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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: January 20, 2016

Agenda Item No. 3(B)(4)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Resolution No. R-10-16

Subject: Application for a Transfer of Passenger Motor Carrier Certificate of Transportation No. 30146 from Juma's, Inc to Santana's Superior Transportation Corp.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30146 from Juma's, Inc. to Santana's Superior Transportation Corp.

Scope

This PMC Certificate of Transportation is countywide, allowing the certificate holder to operate in unincorporated and incorporated areas of Miami-Dade County.

Fiscal Impact/Funding Source

Licensing, operating permit and inspection fees are collected by the Department of Regulatory and Economic Resources to support regulatory activities. There is an annual regulatory fee of $625.00 per certificate and $625.00 per vehicle that will yield $1,250.00 in revenue annually for the first vehicle and $625.00 for each additional vehicle. PMC certificate holders can operate an unlimited number of vehicles under the certificate. The County also collects $38.00 per vehicle inspection with frequency varying with the vehicle age from one (1) to four (4) inspections per year.

Track Record/Monitor

The applicant currently holds two (2) luxury sedan licenses and is in compliance with all requirements of the Code of Miami-Dade County (Code). Joe Mora, Division Chief within the Department of Regulatory and Economic Resources, will be responsible for monitoring this company.

Background

On February 17, 1981, the Board adopted Ordinance 81-17, subsequently amended by Ordinance 85-20 on April 16, 1985, which regulates the passenger motor carrier industry in Miami-Dade County under Chapter 31 of the Code.

Section 31-103 (m) of the Code provides the procedures to be followed by Miami-Dade County in processing transfer applications. No certificate may be sold, assigned or transferred to another until the proposed sale, assignment, or transfer has been approved by the Board. In considering the proposed transfer of ownership or control of the certificate, the Board shall determine whether or not said transfer is contrary to the public interest, upon evidence submitted at the public hearing. The Board may approve or refuse to approve said transfer upon such terms and conditions or may reasonably alter, restrict or modify the terms and provisions of such transfer if in the public's interest.

Juma's, Inc. has filed an application to transfer Passenger Motor Carrier Certificate of Transportation No. 30146 to Santana's Superior Transportation Corp. Transferred on June 3, 2008, via Resolution R-620-08 (Attachment A), PMC No. 30146 authorizes contract carrier service. This class of service is defined as any passenger motor carrier who is not a common carrier and who repeatedly or continuously transports persons for compensation under written contracts with one or more persons.

The company is required to adhere to the terms of Resolution R-620-08, which approved the certificate. Santana's Superior Transportation Corp., located at 301 NW 63 Court, Miami, Florida 33126, seeks to continue providing this class of service by transporting tourist and resident groups to and from various locations throughout Miami-Dade County 24 hours a day, seven days a week. Transportation is required to be pre-arranged at least 24 hours prior to service, using chauffeur-driven vehicles with a seating capacity of nine or more, but less than 28 passengers, excluding the driver. The proposed rates are listed on the attached rate schedule (Attachment B).

The management plan submitted by Mr. Rodrigo Santana, President of Santana's Superior Transportation Corp., includes maintenance, communication, and recordkeeping systems and meets the requirements of the Code. All required financial statements and credit references have been submitted and the proposed service standards adequately meet passenger transportation and comfort needs. A background investigation reveals no criminal conviction for the applicant or any corporate officers within five years of the date of the application.

As required by the Code, the applicant has provided disclosure of the terms and conditions regarding the transfer of the certificate. A Sales Agreement (Attachment C) between Juma's, Inc. and Santana's Superior Transportation Corp. establishes the acquisition of Passenger Motor Carrier Certificate of Transportation No. 30146 for a total price of $15,000.00.

Jack Osterholt, Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: January 20, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(B)(4)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Statement of social equity required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(B)(4)
1-20-16

RESOLUTION NO. R-10-16

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30146 FROM JUMA'S, INC. TO SANTANA'S SUPERIOR TRANSPORTATION CORP. TO PROVIDE CONTRACT CARRIER SERVICE AS A PASSENGER MOTOR CARRIER

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that in accordance with Chapter 31 of the Code of Miami-Dade County, the transfer of Certificate of Transportation No. 30146 from Juma's, Inc. to Santana's Superior Transportation Corp. to provide contract carrier service as a passenger motor carrier is approved. This class of transportation is defined as any passenger motor carrier who is not a common carrier and who repeatedly and continuously transports persons for compensation under written contracts with one (1) or more persons.

The foregoing resolution was offered by Commissioner **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	**aye**		
Esteban L. Bovo, Jr., Vice Chairman	**aye**		
Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**	Xavier L. Suarez	**absent**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. GKS

Gerald K. Sanchez

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

ATTACHMENT A

Memorandum

MIAMI-DADE COUNTY

Date: June 3, 2008

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Agenda Item No. 8(C)(1)(F)

Resolution No. R-620-08

Subject: Juma's, Inc. application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 146

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier Certificate of Transportation No. 146 from Marsan Miami Tours & Transportation, Inc. (Marsan) to Juma's, Inc. (Juma).

SCOPE

This Passenger Motor Carrier Certificate of Transportation is countywide, allowing the license holder to operate in unincorporated and incorporated areas of Miami-Dade County.

FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact to the County.

TRACK RECORD/MONITOR

Applicant is a new service provider. The Consumer Services Department will be responsible for monitoring this company. There has been some enforcement history within the last five years. The applicant received three citations for operating a for-hire vehicle without a valid inspection, one for failure to obtain a chauffeur registration, another for failure to comply with requirements and one for being away from the vehicle. All citations issued have been satisfied.

BACKGROUND

On February 17, 1981, the Board of County Commissioners adopted Ordinance 81-17, subsequently amended by Ordinance 85-20 on April 16, 1985, which regulates the passenger motor carrier industry in Miami-Dade County under Chapter 31 of the Code of Miami-Dade County.

Section 31-103 (m) of the Code provides the procedures to be followed by the County in processing transfer applications. No certificate may be sold, assigned or transferred to another until the proposed sale, assignment, or transfer is approved by the Board. In considering the proposed transfer of ownership or control of the certificate, the Board shall determine whether or not said transfer is contrary to the public interest, upon evidence submitted at the May 14, 2008 Economic Development and Human Services Committee meeting (Attachment A). The Board may approve or refuse to approve the transfer upon such terms and conditions or may reasonably alter, restrict or modify the terms and provisions of such transfer if in the public's interest.

Marsan has filed an application to transfer Passenger Motor Carrier (PMC) Certificate of Transportation No. 146 to Juma's. Originally issued on October 5, 1993 via Resolution R-1218-93 (Attachment B) to Rada Tours, Inc., then transferred to Marsan on May 21, 2002 via Resolution R-478-02 (Attachment C), PMC No. 146 authorizes Contract Carrier Service. This class of service is defined as any passenger motor carrier who is not a common carrier and who

repeatedly or continuously transports persons for compensation under written contract with one or more persons.

Juma's, located at 6415 S.W. 116 Place, Unit C, Miami, Florida, 33173, seeks to continue providing this class of service by transporting resident and tourist groups to and from various locations throughout Miami-Dade County 24 hours a day, seven days a week. Transportation is required to be pre-arranged at least 24-hours prior to service, using chauffeur driven vehicles with a seating capacity of nine or more, but less than 28 passengers, excluding the driver. The company is required to adhere to the terms of resolution which approved the initial certificate in 1993. The proposed rates are listed on the attached rate schedule (Attachment D).

The management plan submitted by Juan Monroy, President of Juma's includes maintenance, communication, and record keeping systems and meets the requirements of the Code. All required financial statements and credit references have been submitted and the proposed service standards adequately meet passenger transportation and comfort needs. A background investigation reveals no criminal conviction for the applicant or any corporate officers within five years of the date of the application.

As required by the Code, the applicant has provided disclosure of the terms and conditions regarding the transfer of the certificate. A Sales Agreement (Attachment E) between Juan Monroy, President of Juma's, Inc., and Mario Rodriguez, President of Marsan Miami Tours & Transportation, Inc., establishes the acquisition by Juan Monroy of PMC Certificate of Transportation No. 146 for a total price of $5,000.

Assistant County Manager

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(C)(1)(F)
6-3-08

RESOLUTION NO. R-620-08

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 146 TO JUMA'S, INC. TO PROVIDE CONTRACT CARRIER SERVICES AS A PASSENGER MOTOR CARRIER

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that in accordance with Chapter 31 of the Code, the transfer of Certificate of Transportation No. 146 to Juma's, Inc. to provide contract carrier service is approved. This class of service is defined as any passenger motor carrier who is not a common carrier and who repeatedly or continuously transports persons for compensation under written contract with one (1) or more persons.

The foregoing resolution was offered by Commissioner Barbara J. Jordan, who moved its adoption. The motion was seconded by Commissioner Jose "Pepe" Diaz and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman aye
Barbara J. Jordan, Vice-Chairwoman aye

Jose "Pepe" Diaz	aye	Audrey M. Edmonson	absent
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	absent	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	absent
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of June, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Kay Sullivan**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. GKS

Gerald K. Sanchez

ATTACHMENT B

GULLIVER'S - KUONI 2014 RATE SHEET					
FROM	TO	SEDAN	VAN- SUV	LIMO	MINI - BUS
MIA	MIAMI CITY BEACHES - PORT	$ 98.00	$ 165.00	$ 183.00	$ 280.00
MIA	FLL & HOTELS & PEVERG	$ 135.00	$ 187.00	$ 215.00	$ 300.00
MIA	BOCA RATON	$ 180.00	$ 232.00	$ 265.00	$ 330.00
MIA	PALM BEACH	$ 270.00	$ 290.00	$ 300.00	$ 390.00
MIA	ORLANDO or KEY WEST	$ 600.00	$ 700.00	$ 800.00	$ 1,100.00
MIAMI CITY & BEACHES	MIA	$ 98.00	$ 157.00	$ 173.00	$ 265.00
MIAMI CITY & BEACHES	PORT OF MIAMI	$ 98.00	$ 152.00	$ 175.00	$ 250.00
MIAMI CITY & BEACHES	FLL & HOTEL & PORT EVERGLADES	$ 130.00	$ 178.00	$ 195.00	$ 290.00
PORT OF MIAMI	MIA	$ 120.00	$ 170.00	$ 200.00	$ 300.00
PORT OF MIAMI	MIAMI &MIAMI BEACH HOTELS	$ 115.00	$ 163.00	$ 195.00	$ 290.00
PORT OF MIAMI	FLL & HOTELS & PORT EVERGLADES	$ 146.00	$ 193.00	$ 215.00	$ 320.00
FLL	MIA	$ 135.00	$ 177.00	$ 200.00	$ 300.00
FLL	MIAMI, MIAMI BEACH & PORT OF MIAMI	$ 135.00	$ 177.00	$ 200.00	$ 290.00
FLL	FLL HOTELS & PORT EVERGLADES	$ 104.00	$ 156.00	$ 173.00	$ 240.00
FLL HOTELS	MIA	$ 135.00	$ 177.00	$ 200.00	$ 300.00
FLL HOTELS	MIAMI, MIAMI BEACH, PORT OF MIAMI	$ 130.00	$ 168.00	$ 195.00	$ 300.00
FLL HOTELS	PORT EVERGLADES & FLL AIRPORT	$ 99.00	$ 140.00	$ 168.00	$ 240.00
PORT EVERGLADES	MIA	$ 150.00	$ 183.00	$ 215.00	$ 300.00
PORT EVERGLADES	PORT MIA, MIAMI BEACH HOTELS	$ 146.00	$ 178.00	$ 210.00	$ 290.00
PORT EVERGLADES	FLL AIRPORT & HOTELS	$ 125.00	$ 152.00	$ 190.00	$ 270.00

VEHICLES	RATES
SEDAN	$ 60.00
VAN'S & SUV'S	$ 80.00
LIMOS	$ 90.00
MINI BUS (25 PAX.)	$ 100.00

SANTANA'S SUPERIOR TRANSPORTATION
info@miamisuperiortransportation.com
1 877 267 3822
305 267 3822

ATTACHMENT C

BILL OF SALE

The undersigned JUAN MONROY, President of JuMa's Inc, for inconsideration of good and valuable consideration, does hereby sell, assign and convey to SUPERIOR TRANSPORTATION. ALL/HIS.HER/THEIR RIGHTS, TITLE AND INTERES TO THE FOLLOWING: P.M.C CERTIFICATE No 30146.

The under singned acknowledges receipt of thae amount of $15.000 representing payment in full.

The sale and transfer of this certificate is pending approval of the consumer Services Department, Passenger Transportation Regulatory Division and the Board of County commissioners.

IN WITNESS WHEREOF, the undersigned JUAN MONROY has executed this Bill of sale this 01 day of June 2014

Juan Monroy

On this 9, June 2014, before me personally appeared JUAN MONROY, know to me (or probed to me on the basis of the satisfactory evidence) to be the person whose name is subscribed to to withing the instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument, she executed the instrument

WITNESS my hand and official seal

NOTARY PUBLIC STATE OF FLORIDA

ADRIAN MARCELO ENDARA
MY COMMISSION # EE 152078
EXPIRES: December 11, 2015
Bonded Thru Budget Notary Services

Notary Public