

Memorandum



Date: March 6, 2012

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

Agenda Item No. 8(N)(1)

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive style and is positioned over the printed name of the Mayor.

Subject: Adventure Limousine Service, Inc. application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 30262

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30262 from Key West Adventures Corp. to Adventure Limousine Service, Inc.

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 Sustainability, Planning and Economic Enhancement (SPEE) Department 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 an existing permit holder with seven (7) luxury sedan licenses and two (2) for-hire limousine licenses. There is no enforcement history. The SPEE Department 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.

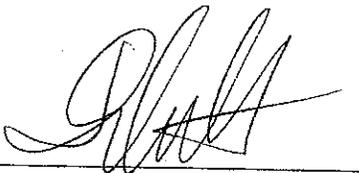
Key West Adventures Corp. has filed an application to transfer PMC Certificate of Transportation No. 30262 to Adventure Limousine Service, Inc. Transferred on September 10, 2010, via Resolution R-873-10 (Attachment A), to Key West Adventures Corp., PMC No. 30262 authorizes special operations service. 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. Adventure Limousine Service, Inc., located at 5921 Ravenswood Road, Bldg. B7, Fort Lauderdale, Florida 33312, 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. Mark E. Hirt, President of Adventure Limousine Service, 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.

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 Adventure Limousine Service, Inc. and Key West Adventures, Corp., establishes the acquisition by Adventure Limousine Service, Inc. of PMC Certificate of Transportation No. 30262 for a total price of \$25,000.00.



Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: March 6, 2012

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

SUBJECT: Agenda Item No. 8(N)(1)

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(N) (1)

3-6-12

RESOLUTION NO. _____

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30262 FROM KEY WEST ADVENTURES CORP. TO ADVENTURE LIMOUSINE SERVICE, 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. 30262 to Adventure Limousine Service, Inc. 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 6th day of March, 2012. 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.

G-K

Gerald K. Sanchez

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(C)(1)(H)
9-10-10

ATTACHMENT A

RESOLUTION NO. R-873-10

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30262 FROM FORT LAUDERDALE & MIAMI AIRPORT SHUTTLE, INC. TO KEY WEST ADVENTURES CORP. D/B/A AIRPORT SHUTTLE 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. 30262 to Key West Adventures Corp. d/b/a Airport Shuttle to provide special operations service is approved. 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 foregoing resolution was sponsored by Commissioner **Dorrin D. Rolle**, 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:

Dennis C. Moss, Chairman	aye		
Jose "Pepe" Diaz, Vice-Chairman	aye		
Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

Handwritten initials

The Chairperson thereupon declared the resolution duly passed and adopted this 10th day of September, 2010. 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: **DIANE COLLINS**

Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

B.S. for

Gerald K. Sanchez

\$ 7

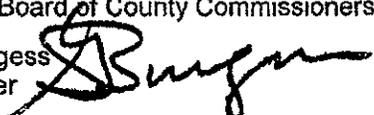
OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum



Date: September 10, 2010

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

From: George M. Burgess 
County Manager

Subject: Key West Adventures Corp. d/b/a Airport Shuttle application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 30262

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

Resolution No. R-873-10

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30262 from Fort Lauderdale & Miami Airport Shuttle, Inc. to Key West Adventures Corp. d/b/a Airport Shuttle.

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 a new permit holder; however, the principal of the corporation, Mr. Mark Kersten, has been a registered chauffeur since 2009. There has been some enforcement history. Last year, Mr. Kersten received one citation for failure to comply with the requirements for operating at Miami International Airport and the Port of Miami. The citation has been satisfied. 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 July 13, 2010 Government Operations Committee (GOC) 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.

Fort Lauderdale & Miami Airport Shuttle, Inc. has filed an application to transfer PMC Certificate of Transportation No. 30262 to Key West Adventures Corp. d/b/a Airport Shuttle. Originally issued on March 3, 1998, to Style Ventures, Inc. via Resolution R-209-98 (Attachment B) and transferred to Fort Lauderdale & Miami Airport Shuttle, Inc. in 2006 via Resolution R-499-06 (Attachment C), PMC No. 30262 authorizes special operations services. This class is defined as transportation of persons in a

18

Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners
Page 2

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 initial certificate (R-209-98). Key West Adventures Corp. d/b/a Airport Shuttle, located at 1881 Washington Avenue, Suite 15B, Miami Beach, Florida 33139, 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 D).

The management plan submitted by Mr. Mark Kersten, President of Key West Adventures Corp. d/b/a Airport Shuttle, 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 Key West Adventures Corp. d/b/a Airport Shuttle and Fort Lauderdale & Miami Airport Shuttle, Inc., establishes the acquisition by Key West Adventures Corp. d/b/a Airport Shuttle of PMC Certificate of Transportation No. 30262 for a total price of \$15,000.00.



Assistant County Manager

7 9

One Way Transfer Rates To or From Miami International Airport

	TownCar	Stretch Limo	Sport Utility / Van
Miami or Miami Beach	\$75	\$95	\$85.00
South Miami	\$85	\$105	\$95
South Miami (South of Kendall Drive)	\$90	\$110	\$100
Hollywood	\$85	\$105	\$95
Ft. Lauderdale	\$95	\$115	\$105
Pompano, Deerfield, Coral Springs	\$110	\$130	\$120
Boca Raton, Delray Beach	\$125	\$140	\$130
Lake Worth & The Palm Beaches	\$155	\$190	\$170
Key Largo - Ocean Reef Club	\$155	\$190	\$170
Islamorada (Florida Keys)	\$180	\$200	\$190

One Way Transfer To or From Ft Lauderdale Airport

	Town Car	Stretch Limo	Sport Utility / Van
Aventura, North Miami	\$75	\$95	\$85
Miami, Miami Beach	\$95	\$115	\$105
South Miami	\$95	\$115	\$105
South Miami (South Of Kendell Drive)	\$110	\$130	\$120
Hollywood, Ft Lauderdale	\$75	\$95	\$85
Pompano, Deerfield, Coral Springs	\$85	\$110	\$95
Boca Raton, Delray Beach	\$95	\$115	\$105
Lake Worth & The Palm Beaches	\$150	\$180	\$165
Key Largo - Ocean Reef Club	\$185	\$205	\$195
Islamorada (Florida Keys)	\$210	\$250	\$230

Add 20% Gratuity to all trips

Add 10% fuel charge to all trips, Minimum charge \$5.00

Add \$10.00 for Port pickups or drops

These Rates do not include Parking, Tolls, Gratuity, Airport Fees or Waiting Time

Hourly Rates

Corporate Sedens	\$55.00 Per Hour (3 Hour Minimum)
06 Passenger Sport Utility Vehicles	\$65.00 Per Hour (3 Hour Minimum)
06 Passenger Limousine	\$70.00 Per Hour (3 Hour Minimum)
08 Passenger Limousine	\$80.00 Per Hour (3 Hour Minimum)
10 Passenger Limousine	\$90.00 Per Hour (3 Hour Minimum)
14 Passenger Van	\$70.00 Per Hour (3 Hour Minimum)

Miscellaneous Services

Meet & Greet (Conventions)	\$35.00 Per Hour (3 Hour Minimum)
Celluler Telephones	\$2.00 Per Minute
Wireless Internet Connection in Vehicle	\$15.00 Per Hour (3 Hour Minimum)
Tour Guides (In Addition to the Driver)	\$25.00 Per Hour (3 Hour Minimum)

Cancellation Policy 24 Hour in Advance

Waiting Time Policy on Arrival Flights (30 Minutes Grace from Landing Time)

Waiting Time Policy on Departures (15 Minutes Grace from Scheduled Pick Up Time)

ATTACHMENT C

Bill of Sale

Date of Sale: May 6, 2011

Buyer: Adventure Limousine

Seller: Key West Adventures Company

Sold and Transferred Passenger Motor Carrier (PMC) License #30262

Price: 25,000.00 PAID in Full

The PMC license is sold with NO guarantee whatsoever.

Print Name and Title of Buyer: Mark E. Hirt

Signature of Buyer: [Signature] Date: 5-6-2011

Print Name and title of Seller: Vivian Calzadilla/President

Signature: [Signature] Date: 11/14/11
Key West Adventures

