Memorandum

MIAMI-DADE COUNTY

Date:	January 22, 2014
To:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners
From:	Carlos A. Gimenez Mayor
Subject:	Wildaymil Rodriguez d/b/a World Infinity Transportation Services, LLC Application for a Transfer of Passenger Motor Carrier Certificate of Transportation No. 30221

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. 30221 from Ken-Be-Car Tours, Inc. to Wildaymil Rodriguez d/b/a World Infinity Transportation Services, 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, Ms. Wildaymil Rodriguez, has been a registered chauffeur since March 2013. 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.

Ken-Be-Car Tours, Inc. has filed an application to transfer Passenger Motor Carrier Certificate of Transportation No. 30221 to Wildaymil Rodriguez d/b/a World Infinity Transportation Services, LLC. Issued on February 4, 1997, via Resolution R-125-97 (Attachment A), PMC No. 30221 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. Wildaymil Rodriguez d/b/a World Infinity Transportation Services, LLC, located at 1030 SW 97 Avenue, Miami, Florida 33174, 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 Ms. Wildaymil Rodriguez, Manager of World Infinity Transportation Services, 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 Mr. Oscar Geerken, President of Ken-Be-Car Tours, Inc., and Ms. Wildaymil Rodriguez establishes the acquisition of Passenger Motor Carrier Certificate of Transportation No. 30221 for a total price of $40,000.00.

Jack Osterholt, Deputy Mayor

MEMORANDUM
(Revised)

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

DATE: Januray 22, 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 source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 8(M)(7)

1-22-14

RESOLUTION NO. _____

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30221 FROM KEN-BE-CAR TOURS, INC. TO WILDAYMIL RODRIGUEZ D/B/A WORLD INFINITY TRANSPORTATION SERVICES, 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. 30221 from Ken-Be-Car Tours, Inc. to Wildaymil Rodriguez d/b/a World Infinity Transportation Services, 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. 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 22nd day of January, 2014. 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. 4(N)
2-4-97

ATTACHMENT A

RESOLUTION NO. R-125-97

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF TRANSPORTATION TO KEN-BE-CAR TOURS, 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 DADE COUNTY, FLORIDA, that in accordance with Chapter 31 of the Code, a Certificate of Transportation to provide special operations passenger motor carrier service to a common destination or series of common destinations in Dade County, as recommended by the County Manager, be issued to Ken-Be-Car Tours, Inc.

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

Dr. Miriam Alonso	absent	James Burke	aye
Dr. Barbara M. Carey	absent	Miguel Diaz de la Portilla	aye
Betty T. Ferguson	aye	Bruce C. Kaplan	absent
Gwen Margolis	aye	Natacha Seijas Millan	absent
Jimmy L. Morales	aye	Dennis C. Moss	aye
Pedro Reboredo	absent	Katy Sorenson	aye

Javier D. Souto aye

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of February, 1997. 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.

DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

KAY SULLIVAN

By:_____
Deputy Clerk

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

MEMORANDUM Agenda Item No. 4(N)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: February 4, 1997

FROM: Armando Vidal, P.E.
County Manager

SUBJECT: Ken-Be-Car Tours, Inc. for a Passenger Motor Carrier Certificate (PMC Control No. 284)

RECOMMENDATION

It is recommended that the Board approve the application of Ken-Be-Car Tours, Inc. for a Passenger Motor Carrier Certificate of Transportation to provide pre-arranged special operations 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.

ANALYSIS

Ken-Be-Tours, Inc., located at 11845 SW 46 Street, Miami, Florida 33175, seeks to obtain a Passenger Motor Carrier Certificate of Transportation to provide pre-arranged special operations service transportation as a tour operator to passengers throughout all of Dade County. This class of service is defined as the transportation of persons 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 seeks to transport tourist 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 rate schedule.

The management plan submitted by Mr. Oscar I. Geerken, President of Ken-Be-Car Tours, 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.

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 January, 1997 Policy Formulation and Internal Support Committee meeting.

ATTACHMENT B

Attractions	Adult Round Trip	Child Round Trip
Miami Seaquarium	$ 30.00	$ 15.00
Parrot Jungle	$ 32.00	$ 16.00
Vizcaya	$ 28.00	$ 14.00
Fairchild Gardens	$ 30.00	$ 15.00
Bayside	$ 30.00	$ 15.00
Bayside & Boat Rides	$ 30.00	$ 15.00
Miami Seaquarium & Parrot Jungle	$ 44.00	$ 22.00
Miami Seaquarium & Vizcaya	$ 44.00	$ 22.00
Parrot Jungle & Vizcaya	$ 50.00	$ 25.00
City Tours	$ 40.00	$ 20.00
City Tours & Parrot Jungle	$ 46.00	$ 23.00
City Tour & Vizcaya	$ 46.00	$ 23.00
Night Tours	$ 36.00	$ 18.00
Night Club Tours	$ 80.00	$ -
Everglades	$ 42.00	$ 21.00
Key West	$ 90.00	$ 45.00

Attachment #5

ATTACHMENT C

Bill of Sale
Purchase of PMC

The item described below is hereby sold and transferred from the named seller to the named buyer. The sale of this item is to be paid in full. The item itself is sold in its entirety, with no liens or encumbrances.

Seller Name: Oscar Luis Geerken **License No.** G625-652-50-322-0
Address: 5840 SW 16st, West Miami, FL 33155
Phone No. 305-299-4573 **Email Address:**

Buyer Name: Wildaymil Rodriguez **License No.** R362-893-77-826-0
Address: 1030 SW 97th Ave, Miami, FL 33174
Phone No. 786-999-2259 **Email Address:** Wildaymil@aol.com

Item: PMC permit to operate in Miami Dade County
Condition: Transfer of ownership
Description: PMC permit #30221

Sale Price: $40,000.00

Paid With: [ ] Cash [x] Cashier Check [ ] Debit Card [ ] Credit Card

IGOR M DEPENA
Notary Public - State of Florida
My Comm. Expires Nov 14, 2016
Commission # EE 851594

Seller signature:

Buyer signature:

Date: 10-4-13

attachment #3