 7. SEC 126-150 REPORTS AND PUBLIC RECORDS

- a. Each driver will maintain a daily trip card in the form attached as Exhibit E. All complete trip cards will be returned to Applicant by the driver at the conclusion of his/her tour of duty.
- b. Applicant will submit a report by January 30 of each year summarizing the activity of the previous year. The report will contain general information on number and types of complaints received including information on any discrimination complaints; number of trips per vehicle; age, mileage and general condition of each vehicle; tenure and turn over of drivers; periodic normal response time and other information required by the traffic engineer.

- c. Applicant will preserve all trip cards in its files at its main office for at least one month following the date of making of the record, and will make trip cards available to the chief of police and the traffic engineer.

8. SEC 126-181 CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

- a. Applicant is an Iowa limited liability company which will own all the cars used for its services. Accordingly all drivers will be considered "contract drivers". All drivers will be duly licensed to operate a taxicab.
- b. Applicant is NOT an unincorporated association.
- c. City Cab, LLC shall be considered the "owner" for the purposes of Sections 126-119, 126-122, 126-150, and 126-188.
- d. NONE of the vehicles to be owned and operated by Applicant are "exempt".

9. SEC 126-182 REQUIREMENTS FOR TAXICAB SERVICE

- a. The principal place of business of the Applicant is: 100 East Euclid, Suite E, Des Moines, Iowa, and shall be available for inspection upon the request of the city manager. The vehicles owned by applicant will be maintained/services by Midas on Ingersoll in Des Moines. When not in use the taxicabs will be stored at the residence of the primary driver.
- b. Applicant will provide taxicab service to the public 24 hours a day, seven days a week. The listed telephone number which will be answered 24 hours a day, 7 days a week is: 515-279-5555.
- c. Applicant will provide a minimum of six qualified/duly licensed taxicab drivers. The initial drivers are indicated in Item 6(f) above.
- d. Applicant will provide a minimum of five qualified taxicab vehicles with a minimum of 4 vehicles available to respond into operation at all times. The initial vehicles are indicated in Item 2 above.
- e. Applicant will meet all applicable zoning ordinances.

10. SEC 126-183 APPLICATION FOR CERTIFICATE PF PUBLIC CONVENIENCE AND NECESSITY

- a. Applicant is an Iowa limited liability company formed on June 24, 2010. The principal place of business of the Applicant is: 100 East Euclid Suite E, Des Moines, Iowa. The registered agent of the Applicant is: Samuel I. Kreamer, Kreamer Law Firm, P.C., 6600 Westown Parkway #190, West



Des Moines, Iowa 50266. The Name and address of the member authorized to accept correspondence from the City pertaining to its members and/or drivers is: Shani Amin 6000 Creston Avenue Apt C9, Des Moines, Iowa 50321.

- b. The Applicant and its owners are financially solvent. There are no unpaid judgments against the Applicant or its owners.
- c. The experience, licensure and status of the members (owners) of City Cab LLC are as follows:

NAME	EXPERIENCE IN TRANSPORTATION OF PASSENGERS	STATE OF TAXICAB LICENSURE  (photocopies of licenses are attached)	ANY LICENSURE REVOCATION, SUSPENSION, OR DENIAL (AND REASON FOR SAME)
Shani Amin	2 years	IOWA	NONE
Mohamed Ahmed	15 years in Africa; 2 yrs in Iowa	IOWA	NONE

- d. Applicant believes that public convenience and necessity require the granting of a certificate to Applicant because:
  - i. The physical size and population of the metropolitan area of Des Moines indicates that presently there is a need for additional taxicab service.
  - ii. Members/Owners of Applicant have received reports from the public that there are presently long waits for taxicab service.
  - iii. Grant of the certificate to applicant will increase public safety in several respects, including, but not limited to, providing additional transportation options for intoxicated persons.
  - iv. Members/Owners of Applicant were born in Somalia and lived in Africa during their youth. The members/Owners of Applicant, the Applicant's intended drivers, and the Applicant's intended dispatcher speak several African and Arabic languages. As such, in addition to providing more overall transportation options for the general public, Applicant will be able to address the needs of members of the public who have encountered language barriers in communicating their transportation needs/desires.

- e. The descriptions of vehicles to be owned and operated by Applicant are found at Item 2 above.
  - f. The location of proposed depot and terminals are the principal place of business of the applicant at 100 East Euclid, Suite E, Des Moines, Iowa; and drivers will take taxicabs to their personal residences when they are not needed for service.
  - g. Neither the Applicant nor any of its members/owners has been convicted of, plead guilty to, or stipulated to the facts of a violation of a criminal statute or ordinance, traffic law or municipal ordinance EXCEPT: Shani Amin plead guilty to exceeding the maximum hours of service in violation of Iowa Code Section 321.499-C in October of 2009, and a speeding ticket in April of 2010. Dini Habib plead guilty to a charge of failure to obey traffic sign/signal in July of 2009. Abullahi Roble was convicted of Operating Without Equipment in July of 2007 in the State of Washington. NOTE: Iowa Courts Online reflects that there was a traffic violation in February of 2009 for an individual named Mohamed Ahmed in Woodbury County; HOWEVER this is NOT the same individual who is referred to in this document.
  - h. Criminal histories and driving records of the members/owners are provided as Exhibit F.
  - i. The number of vehicles proposed for operation during periods of maximum demand are as follows:
    - i. Maximum demand: 5
    - ii. Minimum demand: 4
  - j. Dispatch will be located at 100 East Euclid Avenue, Suite E, Des Moines, Iowa.
  - k. Vehicles will be painted blue with the logo shown at Exhibit A on the side of the cars. An example is attached as Exhibit H
11. SEC 126-187 LIABILITY INSURANCE. A certificate of liability insurance is attached as Exhibit G.

Submitted this \_\_\_ day of July, 2010.

City Cab, LLC

By: 

Shani Amin, President and Manager