

★ Roll Call Number

14-0953

Agenda Item Number

25

Date June 23, 2014

RESOLUTION SETTING DATE OF PUBLIC HEARING UPON APPLICATION OF
CROWN 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, on September 24, 2012, by Roll Call No. 12-1515, the application presented by Crown Cab LLC for a certificate of public convenience and necessity to operate a taxicab service was denied, as it was the finding of the City Council of the City of Des Moines that the applicant is unfit to perform such public transportation and unable to conform to the provisions of the subchapter, all as shown by the evidence brought forth at the public hearing; and

WHEREAS, on December 3, 2012 by Roll Call No. 12-1871, Crown Cab LLC again 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 for a certificate of public convenience and necessity to operate a taxicab service was denied, as it was the finding of the City Council of the City of Des Moines that the applicant is unfit to perform such public transportation and unable to conform to the provisions of the subchapter, all as shown by the evidence brought forth at the public hearing; and

WHEREAS, Crown Cab LLC has again 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 containing additional information giving evidence that Crown Cab LLC has gained the necessary experience and is fit to perform such public transportation 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 July 14, 2014, in the City Council Chambers at 5:00 p.m.; and

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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.

Magarsa Jana
Crown Cab LLC
1113 21st Street
Des Moines, IA 50311

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 Gray refer to the City Manager

APPROVED AS TO FORM:

and City Attorney for review and recommendation regarding ordinance amendments to clarify the following:

1. Definition of 24-hour dispatch
2. Process for participation at cab stands

Carol J. Moser
Deputy City Attorney

3. Regulations when ownership of company transfers to new owner.

and to set the date of hearing for 7-28-14 at 5:00 PM

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
COLEMAN	✓			
GATTO				✓
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	5			2

MOTION CARRIED

APPROVED

T. M. Franklin 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.

Diane Rauh City Clerk