** Roll Call Number 14-0651					
April 21, 2014					

Agenda Item Number						
55C						

RESOLUTION OF PUBLIC HEARING NPI LIMO SERVICE LLC FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE LIMOUSINE SERVICES

WHEREAS, Section 126-62 of the Municipal Code forbids the operation of a limousine as a vehicle for hire upon the streets of Des Moines without obtaining a Certificate of Public Convenience and Necessity; and

WHEREAS, NPI Limo Service, LLC, 3329 109th Street, Urbandale, Iowa, has filed an application with the City Traffic Engineer requesting permission of the City Council to operate a limousine service in the City of Des Moines; and

WHEREAS, Section 126-65(a) provides if this Council finds at the conclusion of such public hearing that limousine, or further limousine, service in the City of Des Moines, or between any point or points in the City and elsewhere, is required by the Certificate of Public Convenience and Necessity and the applicant is fit, willing, and able to perform such public transportation and to conform to the provisions of the subchapter, then the Council shall direct the City Traffic Engineer to issue a certificate stating the name and address of the applicant, the number of vehicles authorized under said certificate and the date of issuance; and

WHEREAS, Section 126-65(b) provides that in making the findings of subsection (a) of said section, the Council shall take into consideration the number of limousines already in operation, whether existing transportation is adequate to meet the public need, the probable effect of increased service on local traffic conditions, and the character, experience, and responsibility of the applicant;

WHEREAS, Section 126-65(a) alternatively provides the application may be denied for failure to conform with any provision as listed above; and

WHEREAS, Section 126-65(e) provides an applicant who is disqualified under Section 126, Article III, but who is otherwise qualified and has not previously been issued a Probationary Certificate of Public Convenience and Necessity may be issued a Probationary Certificate of Public Convenience and Necessity for one year under the conditions provided for in Section 126-65(e) and (f); and

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	NOW, THEREFORE, BE IT RESOLVED (Choose one of the three	ee alternatives):
	Alternative One: That the Des Moines City Council shall gra Convenience and Necessity to NPI Limo Service, LLC. MOVED BYTO GRAI	
	Alternative Two: That the Des Moines City Council deny Convenience and Necessity. MOVED BY TO DENY C	
	Alternative Three: That the Des Moines City Counce Certificate of Public Convenience and Nacessity. MOVED BY CERTIFICATE. TO GRANT	il grant a Probationary
	FORM APPROVED: L. Y SUL Katharine Massier Assistant City Attorney	

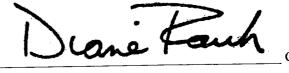
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1. M. franklin Counce Mayor

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