

# Memorandum



**Date:** October 1, 2013

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

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Palm Tree Shuttle LLC Application for a Transfer of Passenger Motor Carrier Certificate of Transportation No. 30315

Agenda Item No. 3(B)(4)

## **Recommendation**

It is recommended that the Board of County Commissioners (Board) approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30315 from Florida Solution Travel LLC to Palm Tree Shuttle 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 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; however, the principal of the corporation, Mr. Leandro Pimentel Vila, has been a registered chauffeur since 2009. The applicant is in compliance with all Miami-Dade County Code (Code) requirements. 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 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.

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.

Florida Solution Travel LLC has filed an application to transfer Passenger Motor Carrier Certificate of Transportation No. 30315 to Palm Tree Shuttle LLC. Transferred on November 15, 2011, via Resolution R-996-11 (Attachment A), PMC No. 30315 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. Palm Tree Shuttle LLC, located at 13155 Ixora Court, #1105, North Miami, Florida 33181, 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. Leandro Pimentel Vila, Manager of Palm Tree Shuttle 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 Florida Solution Travel LLC and Palm Tree Shuttle LLC establishes the acquisition of Passenger Motor Carrier Certificate of Transportation No. 30315 for a total price of \$35,000.00.



\_\_\_\_\_  
Jack Osterholt, Deputy Mayor



**MEMORANDUM**  
(Revised)

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

**DATE:** October 1, 2013

**FROM:**   
R. A. Cuevas, Jr.  
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
- 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

Agenda Item No. 3(B)(4)  
10-1-13

Veto \_\_\_\_\_

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30315 FROM FLORIDA SOLUTION TRAVEL LLC TO PALM TREE SHUTTLE 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. 30315 from Florida Solution Travel LLC to Palm Tree Shuttle LLC 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:

The Chairperson thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of October, 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

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

Gerald K. Sanchez

By: \_\_\_\_\_  
Deputy Clerk

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(N) (8)  
11-15-11

**ATTACHMENT A**

RESOLUTION NO. R-996-11

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF  
TRANSPORTATION NO. 30315 FROM OFFICIAL TOURS,  
INC. TO FLORIDA SOLUTION TRAVEL, 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. 30315 to Florida Solution, 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.

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The foregoing resolution was offered by Commissioner **Rebeca Sosa** 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 15<sup>th</sup> day of November, 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: **Christopher Agrippa**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

GKS

Gerald K. Sanchez

Date: November 15, 2011

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

From: Carlos A. Gimenez  
Mayor



Subject: Florida Solution Travel, LLC application for a transfer of Passenger Motor Carrier  
Certificate of Transportation No. 30315

Agenda Item No. 8(N)(8)

Resolution No. R-996-11

**RECOMMENDATION**

It is recommended that the Board approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30315 from Official Tours, Inc. to Florida Solution Travel, 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.

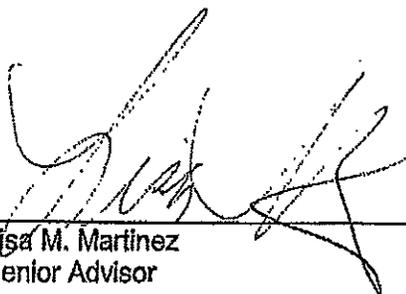
Section 31-103 (m) of the Code provides the procedures to be followed by Miami-Dade County in processing transfer applications. No certificate may be sold, assigned or transferred to another until the proposed sale, assignment, or transfer has been approved by the Board. In considering the proposed transfer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

Official Tours, Inc., Inc. has filed an application to transfer PMC Certificate of Transportation No. 30315 to Florida Solution Travel, LLC. Issued on July 13, 1999, via Resolution R-754-99 (Attachment A), PMC No. 30315 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. Florida Solution Travel, LLC, located at 5470 NW 114 Avenue, #105, Miami, Florida 33178, 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. Ezequiel Pudor, Manager of Florida Solution Travel, 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 Florida Solution Travel, LLC and Official Tours, Inc., establishes the acquisition by Florida Solution Travel, LLC of PMC Certificate of Transportation No. 30315 for a total price of \$60,000.00.



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Lisa M. Martinez  
Senior Advisor

**Rates**

**TOURS**

• MIAMI CITY TOUR	Adult \$ 42.- Child \$ 36.-
• MIAMI CITY TOUR & BOAT	Adult \$ 62.- Child \$ 42.-
• BISCAYNE BAY BOAT	Adult \$ 48.- Child \$ 38.-
• EVERGLADES SAFARI PARK	Adult \$ 65.- Child \$ 55.-
• MIAMI SEAQUARIUM	Adult \$ 62.- Child \$ 52.-
• JUNGLE ISLAND	Adult \$ 65.- Child \$ 50.-
• VIZCAYA MUSEUM & GARDEN	Adult \$ 65.- Child \$ 45.-
• MIAMI CITY TOUR & EVERGLADES	Adult \$ 88.- Child \$ 78.-
• MIAMI CITY TOUR, BOAT & EVERGLADES	Adult \$ 105.- Child \$ 90.-
• MIAMI CITY TOUR & SEAQUARIUM	Adult \$ 100.- Child \$ 80.-
• MIAMI CITY TOUR & JUNGLE ISLAND	Adult \$ 100.- Child \$ 80.-
• MIAMI CITY TOUR & VIZCAYA PALACE	Adult \$ 90.- Child \$ 80.-
• BISCAYNE BAY BOAT & SEAQUARIUM	Adult \$ 95.- Child \$ 85.-
• BISCAYNE BAY BOAT & EVERGLADES	Adult \$ 98.- Child \$ 82.-
• EVERGLADES & SEAQUARIUM	Adult \$ 110.- Child \$ 98.-
• KEY WEST	Adult \$ 85.- Child \$ 76.-
• KENNEDY SPACE CENTER	Adult \$ 200.- Child \$ 180.-

**TRANSFER**

**NUMBER OF PASSENGER**

	01-05	06	07	08
From - To: MIA Airport To - From: MIA Port	\$49.-	\$62.-	\$68.-	\$78.-
From - To: MIA Airport To - From: South Beach	\$50.-	\$76.-	\$91.-	\$105.-
From - To: MIA Airport To - From: Downtown	\$50.-	\$76.-	\$91.-	\$105.-
From - To: MIA Airport To - From: Fort Ld. Air-Pt	\$105.-	\$112.-	\$120.-	\$126.-

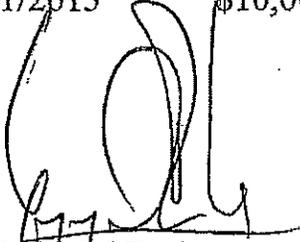
**ATTACHMENT C**

**BILL OF SALE**

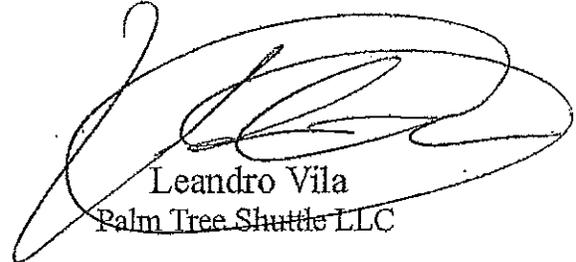
December 07, 2012

Ezequiel Pudor owner of Florida Solution Travel LLC sell Miami-Dade County Passenger Motor Carrier License #30315 to Leandro Vila dba Palm Tree Shuttle LLC for the amount of \$35,000.00 (thirty five thousand dollars 00/100). This sale includes the PMC License, Aviation Department permit and Port of Miami permit. The payment will be done as follows:

12/07/2012	\$25,000.00
04/01/2013	\$10,000.00



Ezequiel Pudor  
Florida Solution Travel LLC



Leandro Vila  
Palm Tree Shuttle LLC