

★ Roll Call Number
15-0608

Agenda Item Number
40

Date April 6, 2015

PUBLIC HEARING UPON APPLICATION OF
UBER (RASIER LLC)
FOR VEHICLE FOR HIRE COMPANY CERTIFICATE
TO OPERATE A VEHICLE FOR HIRE SERVICE IN THE CITY OF DES MOINES

WHEREAS, Section 126-230 of the Municipal Code of the City of Des Moines, Iowa, forbids the operation of a Vehicle for Hire Company as defined under the Section 126-277 of the municipal code (Article V of Chapter 126) as a vehicle for hire upon the streets of Des Moines without obtaining a Vehicle for Hire Company Certificate; and

WHEREAS, UBER (Rasier LLC), 1455 Market Street, 4th Floor, San Francisco, CA 94103, has filed an application requesting permission of the City Council to operate a Vehicle for Hire service in the City of Des Moines, with a total of more than five (5) vehicles; and

WHEREAS, pursuant to Section 126-234 on March 23, 2015, by Roll Call No. 15-0499, the City Council has fixed this date as the time and place for a public hearing on the matter of the application; and

WHEREAS, Section 126-234 provides if this Council finds at the conclusion of such public hearing that the applicant meets the requirements set forth in sections 126-231 and 126-232, and the Police Department's investigation is favorable, then the Council shall direct the City Traffic Engineer to issue a Vehicle for Hire Company Certificate stating the name and address of the applicant, and the date of issuance; otherwise the section provides the application shall be denied.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

That the hearing is hereby closed and the application is granted or denied, as the case may be, as set out in the next paragraph.

✓ Alternative One: That the application for a Vehicle for Hire Company Certificate to operate a vehicle for hire service be approved and hereby granted and the City Traffic Engineer is directed to issue a certificate stating the name and address of the applicant and the date of issuance, it being the finding of this City Council of the City of Des Moines that the applicant, UBER (Rasier, LLC), meets the requirements of section 126 for issuance of a Vehicle for Hire Company Certificate and the Police Department's investigation is favorable, as shown by the evidence brought forth at the public hearing;

or

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Alternative Two: That the application for a Vehicle for Hire Company Certificate to operate a vehicle for hire service be hereby denied it being the finding of this City Council of the City of Des Moines that the applicant does not meet the requirements of section 126 for issuance of a Vehicle for Hire Company Certificate and/or the Police Department's investigation is unfavorable, as shown by the evidence brought forth at the public hearing.

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 UBER (Rasier LLC), stating the name and address of the applicant as set out in the application, and the date of issuance.

(Council Communication Number 15-177 Attached)

MOVED BY Coleman to adopt.

APPROVED AS TO FORM:

K. Massier
Katharine Massier
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				✓
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY		✓		
MOORE	✓			
TOTAL	5	1		1

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.

Chilton L. Hensley Mayor
MAYOR PRO TEM

Diane Rauh City Clerk