Memorandum

MIAMI-DADE COUNTY

Date: September 3, 2014

Agenda Item No. 3(B)(3)

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

From: Carlos A. Gimenez
Mayor

Subject: J.L.N. South Dade Jitney Service, Corp. Application for a Passenger Motor Carrier Certificate of Transportation

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Recommendation
It is recommended that the Board of County Commissioners (Board) approve the application of J.L.N. South Dade Jitney Service, Corp. for a Passenger Motor Carrier (PMC) Certificate of Transportation to provide jitney service.

Scope
This PMC Certificate of Transportation is countywide, allowing the certificate holder to operate in unincorporated and incorporated areas of Miami-Dade County; however, as a jitney operator, service must be provided in their approved route.

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. The applicant is in compliance with all Miami-Dade County Code (Code) requirements. Joe Mora, Division Chief 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 of Miami-Dade County.

Section 31-103 of the Code provides the procedures to be followed by Miami-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 Mayor'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 the certificate and is able to comply with this article and regulation 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.

4. That, if applying for a jitney or fixed route authority, the proposed transportation will not adversely affect the existing transportation system as a whole or future planned transit service as designated in the most current Miami-Dade Transportation Plan. In particular, it shall be deemed not in the public interest to authorize certificates of transportation for service on actual transit or passenger motor carrier corridors where service presently exists at average frequencies of twenty-nine (29) minutes or less and/or where such service will impair special transportation provided by the passenger motor carrier industry.

J.L.N. South Dade Jitney Service, Corp., located at 50 NW 121 Street, Miami, FL 3316, seeks to obtain a Passenger Motor Carrier Certificate of Transportation to provide jitney service along the route depicted in Attachment A. This class is defined as any motor vehicle having a maximum seating capacity of fifteen (15) or less, transporting passengers for compensation on a semi-fixed route between fixed terminals not on a fixed schedule basis.

Transportation services will be provided using chauffeur driven vehicles with a seating capacity of at least nine (9) nine or more, excluding the driver, but no more than 15 passengers, Monday through Friday from 5:30 a.m. to 8:00 p.m. and Saturdays and Sundays from 8:00 a.m. to 6:00 p.m. The proposed rates are $1.50 per person, one-way. The Miami-Dade Transit (MDT) Service Planning and Scheduling Division determined that the proposed route modification is in compliance with the criteria of Section 31-103 (g) (4) of the Miami-Dade County Code (Attachment B).

The management plan submitted by Ms. Roselia Julien, President of J.L.N. South Dade Jitney 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 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 (3) of the Code, a notice of application was provided to all affected municipalities within Miami-Dade County, all jitney certificate holders and interested parties affording them an opportunity to protest the application. No protests were filed.

Jack Osterholt
Deputy Mayor

MEMORANDUM
(Revised)

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

DATE: September 3, 2014

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

SUBJECT: Agenda Item No. 3(B)(3)

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. 3(B)(3)
9-3-14

RESOLUTION NO. _____

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF TRANSPORTATION TO J.L.N. SOUTH DADE JITNEY SERVICE, CORP. TO PROVIDE JITNEY 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 application of J.L.N. South Dade Jitney Service, Corp. for a Certificate of Transportation to provide jitney service is approved. This class of transportation is defined as any motor vehicle having a maximum capacity of fifteen (15) or less, transporting passengers for compensation on a semi-fixed route between fixed terminals not on a fixed schedule basis.

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 3rd day of September, 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

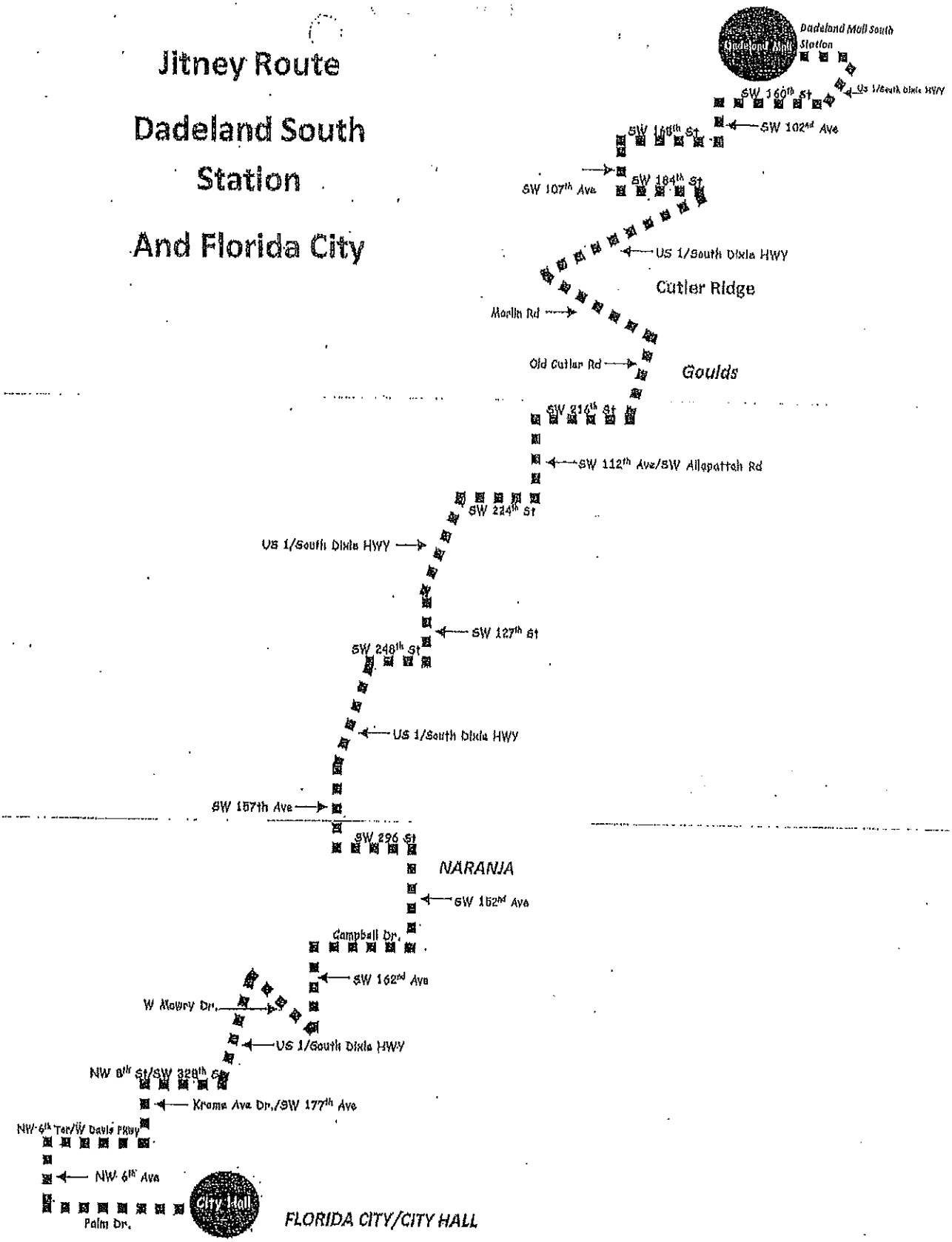
Gerald K. Sanchez

ATTACHMENT A

Jitney Route

Dadeland South Station

And Florida City



ATTACHMENT B

Memorandum

Date: March 18, 2014

To: Jack Osterholt
Department of Regulatory and Economic Resources Director

From: Gerald Bryan, Chief of Service Planning & Scheduling
Miami Dade Transit

Subject: Jitney Route Review
J.L.N. South Dade Jitney Corp.

The Service Planning and Scheduling Division of Miami-Dade (MDT) reviewed, in accordance with Section 31-103(g)(4) of the Miami-Dade County Code, the extension jitney route alignment proposal filed with the Department of Regulatory and Economic Resources by Ms. Rosella Julien of J.L.N. South Dade Jitney Corp.

Based on these results, MDT has found that the modified route proposed by South Dade Jitney Corp. is in compliance with the criteria established in Section 31-103(g)(4) of Miami-Dade County Code, as amended by the Ordinance No. 02.1 relating to Regulation of Passenger Motor Vehicle Carriers.

Attachment