Memorandum

MIAMI-DADE COUNTY

Date: October 4, 2011

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

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Prestige Transportation Service LLC Application for a Transfer of Passenger Motor Carrier Certificate of Transportation No. 30265

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30265 from Teresa Ramirez d/b/a Airport Alliance II, Inc. to Prestige Transportation Service LLC.

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 Consumer Services Department (CSD) to support regulatory activities. There is an annual regulatory fee of $625 per certificate and $625 per vehicle that will yield $1,250 in revenue annually if the company operates only one (1) vehicle. PMC certificate holders can operate an unlimited number of vehicles under the certificate. Vehicle inspections are $38 per vehicle.

TRACK RECORD/MONITOR

Applicant is a new permit holder. There is no enforcement history. The Consumer Services Department (CSD) will be responsible for monitoring this company.

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 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.

Teresa Ramirez d/b/a Airport Alliance II, Inc., Inc. has filed an application to transfer PMC Certificate of Transportation No. 30265 to Prestige Transportation Service LLC. Transferred on June 6, 2006, via Resolution R-641-06 (Attachment A), to Teresa Ramirez d/b/a Airport Alliance II, Inc., PMC No. 30265 authorizes special operations service. This class of service is defined as transportation of persons in a

motor vehicle to a common destination or series of common destinations where the person may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not between fixed terminals or on a regular route.

The company is required to adhere to the terms of the resolution, which approved the certificate. Prestige Transportation Service LLC, located at 15342 SW 177 Terrace, Miami, Florida 33187, 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 attached rate schedule (Attachment B).

The management plan submitted by Mr. Ricardo Hernandez, Manager of Prestige Transportation LLC, 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 C) between Prestige Transportation LLC and Teresa Ramirez, establishes the acquisition by Prestige Transportation LLC of PMC Certificate of Transportation No. 30265 for a total price of $15,000.

Attachments

Assistant County Manager

MEMORANDUM
(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: October 4, 2011

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

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

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**

_____ **Ordinance creating a new board requires detailed County Manager'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. 8(C)(1)(A)
10-4-11

RESOLUTION NO. _____

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30265 FROM TERESA RAMIREZ D/B/A AIRPORT ALLIANCE II, INC. TO PRESTIGE TRANSPORTATION SERVICE LLC TO PROVIDE SPECIAL OPERATIONS 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. 30265 to Prestige Transportation Service LLC to provide special operations service is approved. This class of transportation is defined as transportation of persons in a motor vehicle to a common destination or series of common destinations where the person may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not between fixed terminals or on a regular route.

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:

Joe A. Martinez, Chairman
Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of October, 2011. 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

Approved _____ Mayor

Veto _____

Override _____

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

6-6-06

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

ATTACHMENT A

RESOLUTION NO. R-641-06

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 265 FROM FESTIVAL TOURS, INC. TO TERESA RAMIREZ d/b/a AIRPORT ALLIANCE II, INC. TO PROVIDE SPECIAL OPERATIONS 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. 265 from Festival Tours, Inc. to Teresa Ramirez d/b/a Airport Alliance II, Inc. to provide special operations passenger motor carrier services to a common destination or series of common destinations in Miami-Dade County where the person may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not between fixed terminal or on a regular route is approved.

The foregoing resolution was offered by Commissioner Sally A. Heyman, 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:

Joe A. Martinez, Chairman aye
Dennis C. Moss, Vice-Chairman aye

Bruno A. Barreiro	absent	Jose "Pepe" Diaz	aye
Audrey M. Edmonson	aye	Carlos A. Gimenez	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of June, 2006. 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

KAY SULLIVAN
Deputy Clerk

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

Gerald K. Sanchez

Memorandum

MIAMI-DADE COUNTY

Date: June 6, 2006

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

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Teresa Ramirez d/b/a Airport Alliance II, Inc., application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 265

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier Certificate of Transportation No. 265 from Festival Tours, Inc. to Teresa Ramirez d/b/a Airport Alliance II, 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

Festival Tours, Inc. has filed an application to transfer Passenger Motor Carrier (PMC) Certificate of Transportation No. 265 to Teresa Ramirez d/b/a Airport Alliance II, Inc. The Code requires that such transfers be approved by the Board. PMC No. 265, originally issued on February 19, 1998, authorizes special operations service. This class of service is defined as transportation of persons in a motor vehicle to a common destination or series of destinations where the person may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not between fixed terminals or on a regular route. Teresa Ramirez d/b/a Airport Alliance II, Inc., located at 3750 NW 28 Street #402, Miami, Florida, 33142, seeks to continue providing this class of service.

The company is required to adhere to the terms of the resolution, which approved the initial certificate (R-150-98, attached). Teresa Ramirez d/b/a Airport Alliance II, Inc. seeks to transport airline crew members and passengers 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 Ms. Teresa Ramirez, President of Airport Alliance II, 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. There has been no enforcement history within the last five years.

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 Festival Tours, Inc. and Teresa Ramirez d/b/a Airport Alliance II, Inc. establishes the acquisition by Teresa Ramirez d/b/a Airport Alliance II, Inc. of PMC Certificate of Transportation No. 265 for a total price of three thousand dollars ($3,000.00).

Attachments

5/1/06

Roger Carlton
Assistant County Manager

ATTACHMENT B

PO Box: 526522
Miami, FL 33152
Tel: 305-387-4777
Fax: 305-387-5077

Attractions	Adult Round Trip	Child Round Trip
Miami Seaquarium	$28.00	$13.00
Parrot Jungle	$31.00	$19.00
Vizcaya	$27.00	$15.00
Metro Zoo	$33.00	$22.00
Fairchild Gardens	$29.00	$19.00
Bayside	$30.00	$16.00
Bayside & Boat Ride	$30.00	$16.00
Miami Seaquarium & Parrot Jungle	$40.00	$35.00
Miami Sequarium & Vizcaya	$40.00	$35.00
Parrot Jungle & Vizcaya	$47.00	$40.00
City Tours	$30.00	$19.00
Night Tours	$30.00	$19.00
City Tour & Parrot Jungle	$45.00	$36.00
City Tour & Vizcaya	$39.00	$31.00
Night Club Tours	$69.00	
Everglades	$40.00	$30.00
Key West	$79.00	$71.00

BILL OF SALE DECEMBER 28TH, 2010

ATTACHMENT C

Sale of 1 PMC license no: 30265 from Teresa Ramirez 1030 SW 97th Ave. Miami, FL 33174 to Prestige Transportation Service Inc. 15342 SW 177 Terr. Miami, FL 33187 for the sum of $15,000 (Fifteen thousand dollars only).

Teresa Ramirez

Owner