

★ Roll Call Number

Agenda Item Number

43C

Date April 11, 2011

Communication from Samuel I. Kreamer, Attorney for City Cab, regarding number of cabs, steward and documentation.

Moved by _____ to receive and file.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

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.

_____ City Clerk

43C

KREAMER LAW FIRM, P.C.

Attorneys and Counselors at Law

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April 4, 2011

Mr. William Lillis
Mr. Christopher Pose
C/O Lillis O'Malley Olson Manning Pose & Van Dike, LLP
317 6th Avenue
Suite 300
Des Moines, Iowa 50309

Via fax to 515-243-3919 and regular mail

In Re: Application of City Cab, LLC ("City Cab")
Our File No. 43044

Gentlemen:

The purpose of this letter is to follow-up on my telephone discussion with Bill Fox on morning of Tuesday March 29, 2011. During that call, we reached the tentative whereby Trans-Iowa would support City Cab's application for licensure by the City of Des Moines with the following agreed restrictions:

1. Number of Cabs.

City Cab's would identify, by a white vinyl circle on both rear quarter panels, five (5) cars which would be authorized to pick up passengers in the City of Des Moines. If, for any reason, including repair and/or maintenance, City Cab needed to change which cabs would be authorized to make pick ups in the City of Des Moines, they would report the change to Gary Fox as well as the license number of the formerly designated cab and the newly designated cab.

In making the foregoing agreement, City Cab does NOT agree to any restrictions to *pick up* passengers OUTSIDE the limits of the City of Des Moines; nor does it agree to any restrictions to *drop off* passengers within the City of Des Moines.

Trans-Iowa will be similarly restricted in the number of cabs picking up customer in Des Moines to 108, United Cab to 5 and Freedom Cab to 8.

If, in the future, City Cab, or any other cab company, wishes to increase the number of cabs allowed to pick up passengers in the City of Des Moines, it will have to apply to the

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City of Des Moines for such increase, and demonstrate the need for the additional cabs. It is understood that Trans-Iowa would reserve the right to oppose any such application.

2. Steward

Each trip by ANY cab originating from a location which has a Steward will be charged \$2. Initially, drivers will pay the Steward in cash but a "card swipe" system will be developed. This fee will be recoverable from passengers as an additional charge.

At the end of each year an accounting will be produced. Overages and deficiencies will be "charged back" or "paid to" each of the cab companies based on their usage/payment for the Steward.

3. Documentation

It was my understanding that Bill would be drafting the requisite documents for our review and will be working with the various City offices/officials for the proper documentation of these matters. Please advise me as to the status of those documents.

It is our hope and intent that at the April 11, 2011 Des Moines City Council Meeting all the pieces will be in place for Trans-Iowa to support approval by the Council of the City Cab's license.

Sincerely,



Samuel I. Creamer, J.D., C.P.A.

CC: Des Moines Mayor and City Council
Ako Abdul-Samad, State Representative