

★ Roll Call Number
10-1679

Agenda Item Number
37B

Date October 11, 2010

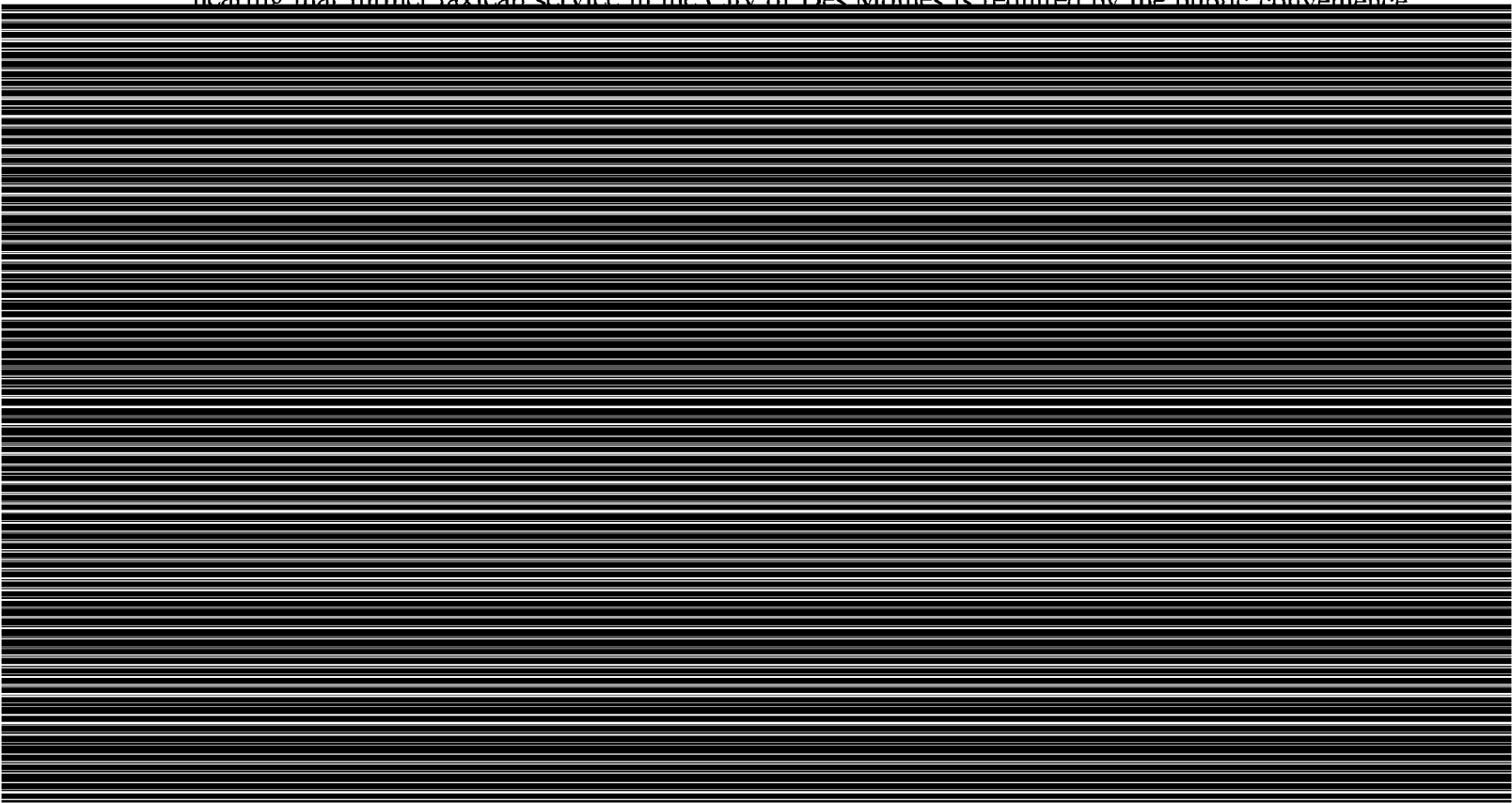
PUBLIC HEARING UPON APPLICATION OF
UNITED CAB LTD.
FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE A TAXICAB SERVICE IN THE CITY OF DES MOINES

WHEREAS, Section 126-181 of the Municipal Code of the City of Des Moines, Iowa, forbids the operation of a taxicab as defined under the taxicab subchapter of the municipal code (Article IV of Chapter 126) as a vehicle for hire upon the streets of Des Moines without obtaining a certificate of public convenience and necessity; and

WHEREAS, United Cab Ltd., 2500 Martin Luther King Jr. Parkway, Suite 4, Des Moines, Iowa, has filed an application requesting permission of the City Council to operate a taxicab service in the City of Des Moines, with a total of five vehicles; and

WHEREAS, pursuant to Section 126-185 on September 13, 2010, by Roll Call No. 10-1463, the City Council opened the public hearing on the matter of the application at its regular meeting on September 27, 2010 and by Roll Call No.10-1588, the City Council continued the public hearing to this date; and

WHEREAS, Section 126-186 provides if this Council finds at the conclusion of such public hearing that further taxicab service in the City of Des Moines is required by the public convenience



★ Roll Call Number
10-1679

Agenda Item Number
37B

Date October 11, 2010

Engineer is directed to issue a certificate stating the name and address of the applicant, the number of vehicles authorized under the certificate, and the date of issuance, it being the finding of this City Council of the City of Des Moines that such service is required by the public convenience and necessity and that the applicant, United Cab Ltd., is fit, willing, and able to perform such public transportation and to conform to the provisions of the subchapter;

or

Alternative Two: That the application for a certificate of public convenience and necessity to operate a taxicab service be hereby denied as specified below upon the specific grounds and facts set forth below.

Denial based on the following specific grounds enumerated in Sections 126-182, 126-183, 126-184, 126-186(a) and 126-187 of the Municipal Code:

Adequacy of existing transportation to meet the public need.

Applicant is not fit, willing, or able to perform such public transportation.

Substandard character, experience, responsibility of the applicant.

Likelihood operation will not be conducted in conformity with subchapter



★ Roll Call Number
10-1679

Agenda Item Number
37B

Date October 11, 2010

BE IT FURTHER RESOLVED that upon adoption of Alternative One (to grant the certificate), the City Traffic Engineer is hereby directed to issue a certificate to United Cab Ltd. stating the name and address of the applicant, the number of vehicles authorized under said certificate, as set out in the application, and the date of issuance.

(Council Communication Number 10-617 Attached)

MOVED BY Meger to continue the hearing to October 25, 2010 at 5:00 PM; refer to the City Manager to report on the current ordinance provisions regarding probationary periods, revocation

APPROVED AS TO FORM: process and any other options allowed by the ordinance. The City Manager will also provide information regarding the current level of cab service and any need for additional cab service. The Council encourages that only new information be submitted at the October 25th hearing and requests that information be submitted to the City Clerk's Office.



Lawrence R. McDowell
Deputy City Attorney

