

# Memorandum



**Date:** January 22, 2020

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name of the Mayor.

Agenda Item No. 8(N)(7)

**Subject:** Resolution Authorizing the Approval of the Application of Habana 1000 Services, Inc for Three Certificates of Public Convenience and Necessity

## **Recommendation**

It is recommended that the Board of County Commissioners (Board) approve the application of Habana 1000 Services, Inc for three Certificates of Public Convenience and Necessity to operate three 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 (County).

## **Fiscal Impact/Funding Source**

Licensing, operating, permit, and inspection fees are collected by the Miami-Dade County Department of Transportation and Public Works (DTPW) to support regulatory activities. There is an annual regulatory fee of \$625.00 per certificate that will yield \$1,875.00 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 to four per year.

## **Track Record/Monitor**

This applicant complies with all requirements of the Code of Miami-Dade County and will be a new permit holder upon approval. DTPW 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 County Code of Miami-Dade County, providing for the regulation of non-emergency 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) 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.

Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

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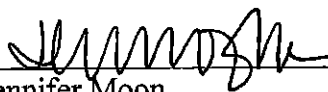
Habana 1000 Services, Inc, located at 11825 SW 208<sup>th</sup> Terrace, Miami, Florida 33177, seeks to obtain one Certificate of Public Convenience and Necessity to provide wheelchair non-emergency medical transportation service and two Certificates of Public Convenience and Necessity to provide sedan non-emergency medical transportation service to individuals requiring these types of transportation.

The applicant seeks to transport patients to and from various medical facilities throughout the County Monday through Saturday from 5 a.m. to 5 p.m. Non-emergency transportation rates are not regulated by the County. However, under the Code, the Certificate Holder must file their rates with DTPW and post them within the passenger compartment section of each vehicle. The proposed rate schedule is attached. The vehicles operated under these certificates will have to meet the requirements of Section 4-49 of the County Code, establishing vehicle inspection frequencies.

The management plan submitted by Mr. Jose Jacobo, President of Habana 1000 Services, Inc, includes maintenance, communication, and recordkeeping systems which meet the requirements of the County Code. All required financial statements and credit references have been submitted. The proposed service standards meet all requirements of the County Code, and adequately meet transportation and comfort needs. A background investigation revealed that all officers of the corporation meet the criteria of the County Code.

The proposed service to be provided under these certificates will increase the availability of licensed non-emergency medical transportation in the County, thus increasing competition and high service standards to the public.

Attachment

  
\_\_\_\_\_  
Jennifer Moon  
Deputy Mayor



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** January 22, 2020

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

**SUBJECT:** Agenda Item No. 8(N)(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
- Statement of social equity 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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) 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(N)(7)  
1-22-20

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

RESOLUTION APPROVING APPLICATION FOR THREE  
CERTIFICATES OF PUBLIC CONVENIENCE AND  
NECESSITY TO HABANA 1000 SERVICES, INC. TO PROVIDE  
WHEELCHAIR AND SEDAN NON-EMERGENCY 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 Habana 1000 Services, Inc. for one Certificate of Public Convenience and Necessity to operate one non-emergency vehicle to provide wheelchair non-emergency medical transportation service and two Certificates of Public Convenience and Necessity to operate two vehicles to provide sedan 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:

Audrey M. Edmonson, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 22<sup>nd</sup> day of January, 2020. This resolution shall become effective upon the earlier of (1) 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

Jun 3<sup>rd</sup>, 2019

Habana 1000 Services Inc

*Transport Services*

Non Emergency Medical Transportation Rate Sheet

Ambulatory: \$2 /mile plus \$2 Base Rate

Weelchair: \$1.5 /mile plus \$15 Base Rate

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