

Memorandum



Date: July 2, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: MIA Limos LLC d/b/a MIA Shuttles Corp. Application for a Transfer of Passenger Motor Carrier Certificate of Transportation No. 30234

Agenda Item No. 8(M)(7)

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30234 from Raul Guzman d/b/a Eagle Transportation & Services Corp. to MIA Limos LLC d/b/a MIA Shuttles 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 per certificate and \$625 per vehicle that will yield \$1,250 in revenue annually if the company operates only one (1) vehicle. Passenger Motor Carrier 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 service provider but the principal of the corporation, Mr. Rafael Monte de Oca, has been a registered chauffeur since 2006. The applicant is in compliance with all requirements of the Miami-Dade County Code (Code). Joe Mora, Division Director 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.

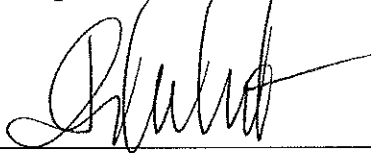
Section 31-103 (m) of the Code provides the procedures to be followed by Miami-Dade County in processing transfer applications. No certificate may be sold, assigned or transferred to another until the proposed sale, assignment, or transfer has been approved by the Board. In considering the proposed transfer of ownership or control of the certificate, the Board shall determine whether 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.

Raul Guzman d/b/a Eagle Transportation & Services Corp. has filed an application to transfer Passenger Motor Carrier Certificate of Transportation No. 30234 to MIA Limos LLC d/b/a MIA Shuttles Corp. Transferred on July 13, 2004, via Resolution No. R-843-04 (Attachment A), PMC No. 30234 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. MIA Limos LLC d/b/a MIA Shuttles Corp., located at 921 NE 213 Terrace, Miami, Florida 33179, 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. Rafael Monte de Oca, Manager of MIA Limos LLC d/b/a MIA Shuttles 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 Mr. Raul Guzman and Mr. Rafael Monte de Oca establishes the acquisition of Passenger Motor Carrier Certificate of Transportation No. 30234 for a total price of \$25,000.00.



Jack Osterholt, Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 2, 2013

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

SUBJECT: Agenda Item No. 8(M)(7)

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 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 sources, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(M)(7)
7-2-13

RESOLUTION NO. _____

RESOLUTION APPROVING TRANSFER OF
CERTIFICATE OF TRANSPORTATION NO. 30234 FROM
RAUL GUZMAN D/B/A EAGLE TRANSPORTATION &
SERVICES CORP. TO MIA LIMOS LLC D/B/A MIA
SHUTTLES CORP. 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. 30234 from Raul Guzman d/b/a Eagle Transportation & Services Corp. to MIA Limos LLC d/b/a MIA Shuttles Corp. to provide special operations service as a passenger motor carrier 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of July, 2013. 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. 7(C)(1)(A)

7-13-04

ATTACHMENT A

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

RESOLUTION NO. R-843-04

**RESOLUTION APPROVING TRANSFER OF CERTIFICATE
OF TRANSPORTATION NO. 234 TO RAUL GUZMAN D/B/A
EAGLE TRANSPORTATION & SERVICES CORP, TO
PROVIDE SPECIAL OPERATIONS SERVICE AS A
PASSENGER MOTOR CARRIER.**

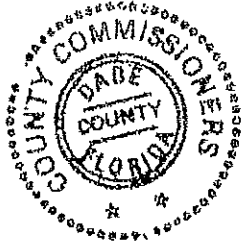
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**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. 234 to Raul Guzman d/b/a/ Eagle Transportation & Services Corp., to provide special operations passenger motor carrier service to a common destination or series of common destinations in Miami-Dade County is approved.

The foregoing resolution was offered by Commissioner **Joe A. Martinez**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Dr. Barbara Carey-Shuler, Chairperson	absent
	Katy Sorenson, Vice-Chairperson	aye
Bruno A. Barreiro		aye
Betty T. Ferguson		aye
Joe A. Martinez		aye
Dennis C. Moss		aye
Natacha Seijas		absent
Sen. Javier D. Souto		aye
	Jose "Pepe" Diaz	aye
	Sally A. Heyman	absent
	Jimmy L. Morales	aye
	Dorin D. Rolle	aye
	Rebeca Sosa	aye

The Chairperson thereupon declared the resolution duly passed and adopted this 13th day of July, 2004. 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. GKS
Gerald K. Sanchez

By: KAY SULLIVAN
Deputy Clerk



MEMORANDUM

Agenda Item No. 7(C)(1)(A)

Honorable Chairperson Barbara Carey-Shuler, Ed. D. and Members, Board of County Commissioners

DATE: July 13, 2004

SUBJECT: Raul Guzman d/b/a Eagle Transportation & Services Corp. application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 234

FROM: George M. Burgess
County Manager

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier Certificate of Transportation No. 234 from Luppe Elguera d/b/a Bravo Tours to Raul Guzman d/b/a Eagle Transportation & Services Corp.

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 Transportation 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

Luppe Elguera d/b/a Bravo Tours has filed an application to transfer Passenger Motor Carrier (PMC) Certificate of Transportation No. 234 to Raul Guzman d/b/a Eagle Transportation & Services Corp. The Code requires that such transfers be approved by the Board. PMC No. 234, originally issued on September 23, 1997, to Luppe Elguera d/b/a Bravo Tours, authorizes special operations service. Raul Guzman d/b/a Eagle Transportation & Services Corp., located at 15445 SW 138 Avenue, Miami, Florida, 33177, 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-1040-97, attached). Raul Guzman d/b/a Eagle Transportation & Services Corp., will continue transporting tourist and resident groups to and from various locations throughout Miami-Dade County.

Honorable Chairperson Brenda Carey-Shuler, Ed. D.
and Members, Board of County Commissioners
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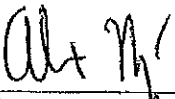
Transportation will be pre-arranged on a 24-hour minimum basis. These services will be provided seven days a week, 24 hours a day, using chauffeur driven vehicles with a seating capacity of nine or more, but less than 28 passengers, excluding the driver. The proposed rates are listed on the attached rate schedule.

The management plan submitted by Mr. Raul Guzman, owner of Eagle Transportation & Services Corp., 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 between Raul Guzman d/b/a Eagle Transportation & Services Corp. and Luppe Elguera d/b/a Bravo Tours, establishes the acquisition by Raul Guzman d/b/a Eagle Transportation & Services Corp of PMC Certificate of Transportation No. 234 for a total price of seven thousand five hundred dollars (\$7,500.00).

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

Attachments



Alex Muñoz
Assistant County Manager

Miami Limos - Rates

#5

FROM	TO	# OF PASSENGERS		ADD PAX
SHUTTLE VAN				
FLL AIRPORT PORT EVERGLADES	PORT OF MIAMI, SOUTH BEACH & DOWNTOWN AREA	1-8 PASSENGERS	\$95.00	\$10.00*
SUV / SUBURBAN OR SIMILAR			UP TO 6 PASSENGERS	\$95.00

SHUTTLE VAN				
FROM	TO			
FLL AIRPORT PORT EVERGLADES	NORTH MIAMI BEACH, AVENTURA & SUNNY ISLES BEACH	1-5 PASSENGERS	\$60.00	\$8.00*
SUV / SUBURBAN OR SIMILAR			UP TO 6 PASSENGERS	\$75.00

SHUTTLE VAN				
FROM	TO			
MIAMI AIRPORT PORT OF MIAMI	NORTH MIAMI BEACH & SUNNY ISLES BEACH	1-5 PASSENGERS	\$65.00	\$10.00*
SUV / SUBURBAN OR SIMILAR			UP TO 6 PASSENGERS	\$75.00

SHUTTLE VAN				
FROM	TO			
MIAMI AIRPORT PORT OF MIAMI	FLL AIRPORT & SURROUNDS AREAS	1-8 PASSENGERS	\$95.00	\$10.00*
SUV / SUBURBAN OR SIMILAR			UP TO 6 PASSENGERS	\$95.00

*SPECIAL RATES FOR CORPORATE ACCOUNTS
PRIVATE TOURS ALSO AVAILABLE

3

GENERAL BILL OF SALE ATTACHMENT C

BUYER RAFAEL MONTE DE OCA

SELLER RAUL OSCAR GUZMAN

DATE OF SALE 01/02/2013

PLACE OF SALE MIAMI, FLORIDA 2013

ITEM(S) SOLD PMC-30234

(Details) _____

PRICE PAID \$ 25,000.00 PAID IN FULL!

ITEM(S) ARE SOLD AS IS. NO WARRANTIES WHATSOEVER.

SIGNATURE OF BUYER _____

SIGNATURE OF SELLER _____

THIS PROPERTY NOW BELONGS TO THE BUYER!

STATE OF FLORIDA
COUNTY: MIAMI DADE

SIGNED AND SWORN TO BEFORE ME THIS 02 of JANUARY
of 2013 BY RAFAEL MONTE DE OCA. PERSONALLY KNOWS.



Angel Barroeta
ANGEL BARROETA