

Memorandum



Date: June 2, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of the County Manager.

Subject: V.I.P. Shuttle Services, Corp. application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 207

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

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 207 from Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. to V.I.P. Shuttle Services, 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

There is no fiscal impact to the County.

TRACK RECORD/MONITOR

Applicant is an existing permit holder with one luxury sedan and one super stretch permit. The Consumer Services Department (CSD) will be responsible for monitoring this company. There has been some enforcement history. During the last five years, the applicant received 11 citations while operating a for-hire vehicle; however, eight of the citations were issued more than three years ago. Three were issued to chauffeurs, three for soliciting, three for failure to maintain an accurate trip sheet, one for failure to sign and accept a violation notice and another for abusive language. All citations 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 PMC 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 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 May 12, 2009 Government Operations Committee meeting (Attachment A). 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.

American Tours USA, Inc. has filed an application to transfer PMC Certificate of Transportation No. 207 to V.I.P. Shuttle Services, Corp. Originally issued on April 16, 1996 via Resolution R-384-96 (Attachment B) to Casino Limousine, Inc., then transferred to American Tours USA, Inc. via Resolution R-385-07 (Attachment C), PMC No. 207 authorizes charter services. This class of service is defined as

transportation of a group of persons pursuant to a common purpose and traveling under a single contract involving the exclusive use of a motor vehicle.

The company is required to adhere to the terms of the resolution, which approved the initial certificate (R-384-96). V.I.P. Shuttle Services, Corp. located at 256 Pocatella Street, Miami, Florida 33166, 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 proposed rates are listed on the rate schedule (Attachment D).

The management plan submitted by Mr. Munir Ghorab, President of V.I.P. Shuttle Services, Inc. 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. Although there has been some enforcement history within the last five years, approval is recommended to maintain the availability of licensed PMCs in Miami-Dade County thus providing competition and high service standards to the public. The Code does not exclude an applicant based on past violations as long as the violations have been satisfied.

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 Mr. Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. and Mr. Munir Ghorab, President of V.I.P. Shuttle Services, Corp. establishes the acquisition by V.I.P. Shuttle Services, Corp. of PMC Certificate of Transportation No. 207 for a total price of \$10,000.00.



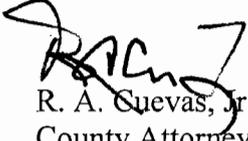
Assistant County Manager



MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: June 2, 2009

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(C)(1)(A)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Mayor's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(C)(1)(A)
6-2-09

RESOLUTION NO. _____

RESOLUTION APPROVING TRANSFER OF
CERTIFICATE OF TRANSPORTATION NO. 207 FROM
JORGE ENRIQUE GAMEZ GROSSO d/b/a AMERICAN
TOURS USA, INC. TO V.I.P. SHUTTLE SERVICES,
CORP. TO PROVIDE CHARTER 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, the transfer of Certificate of Transportation No. 207 to V.I.P. Shuttle Services, Corp. to provide charter service is approved. This class of service is defined as transportation of a group of persons pursuant to a common purpose and traveling under a single contract involving the exclusive use of a motor vehicle.

The foregoing resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of June, 2009. 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: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

GKS

Gerald K. Sanchez

Attachment A

MIAMI-DADE COUNTY

PUBLIC NOTICE

THE GOVERNMENT OPERATIONS COMMITTEE OF THE BOARD OF COUNTY COMMISSIONERS of Miami-Dade County, Florida will meet on Tuesday, May 12, 2009, at approximately 9:30 a.m. in the County Commission Chambers, Second Floor, Stephen P. Clark Center, 111 NW First Street, Miami, Florida to consider:

Resolution approving transfer of Certificate of Transportation No. 207 to V.I.P. Shuttle Services, Corp. to provide charter services as a passenger motor carrier.

A person who decides to appeal any decision made by the Government Operations Committee of the Board of County Commissioners, with respect to any matter considered at its hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

RESOLUTION NO. R-384-96

RESOLUTION APPROVING APPLICATION FOR ONE
CERTIFICATE OF TRANSPORTATION TO CASINO
LIMOUSINE, INC. TO PROVIDE CHARTER 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 DADE COUNTY, FLORIDA, that in accordance with Chapter 31 of the Code, a Certificate of Transportation to provide charter passenger motor carrier services to various points in Dade County, pursuant to written service contracts, involving the exclusive use of a vehicle, as recommended by the County Manager, be issued to Casino Limousine, Inc.

The foregoing resolution was offered by Commissioner ~~James Burke~~, who moved its adoption. The motion was seconded by Commissioner ~~Dennis Burke~~ and upon being put to a vote, the vote was as follows:

James Burke	aye	Miguel Diaz de la Portilla	absent
Betty T. Ferguson	aye	Maurice A. Ferre	aye
Bruce Kaplan	aye	Gwen Margolis	aye
Natacha S. Millan	aye	Dennis C. Moss	aye
Alexander Penelas	aye	Pedro Reboredo	absent
Katy Sorenson	aye	Javier D. Souto	absent
Arthur E. Teele, Jr.	aye		

Agenda Item No. 4(L)
Page No. 2

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day
of April, 1996.



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

DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

By: KAY SULLIVAN
Deputy Clerk



MEMORANDUM Agenda Item No. 4(L)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: April 16, 1996

FROM: Armando Vidal, P.E.
County Manager

SUBJECT: Casino Limousine, Inc.
application for a Passenger Motor
Carrier Certificate
(PMC Control No. 275)

RECOMMENDATION

It is recommended that the Board approve the application of Casino Limousine, Inc. for a Passenger Motor Carrier of Transportation to provide pre-arranged charter service.

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 Dade County under Chapter 31 of the Code of Metropolitan Dade County.

Section 31-103 of the Code provides the procedures to be followed by Metro Dade County in processing certificate applications. Based on those requirements, a public hearing has been scheduled before the Board of County Commissioners. At the conclusion of the public hearing the Board may issue or refuse to issue the certificate, or issue the certificate with such modifications or upon such terms and conditions as in its judgment the public interest may require. In reaching its determination, the Board shall consider the application, the County Manager's report and recommendation, all matters presented at the public hearing, and among others, the following criteria:

- (1) That the applicant is fit, willing and able in accordance with the requirements of this section, to provide the transportation to be authorized by this certificate and is able to comply with this article and regulations of the commission.
- (2) That the transportation to be provided under the requested certificate is consistent with the public interest.
- (3) That the proposed transportation service will improve the quality of transportation available to the public.

Honorable Chairperson and Members
Board of County Commissioners

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ANALYSIS

Casino Limousine, Inc., located at 7109 SW 127 Court, Miami, Florida 33183, seeks to obtain a Passenger Motor Carrier Certificate of Transportation to provide pre-arranged charter service to passengers throughout all of Dade County. This class of service is defined as the transportation of a group of persons pursuant to a common purpose and traveling under a single contract involving the exclusive use of a motor vehicle.

The company seeks to transport tourist and resident groups to various locations throughout Dade County. Transportation will be pre-arranged on a 24 hour minimum basis. These services will be provided 24 hours a day, seven days a week, 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 fare schedule.

The management plan submitted by Ms. Odalis Suarez, President of Casino Limousine, Inc., 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 record for the applicant.

In accordance with Section 31-103(e) of the Code, a 20 day notice of application was provided to all affected municipalities within Dade County, all passenger motor carrier certificate holders and interested parties. No protests were filed.

This item is being submitted for the March 1996 Health and Public Safety Committee meeting.

Attachment C

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(C)(1)(B)
04-24-07

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

RESOLUTION NO. R-385-07

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF
TRANSPORTATION NO. 207 FROM CASINO LIMOUSINE, INC.
TO JORGE ENRIQUE GAMEZ GROSSO d/b/a AMERICAN
TOURS USA, INC. TO PROVIDE CHARTER 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, the transfer of Certificate of Transportation No. 207 from Casino Limousine, Inc. to Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. to provide charter passenger motor carrier services of transportation to a group of persons pursuant to a common purpose and traveling under a single contract involving the exclusive use of a motor vehicle is approved.

The foregoing resolution was offered by Commissioner Carlos A. Gimenez who moved its adoption. The motion was seconded by Commissioner Dennis C. Moss 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	absent
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 24th day of April, 2007. 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

Approved by County Attorney as
to form and legal sufficiency.

Gerald K. Sanchez



By: **KAY SULLIVAN**
Deputy Clerk

Memorandum



Date: April 24, 2007

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

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

From: George M. Burgess
County Manager

Subject: Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc., application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 207

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier Certificate of Transportation No. 207 from Casino Limousine, Inc. to Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc.

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 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 County Commission. The Community Empowerment and Economic Revitalization Committee and Board of County Commissioners, in considering the proposed transfer of ownership or control of the certificate, shall determine, upon evidence submitted by the parties or any other party or person affected by the proposed transfer, whether or not said transfer is contrary to the public interest. The Commission may approve said transfer 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 where the same may best serve the public interest.

ANALYSIS

Casino Limousine, Inc. has filed an application to transfer Passenger Motor Carrier (PMC) Certificate of Transportation No. 207 to Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. The Code requires that such transfers be approved by the Board. PMC No. 207 was originally issued on April 16, 1996, to Casino Limousine, Inc. This certificate authorizes charter service – transportation of a group of persons pursuant to a common purpose and traveling under a single contract involving the exclusive use of a motor vehicle. Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. located at 640 NW 36 Court, #C-3, Miami, Florida 33134, seeks to continue providing this class of service.

Honorable Chairman Bruno A. Barriero
and Members, Board of County Commissioners
Page 2

The company is required to adhere to the terms of the resolution, which approved the initial certificate (R-384-96, attached). Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. seeks to continue transporting resident and tourist groups to and from various locations throughout Miami-Dade County.

Transportation will be pre-arranged on a 24-hour minimum basis. These services will be provided seven days a week, 24 hours a day, 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.

The management plan submitted by Mr. Jorge Enrique Gamez Grosso 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. There has been no enforcement history.

As required by the Code, the applicant has provided disclosure of the terms and conditions regarding the transfer of the certificate. A Sales Agreement between Casino Limousine, Inc. and Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. establishes the acquisition by Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. of PMC Certificate of Transportation No. 207 for a total price of ten thousand dollars (\$10,000.00).

Attachments



Roger M. Carlton
Assistant County Manager

STATE OF FLORIDA)) SS:
COUNTY OF MIAMI-DADE)

I, **HARVEY RUVIN**, Clerk of the Circuit and County Courts, in and for Miami-Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, **Do Hereby Certify** that the above and foregoing is a true and correct copy of Resolution R-385-07, adopted by the Board of County Commissioners at its meeting of April 24, 2007, as appears of record.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 8th day of May, A.D. 2007.



HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By: _____

Deputy Clerk

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www.vipshuttle.net - Email: ghorab21@aol.com

RATES

Miami Airport / Miami Beach

1-4 pax	Up to 7	Up to 10	Up to 14	Up to 29
55.00	70.00	85.00	115.00	175.00

Miami Airport to Port of Miami

1-4 pax	Up to 7	Up to 10	Up to 14	Up to 29
55.00	65.00	80.00	100.00	150.00

Downtown Miami Hotels to Port of Miami

1-4 pax	Up to 7	Up to 10	Up to 14	Up to 29
30.00	50.00	80.00	90.00	125.00

Ft. Lauderdale Airport to Port of Miami / S. Beach / Miami Beach Hotels

1-4 pax	Up to 7	Up to 10	Up to 14	Up to 29
65.00	85.00	100.00	130.00	250.00

Miami Airport to Port Everglades /

Port Everglades to Miami Airport

1-4 pax	Up to 7	Up to 10	Up to 14	Up to 29
75.00	85.00	100.00	130.00	200.00

West Palm Beach Airport to Miami /

Miami West Palm Beach

1-4 pax	Up to 7	Up to 10	Up to 14	Up to 29
150.00	175.00	200.00	250.00	350.00

Everglade Tours 49.00 City Tour/South Beach 39.00

Seaquarium 49.00 Star Island Boat Tour 29.00

Bayside Market Place 20.00

All above include: luggage storage + Transportation to Airport

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Van : \$65.00

Bus: \$85.00

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through company representative. Prices subject to change without notice.

FLEET

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 49-57 passenger motor coach
 Baby car seat / toddler booster seat available upon request.

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Attachment E

September 17, 2008

Re: Purchase of PMC # 30207

This agreement between Jorge Grosso of American Tours USA, Inc and Munir Ghorab is for the purchase of permit #30207 (PMC) to be purchased for the sum of ten thousand dollars (\$10,000.00) to be paid in check and in four installments to Fernando Sanabria. Jorge Grosso will provide all documents in relation to the said permit mentioned above upon request of purchase. Buyer will pay for all permits for the company and will be responsible for any debt acquired after this date. Seller will provide full power of attorney to buyer and will waive all rights or ownership of American Tours USA as of September 17, 2008. First payment to be made today in the sum of two thousand five hundred dollars paid by check number # 1083.

American Tours USA, Inc.
Jorge Grosso/ Seller

Jorge Grosso

Fernando Sanabria/ Officer ATU

Fernando Sanabria

Munir Ghorab/ VIP
Purchaser

Munir Ghorab

Sanaa Ghorab / Witness for both parties

Sanaa A. Ghorab

Maria E. Tapanes
MARIA E. TAPANES

