

# Memorandum



**Date:** November 3, 2015

**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Sunshine Non-Emergency Transport Services, Inc. Application for Two Non-Emergency Vehicles

Agenda Item No. 8(M)(4)

## Recommendation

It is recommended that the Board of County Commissioners (Board) approve the application of Sunshine Non-Emergency Transport Services, Inc. for two (2) Certificates of Public Convenience and Necessity to operate two (2) non-emergency vehicles.

## Scope

These Certificates of Public Convenience and Necessity are 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 Miami-Dade Department of Regulatory and Economic Resources to support regulatory activities. There is an annual regulatory fee of \$625.00 per certificate that will yield \$1,250.00 in revenue annually for the new certificates. The County also collects \$38.00 per vehicle inspection with inspection frequency varying with the vehicle age from one (1) to four (4) per year.

## Track Record/Monitor

The applicant is an existing permit holder and is in compliance with all requirements of the Code of Miami-Dade County. Joe Mora, Division Chief within the Department of Regulatory and Economic Resources, will be responsible for monitoring this company.

## Background

On December 18, 1980, the Board adopted Ordinance 80-145, later codified in Chapter 4, Article III of the Code of Miami-Dade County, providing for the regulation of non-emergency medical transportation. Section 4-44 of the 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) The ability of the applicant to provide the proposed service;
- (2) The adequacy of the management plan of the applicant; and
- (3) The benefits that will accrue to the public interest from the proposed service.

Sunshine Non-Emergency Transport Services, Inc., located at 1360 NE 132<sup>nd</sup> Street, Miami, FL 33161, seeks to obtain two (2) Certificates of Public Convenience and Necessity to provide wheelchair non-emergency 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. Non-emergency 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 rate schedule is as follows: \$30.00 per pick up and \$1.50 per mile after the first 10 miles for wheelchair; \$50.00 per pick up and \$1.75 per mile after the first 10 miles for stretcher. The vehicles operated under these certificates will have to meet the requirements of Section 4-49 of the Code establishing vehicle inspection frequencies.

The management plan submitted by Ms. Anne Xavier, President of Sunshine Non-Emergency Transport Services, Inc., includes maintenance, communication, and recordkeeping 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 that applicant meets the criteria of Miami-Dade County Code.

The proposed services to be provided under this certificate will increase the availability of licensed non-emergency 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 Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** November 3, 2015

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 8(M)(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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(M)(4)  
11-3-15

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

RESOLUTION APPROVING APPLICATION FOR TWO (2)  
CERTIFICATES OF PUBLIC CONVENIENCE AND  
NECESSITY TO SUNSHINE NON-EMERGENCY  
TRANSPORT SERVICES, INC. TO PROVIDE  
WHEELCHAIR NON-EMERGENCY MEDICAL  
TRANSPORTATION SERVICE

**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 Sunshine Non-Emergency Transport Services, Inc. for two (2) Certificates of Public Convenience and Necessity to operate two (2) non-emergency vehicles to provide wheelchair non-emergency medical transportation service 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 3<sup>rd</sup> day of November, 2015. This resolution shall become effective upon the earlier of (1) ten (10) days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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