Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 8(C)(1)(B)

04-24-07

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-385-07

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 207 FROM CASINO LIMOUSINE, INC. TO JORGE ENRIQUE GAMEZ GROSSO d/b/a AMERICAN TOURS USA, INC. TO PROVIDE CHARTER 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. 207 from Casino Limousine, Inc. to Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. to provide charter passenger motor carrier services of transportation to a group of persons pursuant to a common purpose and traveling under a single contract involving the exclusive use of a motor vehicle is approved.

The foregoing resolution was offered by Commissioner Carlos A. Gimenez, who moved its adoption. The motion was seconded by Commissioner Dennis C. Moss and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman aye
Barbara J. Jordan, Vice-Chairwoman aye

Jose "Pepe" Diaz	aye	Audrey M. Edmonson	absent
Carlos A. Gimenez	aye	Sally A. Heyman	absent
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: April 24, 2007

FROM: Murray A. Greenberg County Attorney

SUBJECT: Agenda Item No. 8(C)(1)(B)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

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The Chairperson thereupon declared the resolution duly passed and adopted this 24th day of April, 2007. 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: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Gerald K. Sanchez

Memorandum

MIAMI-DADE COUNTY

Date: April 24, 2007

Agenda Item No. 8(C)(1)(B)

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc., application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 207

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier Certificate of Transportation No. 207 from Casino Limousine, Inc. to Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc.

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 (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 County Commission. The Community Empowerment and Economic Revitalization Committee and Board of County Commissioners, in considering the proposed transfer of ownership or control of the certificate, shall determine, upon evidence submitted by the parties or any other party or person affected by the proposed transfer, whether or not said transfer is contrary to the public interest. The Commission may approve said transfer 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 where the same may best serve the public interest.

ANALYSIS

Casino Limousine, Inc. has filed an application to transfer Passenger Motor Carrier (PMC) Certificate of Transportation No. 207 to Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. The Code requires that such transfers be approved by the Board. PMC No. 207 was originally issued on April 16, 1996, to Casino Limousine, Inc. This certificate authorizes charter service – transportation of a group of persons pursuant to a common purpose and traveling under a single contract involving the exclusive use of a motor vehicle. Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. located at 640 NW 36 Court, #C-3, Miami, Florida 33134, seeks to continue providing this class of service.

The company is required to adhere to the terms of the resolution, which approved the initial certificate (R-384-96, attached). Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. seeks to continue transporting resident and tourist groups to and from various locations throughout Miami-Dade County.

Transportation will be pre-arranged on a 24-hour minimum basis. These services will be provided seven days a week, 24 hours a day, 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. Jorge Enrique Gamez Grosso 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. There has been no enforcement history.

As required by the Code, the applicant has provided disclosure of the terms and conditions regarding the transfer of the certificate. A Sales Agreement between Casino Limousine, Inc. and Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. establishes the acquisition by Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. of PMC Certificate of Transportation No. 207 for a total price of ten thousand dollars ($10,000.00).

Attachments

Roger M. Carlton
Assistant County Manager

AmericanTours USA
"Experience you can Rely On"
4030 NW 26 Street/Miami, FL 33142
(786)286-1063

RATES 2006 for groups

Transfers one way	10-14 pax (van)	15-28 pax
Miami Int. Airport	$115	$150
Port of Miami	$115	$150
Ft. Lauderdale Airport	$155	$200
South Beach to Miami	$120	$150
S.B. to South Miami	$150	$185
S.B. to Hollywood	$130	$185
S.B. to Key Largo	$235	$275
S.B. to Isla Morada	$240	$300
S.B. to Marathon	$325	$345
S.B. to Key West	$375	$525
S.B. to Orlando	$500	$675
S.B. to Cape Canaveral	$550	$650
S.B. to West Palm Beach	$200	$255
Miami City Tour	$400	$600
Everglades Tour	$400	$600
Biscayne boat Tour	$375	$500

A 20% Surcharge will be charged for transfers from and to the following:
- Mia. Int. Airport, Port of Miami, Port Everglades, & Ft. Lauderdale airport.

For Tours, a 20% Gratuity will be added for tour guide.

CASINO
LIMOUSINES
BILL OF SALE

April 01 2004

I, ODALIS SUAREZ (SELLER) IN CONSIDERATION OF CASH, Rendered dollars ($ 10.000 00), do hereby sell, transfer and convey to JORGE ENRIQUE GROSSO (buyer)

The following License.

PMC 30207

I THE UNDERSIGNED SELLER, DO SELL THE ABOVE MENTIONED LICENSED, TO THE BUYER FOR THE AMOUNT SHOWN AND CERtIFY, THAT ALL OF THE INFORMATION PROVIDED IN THIS BILL OF SALE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

I THE UNDERSIGNED BUYER, ACKNOWLEDGE RECEIPT OF THIS BILL OF SALE AND UNDERSTAND THERE IS NO LIENS EXPRESSED OR IMPLIED TO THE ABOVE MENTIONED PMC LICENSE.

DATED THIS 01st DAY OF APRIL, 2004

Seller name (printed) ODALIS SUAREZ Buyer name (printed) JORGE ENRIQUE GROSSO
Seller signature _____ Buyer signature _____

RESOLUTION NO. R-384-96

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF TRANSPORTATION TO CASINO LIMOUSINE, INC. TO PROVIDE CHARTER 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 charter passenger motor carrier services to various points in Dade County, pursuant to written service contracts, involving the exclusive use of a vehicle, as recommended by the County Manager, be issued to Casino Limousine, Inc.

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

James Burke	aye	Miguel Diaz de la Portilla	absent
Betty T. Ferguson	aye	Maurice A. Ferre	aye
Bruce Kaplan	aye	Gwen Margolis	aye
Natacha S. Millan	aye	Dennis C. Moss	aye
Alexander Penelas	aye	Pedro Reboredo	absent
Katy Sorenson	aye	Javier D. Souto	absent
Arthur E. Teele, Jr.	aye		

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MEMORANDUM Agenda Item No. 4(L)

TO: Honorable Chairperson and Members
Board of County Commissioners

FROM: Armando Vidal, P.E.
County Manager

DATE: April 16, 1996

SUBJECT: Casino Limousine, Inc. application for a Passenger Motor Carrier Certificate (PMC Control No. 275)

RECOMMENDATION

It is recommended that the Board approve the application of Casino Limousine, Inc. for a Passenger Motor Carrier of Transportation to provide pre-arranged charter 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.

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ANALYSIS

Casino Limousine, Inc., located at 7109 SW 127 Court, Miami, Florida 33183, seeks to obtain a Passenger Motor Carrier Certificate of Transportation to provide pre-arranged charter service to passengers throughout all of Dade County. This class of service is defined as the transportation of a group of persons pursuant to a common purpose and traveling under a single contract involving the exclusive use of a motor vehicle.

The company seeks to transport tourist and resident 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 fare schedule.

The management plan submitted by Ms. Odalis Suarez, President of Casino Limousine, 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 record for the applicant.

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 March 1996 Health and Public Safety Committee meeting.

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of April, 1996.

DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

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

By KAY SULLIVAN
Deputy Clerk

ARTICLE III. PASSENGER MOTOR CARRIERS*

Sec. 31-101. Transportation policy.

To assure the development and maintenance of a safe, healthy and efficient passenger transportation system for Miami-Dade County, the Commission, County Manager and County staff, in carrying out the duties and responsibilities prescribed in this article, shall consider the following as being in the public interest:

(1) Reliance on market forces and on actual and potential competition among all transportation modes, so as to provide transportation services at competitive prices.

(2) Coordination of regulatory decision-making with the transportation improvement plan, and the orderly development of an integrated transportation/transit system for Miami-Dade County so as to ensure the development and maintenance of a transportation/transit system responsive to the needs of the public, in which regulatory decisions are reached fairly and expeditiously, and with consideration of their costs and benefits.

(3) Improvement of motor vehicle safety.

(4) Achievement of County, national and State energy conservation goals.

(5) Reduced concentration of market power, and prevention of unfair, deceptive, predatory or anticompetitive practices.

(6) Reduction of restrictive regulatory barriers to entry into the industry and promotion of equal opportunities.

(7) Promotion of the safety and welfare of the residents and visitors of Miami-Dade County who use the services of passenger motor carriers to meet their transportation needs.

*Editor's note—Ord. No. 81-17, adopted Feb. 17, 1981, did not specify manner of codification; therefore, inclusion of §§ 2—16 as Art. III, §§ 31-101—31-115, has been at the editor's discretion.

MIAMI-DADE COUNTY

PUBLIC NOTICE

THE COMMUNITY EMPOWERMENT AND ECONOMIC REVITALIZATION COMMITTEE OF THE BOARD OF COUNTY COMMISSIONERS of Miami-Dade County, Florida will meet on Tuesday, February 13, 2007, at approximately 2:00 p.m. in the County Commission Chambers, Second Floor, Stephen P. Clark Center, 111 NW First Street, Miami, Florida to consider:

> Resolution approving transfer of Certificate of Transportation No. 207 to Jorge Enrique Gamez Grosso d/b/a American Tours USA, Inc. to provide charter service as a passenger motor carrier.

A person who decides to appeal any decision made by the Community Empowerment and Economic Revitalization Committee of the Board of County Commissioners, with respect to any matter considered at its hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.