



CITY OF SAINT PAUL
Mayor Melvin Carter

Civil Division
400 City Hall
15 West Kellogg Blvd.
Saint Paul, Minnesota 55102

Telephone: 651 266-8710
Facsimile: 651 298-5619

April 4, 2019

NOTICE OF INTENT TO SUSPEND LICENSE

I Care Cab, LLC – Licensee
d/b/a Midwest Star Taxi
3055 Old Highway 8, Ste. 108
Minneapolis, MN 55418

RE: Taxicab Service Company license held by I Care Cab, LLC d/b/a Midwest Star Taxi
for the City of Saint Paul
License ID #: 20170004855

Dear Licensee:

The Department of Safety and Inspections (“Department”) will recommend suspension of the Taxicab Service Company license held by I Care Cab, LLC (“Licensee”) d/b/a Midwest Star Taxi for the City of Saint Paul.

The Department asserts the following facts along with attachments herein constitute proof of a violation of Legislative Code §310.05 (m) (8) by a preponderance of the evidence.

On February 5, 2019, you were sent a letter and RENEWAL INVOICE from the Department of Safety and Inspections indicating your Taxicab Service Company license expired on December 21, 2018 and you owed delinquent license and late fees.

You were told to complete the renewal of your license by end of business on February 15, 2019 or adverse action would be taken. As of today, we have not heard from you.

You have four (4) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **Monday, April 15, 2019**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the **Wednesday, May 1, 2019** City Council Consent Agenda for approval of the proposed remedy.

2. You can pay the delinquent license and late fees **If this is your choice, you need to contact the Department of Safety and Inspections (651) 266-8989 to determine the total amount now due.** You may then send the payment directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, April 15, 2019**. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent license and late fees will be considered a waiver of the hearing to which you are entitled.
3. If you wish to admit the facts but contest the penalty, you may have a public hearing before the Saint Paul City Council, you will need to send me a letter with a statement admitting the facts and requesting a public hearing no later than **Monday, April 15, 2019**. The matter will then be scheduled before the City Council to determine whether to suspend your Taxicab Service Company license. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. If you no longer wish to do business in the City of Saint Paul, you will need to complete and return the attached REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, April 15, 2019**.

If you have not contacted me by Monday, April 15, 2019, I will assume that you do not contest the suspension of your Taxicab Service Company license. In that case, the matter will be placed on the May 1, 2019 City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please feel free to contact Shawn McDonald, my Legal Assistant at (651) 266-8776.

Sincerely,



Therese Skarda
Assistant City Attorney
License No. 0240989

Attachments: Letter sent to licensee February 5, 2019 per ECLIPS notes
Renewal Invoice dated March 8, 2019
LIEP Customer Transaction Detail Report dated April 3, 2019
Screenshots from DSI ECLIPS System dated March 11, 2019
REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL
Saint Paul Legislative Code § 310.05(m)

STATE OF MINNESOTA)
) ss.


AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)


Shawn McDonald, being first duly sworn, deposes and says that on the 4TH day of April, he served the attached **NOTICE OF INTENT TO SUSPEND LICENSE** and a correct copy thereof in an envelope addressed as follows:

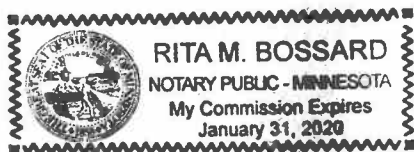
I Care Cab, LLC – Licensee
d/b/a Midwest Star Taxi
3055 Old Highway 8, Ste. 108
Minneapolis, MN 55418

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Shawn McDonald

Subscribed and sworn to before me
this 4TH day of April 2019


Notary Public



DEPARTMENT OF SAFETY AND INSPECTIONS (DSI)
Ricardo X. Cervantes, Director



CITY OF SAINT PAUL

DSI Licensing
375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

I Care Cab LLC
Midwest Star Taxi
3055 Old Highway 8 STE 108
Minneapolis MN 55418

Re: Delinquent Taxicab Service Company License
License #20170004855

Dear Service Company Owners and/or Managers,

Our records show that you are delinquent on your Taxicab Service Company License. You have until the end of the business day, 4:30 pm, on February 15th to pay the renewal fee and any late fees that have accrued and to turn in all necessary documents. Failure to do so may result in adverse action and potential revocation of all licensed Viking Airport Taxi taxicab licenses that you currently have in the City of Saint Paul.

If you have questions regarding this notice or wish to dispute that your license payment is delinquent, please contact our office between the hours of 8:00a.m. to 4:30 p.m. at 651-266-9139 or you may e-mail me at akbar.muhammad@ci.stpaul.mn.us.

Respectfully,

Akbar R. Muhammad
DSI Inspector I

LICENSE ID: 20170004855



Renewal Invoice

CITY OF SAINT PAUL

Check this box if making any name, mailing address or phone # corrections. Please write the changes on this form. If your business license address is changing, please request a new business license application
March 8, 2019

Department of Safety and Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
PHONE: (651) 266-8989
FAX: (651) 266-9124
An Equal Opportunity Employer

I CARE CAB LLC
MIDWEST STAR TAXI
3055 OLD HIGHWAY 8 STE 108
MINNEAPOLIS MN 55418

BUSINESS PHONE: 612-788-6666

Invoice #: 1041167

Invoice Due Date: Upon Receipt

Account Balance: \$408.00

Pay this Amount: \$408.00

Transaction Description	Transaction Total
170004855 Taxicab Service Company Expires: 12/21/2018 @ 3055 OLD HIGHWAY 8 STE 108	408.00
Requirements	Invoice Amount Due: \$408.00

Your Taxpayer identification is on file. Thank you.

Please Give Us Your Email Address:

Please Return this invoice with your payment!

Patron Key	Patron Name	DBA Name	Business Address
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375060 I CARE CAB LLC MIDWEST STAR TAXI 3055 OLD HIGHWAY 8 STE 108 MINNEAPOLIS MN 55

Tx Date	Invoice Key	Service Key	Detail Key	Sales Amt (DR)	Pmt Amt (CR)	Unapplied Balance	Tx Type	Description	Exp Date	Req unmet	Status	V
12/21/2017	1013037	820840	2017910	408.00		0.00	Sales	170004855 Taxicab Service Company	12/21/2018	3	Delinquent	Y
12/21/2017			2017911		-408.00	0.00	Payment	Payment				Y
10/22/2018	1041167	820840	2081238	408.00		408.00	Sales	170004855 Taxicab Service Company	12/21/2018	3	Delinquent	Y
03/13/2019	1050345		2109973	41.00		41.00	Penalty	Late Fee 7-30 days late (10%)				Y
03/14/2019	1050406		2110204	41.00		41.00	Penalty	Late Fee 31-60 days late (10%)				Y
03/15/2019	1050480		2110347	41.00		41.00	Penalty	Late Fee 61-90 days late (10%)				Y
03/21/2019	1050789		2111214	41.00		41.00	Penalty	Late Fee 91-120 days late (10%)				Y

Customer Totals: 980.00 -408.00

Customer Account Balance: 572.00

Grand Total for all pages: 980.00 -408.00 572.00

Licensee: I CARE CAB LLC

DBA: MIDWEST STAR TAXI

License #: 20170004855


3/6/19 Sent to CAO for failure to renew Taxicab Service Company License. ARM

2/5/19 Enforcement letter sent delinquent Taxicab Service Company license. Response due by 2/15/19. ARM

License Query

Address Licensee Contact License Cardholder

Licensee Name: CARE CAB LLC
 DBA: MIDWEST STAR TAX
 Sales Tax Id:

- Find Now
 - OK
 - Cancel
 - New Search
 - Help
- 

SEARCH WINDOW

New Group... New Temp Grp... Copy Group... Add License... Properties...

License #	Tag #	Licensee Name	DBA	License Type	Status	Reason
170004855	0	CARE CAB LLC	MIDWEST STAR TAX	Taxicab Service Company	Delinquent	License expired

Properties For License 3055 OLD HIGHWAY 8 STE 108

Pay Print Warn Hist Summ

Licensee: CARE CAB LLC
DBA: MIDWEST STAR TAXI

License Licensee Lic. Types Insurance Bond Requirements

Property Licensee Unofficial

Street #: 3055
Street Name: OLD HIGHWAY 8
Street Type: Direction:
Unit Ind: STE Unit #: 108
City: MINNEAPOLIS
State: MN Zip: 55418
Browse

Project Facilitator: ZANGS, LAWRENCE (LARRY)
Adverse Action Comments:
License Group Comments:
3/6/19 Sent to CAO for failure to renew Taxicab Service Company License. ARM
2/5/19 Enforcement letter sent delinquent Taxicab Service Company license. Response due by 2/15/19. ARM

Licensee: CARE CAB LLC Licensee Comments:
DBA: MIDWEST STAR TAXI
Sales Tax Id: ***** Bus Phone: (612) 788-6666

License Type	Class	Effective	Expiration	Conditions	License Fee
Taxicab Service Company	R	12/21/2017	12/21/2018	N	\$408.00
Total:					\$408.00

License # 170004855 Save Changes to History OK Cancel Help

Properties For License 3055 OLD HIGHWAY 8 STE 108



Licensee: CARE CAB LLC
 DBA: MIDWEST STAR TAXI

License Type: Taxicab Service Company
 Effective: 12/21/2017 Expiration: 12/21/2018
 Apply Discount: Remove Discount: Discount Rec'd:
 Replace Fee: # of Units: 1

License Class: R
 Status: Delinquent
 Status Changed: 12/24/2018
 Application Date: 12/21/2017

Inspector Name	Type	Phone #	
FERRARA, TOM	License	(651) 266-9087	<input type="button" value="Add"/> <input type="button" value="Remove"/>

Name	Trade Type	Card #	Card Type	Expiration	
					<input type="button" value="Add Mast"/> <input type="button" value="Remove"/>

Tag #: 0

Fields

License Type Comments(long):

<< 1 of 1 >>

License # 170004855
 Save Changes to History

Licensee: CARE CAB LLC
 DBA: MIDWEST STAR TAXI

License Type:

OK	Requirement	Approval	Approved By	Conditions
	Workers Comp - State Form	00/00/0000		N
<input type="checkbox"/>	Record Check - Criminal History	00/00/0000		N
<input type="checkbox"/>	5 Or More Vehicles	00/00/0000		N

License Group Conditions:

License Type Requirement Comments:

2/5/19 Sent Delinquent Taxicab Service Company License Enforcement letter. ARM

Sec. 310.05. - Hearing procedures.

(m) *Presumptive penalties for certain violations.* The purpose of this section is to establish a standard by which the city council determines the amount of fines, the length of license suspensions and the propriety of revocations, and shall apply to all license types, except that in the case of a violation involving a liquor license § 409.26 shall apply where a specific violation is listed. In the case of an adverse action filed for a violation of chapter 331A, the licensee shall be given a fine for each individual violation of chapter 331A. The total fine amount for violations of chapter 331A may exceed the maximum fine outlined below due to multiple violations in one (1) appearance. All penalty recommendations for chapter 331A violations shall be based on the food penalty guideline referred to in chapter 331A. These penalties are presumed to be appropriate for every case; however the council may deviate therefrom in an individual case where the council finds and determines that there exist substantial and compelling reasons making it more appropriate to do so. When deviating from these standards, the council shall provide written reasons that specify why the penalty selected was more appropriate.

Type of Violation	Appearance			
	1st	2nd	3rd	4th
(1) Violations of conditions placed on the license	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(2) Violation of provisions of the legislative code relating to the licensed activity	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(3) Violation of provisions of the legislative code relating to the licensed activity, other than violations of the food code	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(4) Failure to permit entrance or inspection by DSI inspector or police	5-day suspension	10-day suspension	15-day suspension	Revocation
(5) Commission of a crime other than a felony on the premises by a licensee or employee	\$700.00	\$1,500.00	5-day suspension	Revocation
(6) Commission of a felony on the premises by a licensee or employee	\$2,000.00	Revocation	n/a	n/a

(7) Death or great bodily harm in establishment related to violation of law or license conditions	30-day suspension	60-day suspension	Revocation	n/a
(8) Failure to pay license fees	Suspension	Revocation		
(9) Critical violations under 331A	\$250.00	\$500.00	\$1,000.00, 5-day suspension	Revocation
(10) Non-critical violation under 331A	\$150.00	\$250.00	\$500.00	\$1,000.00
(11) Taxi fail to display driver's license as required by 376.16(f)	\$100.00	\$250.00	\$500.00	Revocation
(12) Taxi fail to display number of information and complaint office as required by 376.11(v)	\$100.00	\$250.00	\$500.00	Revocation
(13) Violation of restrictions upon sidewalk café license under 106.01(b)	\$200.00	\$400.00	\$800.00	Revocation

(i) *Fines payable without hearing.*

- A. Notwithstanding the provisions of section 310.05(c), a licensee who would be making a first or second appearance before the council may elect to pay the fine to the department of safety and inspections without a council hearing, unless the notice of violation has indicated that a hearing is required because of circumstances which may warrant deviation from the presumptive fine amount. Payment of the recommended fine will be considered to be a waiver of the hearing to which the licensee is entitled, and will be considered an "appearance" for the purpose of determining presumptive penalties for subsequent violations.
- B. For adverse action initiated under chapter 331A of this Code, a fine may be paid without a hearing regardless of how many prior appearances that licensee has made before the council. The above council hearing requirement applies to violations under chapter 331A unless the fine recommended by the department of safety and inspections is equal to or less than the fine amount outlined in the above matrix. Payment of the recommended fine will be considered to be a waiver of the hearing to which the licensee is entitled, and will be considered an "appearance" for the purpose of determining presumptive penalties for subsequent violations. A non-critical violation under chapter 331A shall not be considered an "appearance" for purposes of determining presumptive penalties for non-331A violations. A council hearing is required if the department of safety and inspections recommends a fine that is an upward departure for the amount outlined above.

- (ii) *Multiple violations.* At a licensee's first appearance before the city council, the council shall consider and act upon all the violations that have been alleged and/or incorporated in the notices sent to the licensee under the administrative procedures act up to and including the formal notice of hearing. The council in that case shall consider the presumptive penalty for each such violation under the "1st Appearance" column in paragraph (b) above. The occurrence of multiple violations shall be grounds for departure from such penalties in the council's discretion.
- (iii) *Violations occurring after the date of the notice of hearing.* Violations occurring after the date of the notice of hearing that are brought to the attention of the city attorney prior to the hearing date before an administrative law judge (or before the council in an uncontested facts hearing) may be added to the notice(s) by stipulation if the licensee admits to the facts, and shall in that case be treated as though part of the "1st Appearance." In all other cases, violations occurring after the date of the formal notice of hearing shall be the subject of a separate proceeding and dealt with as a "2nd Appearance" before the council. The same procedures shall apply to a second, third or fourth appearance before the council.
- (iv) *Subsequent appearances.* Upon a second, third or fourth appearance before the council by a particular licensee, the council shall impose the presumptive penalty for the violation or violations giving rise to the subsequent appearance without regard to the particular violation or violations that were the subject of the first or prior appearance. However, non-critical violations of chapter 331A shall not be counted as an "appearance" before the council in relation to any violation other than another violation of chapter 331A.
- (v) *Computation of time.*
 - (1) *Second appearance.* A second violation within twelve (12) months shall be treated as a second appearance for the purpose of determining the presumptive penalty.
 - (2) *Third appearance.* A third violation within eighteen (18) months shall be treated as a third appearance for the purpose of determining the presumptive penalty.
 - (3) *Fourth appearance.* A fourth violation within twenty-four (24) months shall be treated as a fourth appearance for the purpose of determining the presumptive penalty.
 - (4) Any appearance not covered by subsections (1), (2) or (3) above shall be treated as a first appearance. Measurement of the twelve-, eighteen-, or twenty-four-month period shall be as follows: The beginning date shall be the earliest violation's date of appearance before the council, and the ending date shall be the date of the new violation. In case of multiple new violations, the ending date to be used shall be the date of the violation last in time.
 - (5) Notwithstanding subsections (iv)(1), (2), (3) or (4) above, a second appearance before the council regarding a death or great bodily harm in a licensed establishment that is related to a violation of the law or license conditions shall be counted as a second appearance, regardless of how much time has passed since the first appearance if the first appearance was also regarding a death or great bodily harm in a licensed establishment. A third appearance for the same shall be counted as a third appearance regardless of how much time has passed since the first or second appearance.
 - (6) For the purpose of a second, third or fourth appearance under this section, "violation" shall mean either one of those violations listed in paragraph (m) or a violation of section 409.26(b).

(Code 1956, § 510.05; Ord. No. 17551, § 2, 4-19-88; Ord. No. 17559, §§ 1, 2, 5-17-88; Ord. No. 17659, § 1, 6-13-89; Ord. No. 17911, § 1, 3-10-92; C.F. No. 94-46, § 7, 2-2-94; C.F. No. 94-898, §§ 2, 3, 7-13-94; C.F. No. 94-1340, § 2, 10-19-94; C.F. No. 95-473, § 4, 5-31-95; C.F. No. 05-180, § 1, 4-6-05; C.F. No. 06-954, § 1, 11-8-06; C.F. No. 06-1072, § 1, 12-27-06; C.F. No. 07-149, § 73, 3-28-07; C.F. No. 07-1053, § 1, 11-28-07; C.F. No. 08-1208, § 1, 12-17-08; C.F. No. 10-665, § 1, 7-28-10; Ord. No. 11-93, § 1, 9-28-11; Ord. No. 11-94, § 1, 10-12-11; Ord 12-42, § 1, 8-22-12; Ord 12-85, § 1, 1-23-13)



Request for City Attorney's Office Action
 From the Department of Safety and Inspections

Date: 3/5/2019

To: Theresa Skarda

DBA Name: Midwest Star Taxi

Prepared by: Akbar R. Muhammad

DBA Address: 3055 Old Highway 8 STE 108 Minneapolis 55418

Licensee Name: I Care Cab LLC

License Number: 20170004855

License Type(s): Taxicab Service Company

Mail to Address: 195 Congress St E St. Paul 55107

Adverse License Action Requested:

Type of Violation:

Requested Penalty:

First Violation

Second Violation (within 12 months)

Third Violation (within 18 Months)

Fourth Violation (24 months)

other:

Revocation

Application Denial

Suspension

Cause for Action:

Brief Description: Failure to renew annual Taxicab Service Company License

376.17 Ordinance Violation Ordinance Number(s): a2

License Condition Violations

Condition Number(s):

Supporting Documentation:

Law Enforcement Data

Driver's License Data

License / Permit

Photograph(s)

Stamp Data

Inspectors Report(s)

Snips from Eclips

Other: Enforcement Letter