

Memorandum



Date: January 22, 2014

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

Agenda Item No. 8(M)(8)

From: Carlos A. Gimenez
Mayor

Subject: Thrower Mobility Transportation Service Corp. Application for One Nonemergency Vehicle

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the application of Thrower Mobility Transportation Service Corp. for one (1) Certificate of Public Convenience and Necessity to operate one (1) nonemergency vehicle.

Scope

This Certificate of Public Convenience and Necessity 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 that will yield \$625 in revenue annually for the new certificate. Vehicle inspections are \$38 per vehicle.

Track Record/Monitor

Applicant is an existing permit holder which holds seven (7) Certificates of Public Convenience and Necessity to provide nonemergency medical transportation. The applicant is in compliance with all Miami-Dade County Code (Code) requirements. The Department of Regulatory and Economic Resources For-Hire Transportation Division Chief Joe Mora will be responsible for monitoring this company.

Background

On December 18, 1980, the Board of County Commissioners adopted Ordinance 80-145, later codified in Chapter 4, Article III of the Code of Miami-Dade County, providing for the regulation of nonemergency medical transportation. Section 4-44 of the County Code provides the procedures to be followed by the County in processing certificate applications. Based upon those requirements, the Board may issue or refuse to issue the certificate as applied for, or may issue the certificate with modifications or upon such terms and conditions as in its judgment the public interest may require. In reaching a determination, the Board shall consider the application, the Mayor's recommendation, all matters presented during the public hearing, and among others, the following criteria:

- (1) Applicant's ability to provide the proposed service;
- (2) The adequacy of the applicant's management plan; and,
- (3) Accrual of benefits to the public interest from this proposed service.

Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners
Page 2

Thrower Mobility Transportation Service Corp., located at 3038 NW 16 Street, Miami, Florida 33125, seeks to obtain one (1) Certificate of Public Convenience and Necessity to provide wheelchair nonemergency medical transportation service to individuals requiring this type of transportation.

The applicant seeks to transport patients to and from various medical facilities throughout Miami-Dade County seven (7) days a week, 24 hours a day. Nonemergency Transportation rates are not regulated by Miami-Dade County; however, under the Code the Certificate Holder must file their rates with the Department of Regulatory and Economic Resources and post them within the passenger compartment section of each vehicle. The proposed rates are \$50 per trip and \$2.75 per mile, one-way. The vehicle operated under this certificate will be required to meet the requirements of Section 4-49 of the Code establishing vehicle inspection frequencies.

The management plan submitted by Mr. Albert W. Thrower, President of Thrower Mobility Transportation Service 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. The proposed service standards meet all requirements of the Code and adequately meet transportation and comfort needs. A background investigation reveals no criminal record within the last five years for the officer(s) of the corporation.

The proposed services to be provided under this certificate will increase the availability of licensed nonemergency medical transportation in Miami-Dade County thus providing increased competition and high service standards to the public.



Jack Osterholt, Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: January 22, 2014

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

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

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. 8(M)(8)

Veto _____

1-22-14

Override _____

RESOLUTION NO. _____

RESOLUTION APPROVING APPLICATION FOR ONE (1) CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO THROWER MOBILITY TRANSPORTATION SERVICE CORP. TO PROVIDE WHEELCHAIR NONEMERGENCY MEDICAL TRANSPORTATION SERVICES

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 this Board approves the application by Thrower Mobility Transportation Service Corp. for one (1) Certificate of Public Convenience and Necessity to operate one (1) nonemergency vehicle to provide wheelchair nonemergency medical transportation services in Miami-Dade County.

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
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

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