RESOLUTION SETTING DATE OF PUBLIC HEARING
UPON APPLICATION 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, Michael G. Marks, seeking to do business as Marks Limousine Service, Des Moines, 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, which application 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 126-64 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 limousine service; and

WHEREAS, Section 126-64 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 limousine service in the City of Des Moines at the regularly scheduled City Council meeting on November 9, 2009, in the City Council Chambers at 5:00 p.m.; and

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 limousine certificate at their addresses of record.

   Michael G. Marks
   Marks Limousine Service
   2433 SE 14th Street
   Des Moines, IA 50320
3. That any interested person, pursuant to Section 126-64, may file with the City Clerk a memorandum in support of or opposition to the issuance of the certificate.

MOVED BY ____________________________ to adopt.

APPROVED AS TO FORM:

__________________________
K. Massier
Katharine Ramsay Massier
Deputy City Attorney
Limousine Company Application Checklist

Applicant: Michael G. Marks

Marked block w/ Initials Indicates that the applicant has provided documentation meeting or exceeding the requirements of the Municipal Code of the City of Des Moines.

Sec. 126-62.5. Requirements for limousine service.

Each company filing an application for a limousine certificate shall meet the following minimum requirements:

1. Maintain a central place of business in a location properly zoned for that business and have a telephone so that any individual may request the services of the limousine company. The business shall have a listed telephone number. If vehicle maintenance and storage is provided separately from the central office, then the vehicle maintenance/storage area must also be in a location properly zoned for such activity.

2. Provide transportation of passengers in a motor vehicle from or to any point in the city only on a prearranged basis, for a minimum of one hour at an hourly rate as provided in this article. For contracted limousine service the minimum trip rate and prearranged time restriction do not apply. For limousine service which is booked at least 24 hours in advance, the minimum trip rate does not apply.

3. Meet all applicable zoning ordinance regulations.

Sec. 126-63. Application for certificate of public convenience and necessity.

Any person seeking a certificate shall file an application with the traffic engineer. The application shall be signed by the applicant or by an officer of the applicant and verified under oath and shall contain the following information:

1. The name, address and age of the applicant. If the applicant is a corporation, its name, the address of its principal place of business, and the name and address of its registered agent. If the applicant is a partnership, its name, the names of general and limited partners and the address of its principal place of business. If the place of business is outside the corporate limits of the city, the applicant shall provide a statement from the governing jurisdiction that the business complies with the appropriate zoning regulations, except that any person lawfully operating a limousine service at the time of adoption of this article shall not be required to provide such a statement.
(2) The financial status of the applicant, including the amounts of all unpaid judgments against the applicant and the nature of the transaction or acts giving rise to the judgments. If the applicant is a firm, partnership, corporation or any other type of business entity which has been organized for less than five years, prior to the date of application, this information shall be provided for each of the shareholders, partners, officers, or other investors of the business entity. The federal tax identification number (or social security number for an individual) and state sales tax permit number shall also be provided.

(3) The experience of the applicant in the transportation of passengers including a statement of any state or municipality where the applicant has ever been licensed to operate a taxicab or limousine service, whether such license was ever suspended or revoked and the reasons for suspension or revocation, and whether an application for a license or a renewal of a license was denied and the reasons for denial.

(4) Any facts which the applicant believes tend to prove that public convenience and necessity requires the granting of a certificate.

(5) The number of vehicles to be operated or controlled by the applicant. - one

(6) The location of proposed vehicle storage. 2914 SE 14th

(7) A statement of the condition of the vehicles to be operated including the age and type of each vehicle, and the date on which the vehicle passed its most recent safety inspection, if any. Provided

(8) A statement as to whether the applicant has, within the ten years immediately preceding the date of application, been convicted of, pled guilty to or stipulated to the facts of violating any criminal statute or ordinance, including traffic laws and municipal ordinances. If the applicant has been convicted, a statement as to the date and place of conviction, the nature of the offense and the punishment imposed.

(9) The number of vehicles proposed for operation during periods of maximum demand and during periods of least demand. - one

(10) Where the applicant will operate its central place of business. 2433 SE 14th

(11) The color scheme or insignia, if used, to designate the vehicles of the applicant. None.

(12) Such further information as the traffic engineer may require of each applicant.

Sec. 126-63.5. Investigation of applicant. Provided (enclosed)
The police department shall review each applicant's arrest and traffic records and report the results of the investigation to the city council. Where the applicant is a corporation, the corporate officers' records shall be investigated; where a partnership, each partner's records shall be investigated.

Sec. 126-66. Liability Insurance required. Provided (Enclosed)

(a) A certificate shall not be issued or continued in effect unless and until the owner of the limousine business furnishes to the traffic engineer for filing with the city clerk an insurance policy or certificate of insurance issued by an insurance company licensed to do business in the state, providing commercial general liability and automobile liability insurance coverage, or the equivalent thereof, for the limousine business with minimum limits of liability equal to any applicable limits required by the Code of Iowa, the United States Code, and/or Interstate commerce commission regulation, whichever is greater. The above coverages and limits shall extend to the following on a per occurrence basis: The injury or death of any one person; the injury or death of any number of persons in one accident; damage to property in the care, custody and control of the insured but excluding property of the insured; the bodily injury or death of others resulting from negligent acts of the insured while involved in the furtherance of the limousine business.

(b) The certificate of insurance referred to in this section shall provide that the insurance policy or policies have been endorsed to provide 30 days advance written notice of cancellation, non-renewal, reduction in insurance coverage or limits and ten days written notice for nonpayment by registered mail to the traffic engineer.

(c) The cancellation or other termination of any required insurance policy shall automatically revoke and terminate the certificate and all licenses issued for the limousine business and the vehicles covered by such insurance policy(ies), unless another policy(ies), complying with this section, shall be provided and in effect at the time of such cancellation or termination. The traffic engineer shall immediately issue written notification of the revocation of said certificate and all licenses for the limousine business and the vehicles covered by such insurance which is cancelled or terminated and shall file a copy of such notice with the city council.

Sec. 126-82. Booking sheets. Provided (Enclosed) Form previously approved by Chief of Police.

(a) Each holder shall maintain a daily booking sheet upon which are recorded all charters booked by the company each day, showing the date and time the charter was booked, the date and time of the service, place of origin and destination, number of passengers, and the amount of fare. Upon request by any
law enforcement officer or any city police cadet, any driver shall present the booking sheet, or a copy thereof, showing the name(s) of the passenger(s) being picked up, and if at the airport, the flight number of the arriving passenger(s).

(b) Each holder shall retain and preserve all booking sheets in a safe place for at least one month following the date of the making of the record. Booking sheets shall be available to the chief of police or the traffic engineer.

(c) Each holder shall submit to the traffic engineer a report by January 30 of each year summarizing the activity of the previous year. The report shall contain information on number and types of complaints received including specific information on any discrimination complaints; number of passengers carried; number of trips per vehicle; age, mileage and general condition of each vehicle; tenure and turnover of drivers' and other information as required by the traffic engineer.


Any person owning, operating or controlling a limousine as a vehicle for hire upon the streets of the city or picking up any passenger for a fare within the corporate limits of the city, shall first obtain a certificate and the required annual limousine license from the traffic engineer. The following motor vehicles are excluded from the requirements of this article:

(1) Motor vehicles owned and operated by hotels, motels and other boarding places, used for the purpose of transporting patrons, without fee or charge, between said hotel, motel or boarding place and the local station of a common carrier.

(2) Ambulances and other emergency vehicles.

(3) Funeral hearses.

(4) Metropolitan Transit Authority buses or other commercial vehicles designed to transport 16 or more persons, including the driver, duly licensed by the state.

Sec. 126-70. Limousine driver's license required.

Every person who operates a limousine for hire upon the streets of the city shall first obtain and shall properly display a limousine driver's license.

Sec. 126-72. Designation. None.
Limousine Company Application Checklist – City of Des Moines

Each limousine may bear on the outside of the door or on the side glass on each side the name of the company and, in addition, may bear an identifying design. If an identifying name or design is used, the markings shall be painted or affixed by decal in letters or figures at least 1 1/2 inches in height. Any licensed vehicle shall not have a color scheme, identifying design, monogram, or insignia that will conflict with or imitate any existing limousine or any official or emergency vehicle color scheme, identifying design, monogram or insignia in a manner that will mislead or deceive or defraud the public.

Sec. 126-81. Limousine service.

Limousine service may be undertaken by the holder of a certificate subject to the following conditions:

☐ 1. No limousine service shall be booked less than one hour prior to the service, except for contracted limousine service under a written contract or agreement on file with the traffic engineer.

☐ 2. The holder shall maintain a central place of business in a location properly zoned for that business.

☐ 3. If vehicle maintenance and storage is provided separately from the central office, then the vehicle maintenance/storage area must also be in a location properly zoned for such activity.

☐ 4. The holder shall have a listed telephone number. (515) 244-1869

☐ 5. The service must be booked at a scheduled rate on file with the traffic engineer for a minimum of one hour, even if the trip requires less than one hour, except for contracted limousine service under a written contract or agreement on file with the traffic engineer.

Definitions

Airport means the Des Moines International Airport located in southwest Des Moines on Fleur Drive between McKinley Avenue and Army Post Road.

Aviation director means the director of the airport or an authorized representative.

Booking means an agreement between a limousine company and a passenger, or group of passengers, for limousine service at a specified time not less than one hour after the acceptance of such agreement.

Booking sheet means a record prepared by a limousine company of all charters booked by the company showing the date and time the charter was booked, the date and time
of the service, place of origin and destination, number of passengers, and the amount of
fare. If service is provided at the airport, the booking sheet shall also include the
name(s) of the passenger(s) being picked up and the flight number of the arriving
passenger(s).

Certificate means a certificate of public convenience and necessity issued by the city
council authorizing the holder to conduct a limousine service in the city.

City clerk means the city clerk or an authorized representative.

Contracted limousine service means a written agreement or contract with a business,
for a period of not less than 180 days duration, for limousine service.

Finance director means the finance director of the city or an authorized representative.

Holder means a person to whom a certificate of public convenience and necessity has
been issued.

Limousine means a motor vehicle engaged in the transportation of passengers for hire
in limousine service.

Limousine license means the license granted annually to a person who holds a
certificate to conduct a limousine service in the city.

Limousine service means transportation of passengers in a motor vehicle from or to any
point in the city on a prearranged basis, for a minimum of one hour at an hourly rate.

Rate card means a card issued by the holder which contains the rates of fare then in
force.

Solicit means to invite another, either by word or deed, to be a passenger in a vehicle
for hire. Such deeds may include, but are not limited to, parking in any area where
prospective passengers might be found without a booking sheet listing a specific
passenger to be picked up.

Traffic Engineer means the city traffic engineer of the city or an authorized
representative.
Attn: City Council:

My name is Mike Marks (48) and I am applying for certificate of public convenience and necessity, for my limousine business that I am starting. We'll be providing services to anyone requiring safe and elegant transportation around the greater Des Moines area.

With the growing presence of stars, actors, and entertainers that have been moving to the area this could be a great venture to embark on. In the past I have carpooled, driven friends kids to school, and many similar experiences to a lesser degree of providing transportation, but when I think of running a limousine service I want it to be a comforting sophisticated way to travel about the city, making memories for people so they can use our service from when they are teens going to their first prom all the way till their wedding day. That's the kind of experience I would want if it were me looking for a limousine service so that is what I want to bring to this city. We want to stand out by our service alone, for the time being we have chosen not to implement any logo or number on the car until we deem it necessary.

The limousine we have is being stored at D&R Custom Kitchens 2914 SE 14th St, while the base of operations for day to day business will be handled out of my home at 2433 SE 14th St. Des Moines IA 50320. Attached is verification that the vehicle is registered and licensed through the state and that it has been through the required safety inspections.

I am an upstanding citizen with no debt, or financial judgments against me. I have no criminal record and have never had my license revoked or suspended, as I am a very safe driver. Being an honest business man I want this venture to be beneficial for everyone that it can be of use to, as an income for me, and as a means of adding to the city in some way.

I'd like to extend my thanks to the entire City Council for taking the time to review my application and for consideration of my proposal.

Sincerely yours,

Mike Marks

P.S. We look forward to doing business with you!
To our policyholder:

Please find enclosed the document(s) indicated below.

Print Certificate Holder(s)

Please review the documents to ensure they accurately reflect the requested change in policy terms.

Please retain this endorsement for your records.

Regards,
National Indemnity Company of Mid-America
**Certificate of Insurance**

This certificate of insurance is NOT an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein.

The terms, conditions and exclusions of the policy govern the rights and obligations of the Company to the named insured and any other insureds and may limit coverage. Provisions of any other contract, including agreements between the insured and anyone else, cannot and do not amend, extend, or alter any terms, conditions or exclusions in the policy. Additional insured and other endorsements may be authorized only by the Company or their appointed General Agents, where reference is made to an Aggregate Limit, such limit is the company’s maximum liability under the policy for the entire policy period regardless of the number of insureds, events or occurrences.

**Policy Number:** 75APG020012-01

**Named Insured:** Mike Marks

**Insured’s Address:** 2423 SE 14th Street Des Moines, IA 50320

**Insurance Company Name:** National Indemnity Company of Mid-America

**Insurance Company Address:** 3024 Harney Street • Omaha, Nebraska • 68131-3580

<table>
<thead>
<tr>
<th>Policy Number</th>
<th>Type of Insurance</th>
<th>Limits</th>
<th>Inception Date</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>75APG020012-01</td>
<td>Automobile Liability</td>
<td></td>
<td>09/17/2009 3:41 PM</td>
<td>08/17/2010 12:01 AM</td>
</tr>
<tr>
<td></td>
<td>Bodily Injury</td>
<td>Each Person</td>
<td>$</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Property Damage</td>
<td>Each Accident</td>
<td>$</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Bodily Injury &amp; Property Damage</td>
<td>Combined Single Limit</td>
<td>$1,000,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Garage Liability - Other Than Auto</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bodily Injury &amp; Property Damage Combined Single Limit</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Aggregate Limit</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Garagekeepers Coverage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Legal Liability</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Direct Primary</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cargo Coverage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other:</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This Company agrees to provide 30 days advanced notice to the Certificate Holder when this policy is cancelled.

**Vehicle Schedule**

<table>
<thead>
<tr>
<th>Vehicle Number (Year, Make, Model, VIN)</th>
<th>Collision</th>
<th>Comp or Spec. Caused</th>
<th>Stated Amount</th>
<th>Phys. Dam. Deductible</th>
</tr>
</thead>
<tbody>
<tr>
<td>1991 Lincoln Town Car</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

This Certificate Issued to:

City of Des Moines Traffic Division
600 E Court Ave Suite 200A
Des Moines, IA 50309

This Certificate Issued by:
GEICO Insurance Agency, Inc.
One GEICO Boulevard
Fredericksburg, VA 22421

Authorized Representative

[Signature]

1000072666 1594 8F8671-8F87-4F16-BDF1-376C1F901D54
September 11, 2009

Mike Berry  
City of Des Moines  
Traffic and Transportation Division  
600 E Court Ave  
Des Moines, IA 50309

Dear Mr. Berry:

The property located at 2433 SE 14th Street, in Des Moines is located in an area zoned C-2. This zoning classification will allow operation of a limousine service at this location.

If you have any other questions contact me at 515-283-4751 or email me at prpoorman@dmgov.org.

Sincerely,

[Signature]  
Philip R. Poorman, AICP  
Development Zoning Inspector
To Whom It may concern,

This is a statement stating that the vehicle listed below to my knowledge seems to be mechanically sound in all operating aspects. 19910 Lincoln Town Car, vehicle vin 1LNHMWDW8MY690469.

Thank You
Jeremy B. Finks

8-18-09
I. PHYSICAL LOCATION NAME/ADDRESS

Federal Employer ID Number: [Redacted]
Social Security Number: [Redacted]

Legal Name: Mike G Marks
Trade Name: Marks Limbo
Street Address (Not PO Box): 2432 SE 14th St
City: Des Moines State: IA Zip+4: 50319
County Name: Polk County Number: 

Phone 1: 515-244-1322 Ext. 
Phone 2: 515-728-5679 Ext. 

II. MAILING NAME/ADDRESS

Name: Same 
Mailing Address: [Redacted]
City: [Redacted] State: [Redacted] Zip+4: [Redacted]

III. PREVIOUS OWNER

If you are purchasing this business, provide previous owner's name:

IV. TYPE OF OWNERSHIP (MUST check one)

- Sole Proprietor
- Partnership
- Corporation
- Association
- Government
- Limited Liability Co

Date Established:

V. RETAILER REGISTRATION

Calendar quarters in which business is operated:
- Entire year
- Jan.-March
- April-June
- July-Sept.

Type of products or services to be sold: LimboRentals

☐ Check this box if your business is a hotel, motel, inn, or bed and breakfast.

☐ SALES TAX PERMIT (no fee)

File through eFile & Pay. See Web site for more information.

*Starting date for selling at retail: [Redacted]

How much sales tax do you expect to collect?
- less than $120 tax/year (File Annually)
- less than $500 tax/month (File Quarterly)
- more than $500 tax/month (File Monthly)
- more than $5,000 tax/month (File Semi-Monthly)

(Please indicate method of payment: [Redacted])

If you have more than one location, do you want to file consolidated returns?

Number of locations to file consolidated:

See "INFORMATION" section on consolidated returns.

☐ CONSUMER'S USE TAX (no fee):

This is only for those who purchase taxable goods or services that you consume in Iowa and do not pay sales tax when the purchases are made. File through eFile & Pay. See Web site for more information.

*Starting date for making purchases: [Redacted]

How much consumer's use tax do you think you will owe?
- less than $120 tax/year (File Annually)
- more than $120 tax/year (File Quarterly)

☐ OUT-OF-STATE RETAILER'S USE TAX PERMIT (no fee): Retailers making taxable sales in Iowa from an out-of-state location must register to collect retailer's use tax. File through eFile & Pay. See Web site for more information.

*Starting date for selling at retail in Iowa: [Redacted]

How much tax do you expect to collect?
- less than $120 tax/year (File Annually)
- less than $1,500 tax/month (File Quarterly)
- more than $1,500 tax/month (File Monthly)

☐ MOTOR VEHICLE RENTAL TAX (no fee)

If you rent motor vehicles to customers, you must collect this tax. Motor vehicle rental tax permit is always filed quarterly.

*Starting date for renting automobiles in Iowa: [Redacted]

☐ HOUSEHOLD HAZARDOUS MATERIAL PERMIT:

See "INFORMATION" section for explanation of HHM permits.

*Starting date for selling hazardous material: [Redacted]

☐ Regular ($25 fee) ☐ Special ($125 fee or more)

VI. WITHHOLDING TAX REGISTRATION (no fee)

Complete this section if you have employees. File through eFile & Pay. See Web site for more information.

*Starting date for withholding Iowa income tax: [Redacted]

How much Iowa income tax do you think you will be withholding?

Select a filing status:
- less than $500 tax/month (File Quarterly)
- more than $500 tax/month (File Monthly)
- more than $10,000 tax/month (File Semi-Monthly)

(electronic payment required)

See "INFORMATION" section for definition of withholding agent.

Withholding Agent's Name:

Social Security Number:

Address:
VII. CORPORATION/PARTNERSHIP REGISTRATION

Complete this section only if you are registering to file a corporation or partnership income tax returns.

Starting date for doing business in Iowa: (MM/DD/YY)

If corporation, check type:

☐ Regular  ☐ S Corp  ☐ UBIT
☐ Coop  ☐ IC-DISCE  ☐ FSC

If partnership, check here: ☐

If Limited Liability Company (LLC), check here: ☐

Month in which the tax year ends: ____________________________

Primary business activity: ________________________________

VIII. OWNERS, GENERAL PARTNERS, CORPORATE OFFICERS AND RESPONSIBLE PARTIES

Print the names and Social Security Numbers of all. Attach additional sheets if necessary. If partnership, you must include two names and Social Security Numbers.

Name: __________________________ Social Security Number: __________________________
Name: __________________________ Social Security Number: __________________________
Name: __________________________ Social Security Number: __________________________
Name: __________________________ Social Security Number: __________________________

IX. SIGNATURE

This application must be signed by the owner, one of the partners or one of the corporate officers listed above. A preparer’s signature is not acceptable unless he/she is one of the owners or corporate officers.

Signature: __________________________
Print Name Here: __________________________
Social Security Number: __________________________
Date: 9-11-09

INCOMPLETE APPLICATIONS WILL DELAY PROCESSING. Returns filed late are subject to penalties and interest.

Multiple delinquent filings can result in revocation of sales tax permit(s) and assessment of substantial bonds.

eFile & Pay: File and pay your Iowa withholding, sales, consumer’s use, retailer’s use, corporate estimates, and motor fuel taxes through eFile & Pay. Businesses that prepare tax returns for clients may want to register as “bulk filers.” More information is available on our Web site at www.state.ia.us/tax.
State of Iowa  
Division of Criminal Investigation  
215 E 7th St  
Des Moines IA 50319  
Ph. 515-725-6066 Fax 515-725-6080  
Iowa Criminal History Record Check  
Walk-In Request

Your name: Mike O Marks  
Address: 2433 SE 1485  
City/State/Zip: Des Moines IA 52229  
Phone: 515-718-5677

Requesting an Iowa criminal history record check on:

<table>
<thead>
<tr>
<th>Last Name (Apellidos)</th>
<th>First Name (Primer Nombre)</th>
<th>Middle Name (Segundo Nombre)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marks</td>
<td>Mike</td>
<td>Oger</td>
</tr>
</tbody>
</table>

Date of Birth (Fecha Nacimiento): [ ] Male [ ] Female

Social Security Number (SSN):

Waiver Signature (If the request is on yourself please sign. If the request is on someone else, write W/A):

Mike O Marks

Results

As of 9-11-09, a name and date of birth check revealed:

[ ] No record found

[ ] Record attached, DCI # 423385

DCI initials: Och

Receipt

Number of requests: 1 x $10.00 per last name = Total amount $10.00

Method of payment:

[ ] cash  [ ] check #  [ ] MasterCard or Visa

[ ] money order

Cardholder's name: ___________________________ Last 4 digits of MC or Visa: ______

DCI initials: Och

Credit Card Number #_________________________ Exp. Date________
**IOWA CRIMINAL HISTORY**

**COURT DISPOSITION PENDING**

**STATUS UNKNOWN**

DCI: 00423385

PAGE 1 OF 1

DATE PRINTED: 2009/09/11

---

**NAME:** MARKS, MICHAEL GROVER

**DOB**

**SEX**

**RAC**

**HTG**

**WGT**

**EYE**

**HAIR**

**SKN**

**POB**

---

**ADDITIONAL IDENTIFIERS**

**CCH RECORD ***

---

**01 ARRESTED 19910715**

**AGENCY:** IA0770000 POLK CO SO

**CHARGE NO:** 01 IA STATUTE IA714-11-3

**FRAUDULENT PRACTICES/3RD DEGREE**

**TRK#:** L40181401

---

**COURT DISPOSITION**

**AGENCY:** IA077015J POLK CO DIST COURT

**COUNT NO:** 01 IA STATUTE IA714-211-3

**FRAUDULENT PRACTICES/3RD DEGREE**

**TRK#:** L40181401

---

**SENTENCE**

**DEFERRED JUDGEMENT** 2 Y

**PROBATION** 2Y

**COMMUNITY SERVICE** 40H

---

**DISP EFF DAT**

19910918

19910918

19910918

---

AN ARREST WITHOUT DISPOSITION IS NOT AN INDICATION OF GUILT. THIS RECORD MAINTAINED BY THE IOWA DIVISION OF CRIMINAL INVESTIGATION, BUREAU OF IDENTIFICATION IS A PUBLIC RECORD BUT CAN ONLY BE RELEASED TO NON-LAW ENFORCEMENT AGENCIES BY THE DCI.

IN THE ABSENCE OF FINGERPRINTS FOR POSITIVE IDENTIFICATION THIS RECORD IS BASED ON INFORMATION FURNISHED. WE CANNOT CONFIRM OR DENY THAT THE RECORD COVERS THE SUBJECT OF YOUR INQUIRY.

DIVISION OF CRIMINAL INVESTIGATION
SEPTEMBER 11, 2009

RE: MIKE GORVER MARKS

To Whom It May Concern:

Based on information submitted, the Iowa DIVISION OF CRIMINAL INVESTIGATION believes MIKE GORVER MARKS dob (submitted) and MICHAEL GROVER MARKS dob (appears on Criminal History) are one in the same.

Thank You.

IOWA DIVISION OF CRIMINAL INVESTIGATION

IN THE ABSENCE OF FINGERPRINTS FOR POSITIVE IDENTIFICATION THIS RECORD IS BASED ON INFORMATION FURNISHED. WE CANNOT CONFIRM OR DENY THAT THE RECORD COVERS THE SUBJECT OF YOUR INQUIRY.
Certified Abstract of Driving Record

<table>
<thead>
<tr>
<th>Inquiry Date</th>
<th>7/24/2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Marks, Mike Grover</td>
</tr>
<tr>
<td>Address</td>
<td>2433 Se 14th Street</td>
</tr>
<tr>
<td>City/State</td>
<td>Des Moines, IA 50320</td>
</tr>
<tr>
<td>Mailing Address</td>
<td>2433 Se 14th Street</td>
</tr>
<tr>
<td>Mailing City/State</td>
<td>Des Moines, IA 50320</td>
</tr>
<tr>
<td>DL/ID #1</td>
<td>(IA)</td>
</tr>
<tr>
<td>Class</td>
<td>D</td>
</tr>
<tr>
<td>Audit #1</td>
<td>3514880</td>
</tr>
<tr>
<td>Issue Date</td>
<td>07/16/2009</td>
</tr>
<tr>
<td>Expiration Date</td>
<td>12/28/2012</td>
</tr>
<tr>
<td>Customer #1</td>
<td>745668</td>
</tr>
<tr>
<td>ID Status</td>
<td>None</td>
</tr>
<tr>
<td>DL Status</td>
<td>VAL</td>
</tr>
<tr>
<td>CDL Status</td>
<td>None</td>
</tr>
<tr>
<td>Restriction</td>
<td>None</td>
</tr>
<tr>
<td>Supplement</td>
<td>None</td>
</tr>
<tr>
<td>Endorsements</td>
<td>3</td>
</tr>
<tr>
<td>Restrictions</td>
<td>Corrective Lenses</td>
</tr>
<tr>
<td>Date of Birth</td>
<td></td>
</tr>
<tr>
<td>Sex</td>
<td>M</td>
</tr>
</tbody>
</table>

History Information

<table>
<thead>
<tr>
<th>Citation Date</th>
<th>Conviction Date</th>
<th>ACD</th>
<th>Explanation</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>03/18/2005</td>
<td>04/11/2005</td>
<td>S92</td>
<td>Speed</td>
<td>JUR</td>
</tr>
<tr>
<td>09/01/2008</td>
<td>09/24/2008</td>
<td>S92</td>
<td>Speed</td>
<td>NE</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>MO</td>
</tr>
</tbody>
</table>

Pursuant to Iowa Code §321.10, J. Kim Snoak, Director of Office of Driver Services, Iowa Department of Transportation, do hereby certify that I am the custodian of the records held by the Office of Driver Services, that this is a true and accurate copy of an official record currently in the custody of said office, and that I have been authorized by the Director of the Iowa Department of Transportation to so certify.

In witness whereof, I have caused my signature and the seal of the Department to be set upon this document, at Ankeny, Iowa this date:

7/24/2009

[Signature]

Kim Snoak
Office of Driver Services
Iowa Department of Transportation

Name: Marks, Mike Grover DL/ID: [redacted]
September 11, 2009

Mike G. Marks
2433 Se 14th St
Des Moines, IA 50320

To Whom It May Concern:

I am writing in regards to the account that has been established at Veridian Credit Union. Mike has had a membership with us at the Credit Union since 9/14/2004. His account is in good standing. If you have any questions please feel free to contact us 1-600-235-3228. Thank you for your attention to this matter.

Sincerely:

Kristin Melhus
Branch Supervisor
Letter of Agency

Through this Letter of Agency ("LOA") I authorize Mediacom, its subsidiaries and/or affiliates (collectively "Mediacom") to act as our agent to acquire the necessary information in order to make changes in the provider of my business’s telephone services. I also authorize Mediacom to become my new business phone service provider for the telephone number(s) that I have specified below including becoming the carrier for any local, local toll, domestic long distance and international toll*. I direct the current local provider of my business phone service to work with Mediacom to make these changes. This Letter of Agency supersedes all previous Letters of Authorization or Agency. I understand that, although this LOA authorizes Mediacom to submit porting orders on my behalf, Mediacom will not place orders to switch my service(s) until I have signed the appropriate Service Agreement with Mediacom.

By signing this Letter of Agency ("LOA") I certify that:

1. I am at least 18 years of age and that I am authorized to make decisions regarding changes of service for the telephone number(s) listed below.
2. I am authorizing Mediacom to act as my agent to obtain Customer Service Records/Customer Service Information for all services associated with the numbers listed on this form for provisioning purposes.
3. I am free of any third-party obligation preventing me from entering into this agreement.
4. I authorize Mediacom to act as my agent for the purpose of taking any and all actions required (including the removal of any account protection / freezes) to provision the services set forth in the Subscriber Agreement, which is incorporated herein.
5. I authorize Mediacom to switch my local, local toll, domestic long-distance and international toll service to Mediacom from my current carrier(s).
6. I understand that only one local phone company, one regional carrier and one long distance carrier can be designated for each telephone number; and I am designating Mediacom as the carrier for all these services for the telephone number(s) listed below.

List below the telephone number(s) to be changed to Mediacom:

- Current Local Provider: ___________________________  Account Number: ___________________________
- Current LD Provider: ___________________________  Account Number: ___________________________
- Billing Telephone Number: ___________________________
- Fax Telephone Number: ___________________________
- Telephone Number: ___________________________
- Telephone Number: ___________________________
- Telephone Number: ___________________________

Subject to agreement with International toll calling provision policy.

BY SIGNED BELOW, I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTOOD THIS LOA, THAT I AM AT LEAST 18 YEARS OLD, THAT I AM RESPONSIBLE FOR SELECTING AND AUTHORIZED TO SELECT THE BUSINESS SERVICE PROVIDER FOR THE TELEPHONE NUMBER(S) LISTED ABOVE; AND THAT I AUTHORIZE A SWITCH OF OUR COMPANY SERVICE TO MEDIACOM WHICH IS A SEPARATE AND INDEPENDENT COMPANY FROM OUR CURRENT CARRIER(S).

Signature: ___________________________
Print Name: Mike Marks
Date: 9/25/09

Business Name: Marks Limousine Service
Address: 2435 E. 14th St., Des Moines, IA 50310
Fed Tax ID #: 94-3487570
<table>
<thead>
<tr>
<th>Time</th>
<th>Start</th>
<th>Finish</th>
<th>Pick Ups</th>
<th>Extras</th>
<th>Trip Started From</th>
<th>Trip Finished At</th>
<th>Mr. Rd. on Rate Job</th>
<th>Amnt. Coll.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sample Booking Sheet
TO: SPO Mike West, Traffic Unit  
DM Police Department  

DATE: September 15, 2009  

FROM: Mike Berry  

SUBJECT: Transmittal of Request for a Certificate of Public Necessity to operate a Limousine Company – Michael Marks  

Mike,  

Attached, you will find the information that I have been provided by the applicant, Michael G. Marks, applying for a Certificate of Public Necessity to operate a Limousine Company.  

Under §126-63.5 the Police Department has a requirement to investigate the criminal and drivers records of an applicant, when applying for a license to operate as a limousine company, in the City of Des Moines.  

Please see the attached documents.  

The applicant is asking that this go before Council as soon as possible. It is too late to make the September 24th meeting, so it will have to go on the 12th of October, to then set a hearing date for the following Council meeting date.  

If I could hear back from you on this not later than the Wednesday, September 30th, I would appreciate it.  

If you have any questions or further comments regarding this matter, please feel free to contact me. Thanks.  

/s/  
Michael R. Berry  
Traffic Facilities Administrator  

Encl.
TO: Mike Berry  
Eng. Dept  
Traffic Division  

FROM: Ben Ihde  
SPO  
Traffic Section  

DATE: 17Sep09  

SUBJECT: Transmittal of Request for a Certificate of Public Necessity to operate a Limousine Company - Michael Marks

Mike Marks' driving records shows two violations; they were speed convictions, one on 01Sep08 (Missouri) and one on 18Mar05 (Nebraska).

Marks' Iowa Criminal History Check shows a deferred judgment for Fraudulent Practices, 3rd Degree. This occurred 18Sep91.

A check through Des Moines Police Department databases shows no criminal charges against Mike Marks.

On about 1Sep09, Mike Marks did apply for a Limousine Operator's license through Gary Fox's office. I conducted a criminal check at that time and approved his license.

I see no indications warranting denial of this applicant's Certificate of Public Necessity to operate a Limousine Company.

[Signature]
Ben Ihde  5018