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

Memorandum

MIAMI-DADE COUNTY

Date: June 3, 2008

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

From: George M. Burgess
County Manager

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

Resolution No. R-620-08

Subject: Juma's, Inc. application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 146

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier Certificate of Transportation No. 146 from Marsan Miami Tours & Transportation, Inc. (Marsan) to Juma's, Inc. (Juma).

SCOPE

This Passenger Motor Carrier Certificate of Transportation is countywide, allowing the license holder to operate in unincorporated and incorporated areas of Miami-Dade County.

FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact to the County.

TRACK RECORD/MONITOR

Applicant is a new service provider. The Consumer Services Department will be responsible for monitoring this company. There has been some enforcement history within the last five years. The applicant received three citations for operating a for-hire vehicle without a valid inspection, one for failure to obtain a chauffeur registration, another for failure to comply with requirements and one for being away from the vehicle. All citations issued have been satisfied.

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 the County in processing transfer applications. No certificate may be sold, assigned or transferred to another until the proposed sale, assignment, or transfer is approved by the Board. In considering the proposed transfer of ownership or control of the certificate, the Board shall determine whether or not said transfer is contrary to the public interest, upon evidence submitted at the May 14, 2008 Economic Development and Human Services Committee meeting (Attachment A). The Board may approve or refuse to approve the transfer upon such terms and conditions or may reasonably alter, restrict or modify the terms and provisions of such transfer if in the public's interest.

Marsan has filed an application to transfer Passenger Motor Carrier (PMC) Certificate of Transportation No. 146 to Juma's. Originally issued on October 5, 1993 via Resolution R-1218-93 (Attachment B) to Rada Tours, Inc., then transferred to Marsan on May 21, 2002 via Resolution R-478-02 (Attachment C), PMC No. 146 authorizes Contract Carrier Service. This class of service is defined as any passenger motor carrier who is not a common carrier and who

repeatedly or continuously transports persons for compensation under written contract with one or more persons.

Juma's, located at 6415 S.W. 116 Place, Unit C, Miami, Florida, 33173, seeks to continue providing this class of service by transporting resident and tourist groups to and from various locations throughout Miami-Dade County 24 hours a day, seven days a week. Transportation is required to be pre-arranged at least 24-hours prior to service, using chauffeur driven vehicles with a seating capacity of nine or more, but less than 28 passengers, excluding the driver. The company is required to adhere to the terms of resolution which approved the initial certificate in 1993. The proposed rates are listed on the attached rate schedule (Attachment D).

The management plan submitted by Juan Monroy, President of Juma's 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.

As required by the Code, the applicant has provided disclosure of the terms and conditions regarding the transfer of the certificate. A Sales Agreement (Attachment E) between Juan Monroy, President of Juma's, Inc., and Mario Rodriguez, President of Marsan Miami Tours & Transportation, Inc., establishes the acquisition by Juan Monroy of PMC Certificate of Transportation No. 146 for a total price of $5,000.

Assistant County Manager

A

MIAMI-DADE COUNTY

PUBLIC NOTICE

THE ECONOMIC DEVELOPMENT AND HUMAN SERVICES COMMITTEE OF THE BOARD OF COUNTY COMMISSIONERS of Miami-Dade County, Florida will meet on Wednesday, May 14, 2008, 2008, at 9:30 a.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. 146 to Juma's, Inc. to provide contract carrier services as a passenger motor carrier.

A person who decides to appeal any decision made by the Economic Development and Human Services 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.

Agenda Item No. 7(T)
10-5-93

30146

RESOLUTION NO. R-1218-93

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF TRANSPORTATION TO RADA TOURS, INC. TO PROVIDE CONTRACT CARRIER 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 contract carrier passenger motor carrier services to various points in Dade County, pursuant to written service contracts, as recommended by the County Manager, be issued to Rada Tours, Inc.

The foregoing resolution was offered by Commissioner Sherman S. Winn, who moved its adoption, the motion was seconded by Commissioner Miguel Diaz de la Portilla and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of October, 1993.

4

DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

WILLIAM G. OLIVER

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency

STATE OF FLORIDA)
) SS:
COUNTY OF DADE)

I, HARVEY RUVIN, Clerk of the Circuit Court in and for Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. R-1218-93, adopted by the said board of County Commissioners at its meeting held on October 5, 19 93.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 7th day of October, A.D. 19 93.

HARVEY RUVIN, Clerk
Board of County Commissioners
Dade County, Florida

By _____
Deputy Clerk

COUNTY COMMISSIONERS DADE COUNTY FLORIDA SEAL

Board of County Commissioners
Dade County, Florida

CLK/CT 587 3/93

6

METROPOLITAN DADE COUNTY, FLORIDA

PUBLIC NOTICE

THE BOARD OF COUNTY COMMISSIONERS of Dade County, Florida, will meet on Tuesday, September 28, 1993, at 2:00 p.m., in the County Commission Chambers, Second Floor, Stephen P. Clark Center, 111 N.W. First Street, Miami, Florida, to consider applications for Passenger Motor Carrier Certificates of Transportation filed by Class Transportation and Tours, Corp., Golden Touch Limousine of Florida, Inc., and Rada Tours, Inc.

A person who decides to appeal any decision made by 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.

HARVEY RUVIN, CLERK

WILLIAM G. OLIVER, DEPUTY CLERK

07-17A METRO-DADE/GSA-MAT MGT

MEMORANDUM

Agenda Item No. 7(T)

Hon. Chairperson and Members
Board of County Commissioners

DATE: October 5, 1993

SUBJECT: Application for a Passenger Motor Carrier Certificate of Transportation

FROM: Joaquin G. Avino, P.E., P.L.S.
County Manager

RECOMMENDATION:

It is recommended that the Board approve the application of Rada Tours, Inc., d/b/a Rada Tours, Inc., for a Passenger Motor Carrier Certificate of Transportation to provide pre-arranged contract carrier 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 procedure to be followed by Metro Dade County in processing certificate applications. Based on these 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 the 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.

ANALYSIS:

Rada Tours, Inc., d/b/a Rada Tours, Inc., located at 5700 S.W. 127 Avenue, #1219, Miami, Florida 33183, seeks to obtain a Passenger Motor Carrier Certificate of Transportation to provide pre-arranged contract carrier transportation to passengers throughout all of Dade County. This class of service is defined as a carrier who is not a common carrier and who repeatedly or continuously transports persons for compensation under written contract with one or more persons. The company seeks to transport tourist groups to various points including the airport and seaport. Transportation will be pre-arranged on a 24-hour minimum basis through wholesale tour operators. These services will be provided seven (7) days a week, 24 hours a day, using chauffeur-driven vehicles with a seating capacity of nine (9) or more, but less than twenty-eight (28) passengers, excluding the driver. The proposed rates per trip are shared according to the number of passengers as listed on the attached fare schedule.

The management plan submitted by Ms. Hortensia Incera, President of Rada Tours, 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 revealed no criminal record for the applicant or its corporate officers.

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 September 1, 1993 Public Safety and Consumer Services Committee meeting.

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 4(N)
5-21-02

(C)

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

RESOLUTION NO. R-478-02

9457

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 146 TO MARSAN MIAMI TOURS & TRANSPORTATION, INC. TO PROVIDE CONTRACT CARRIER SERVICE AS A PASSENGER MOTOR CARRIER

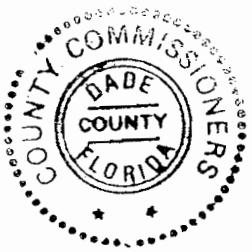
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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. 146 to Marsan Miami Tours & Transportation, Inc. to provide contract carrier passenger motor carrier service to various points in Miami-Dade County, pursuant to written service contracts, is approved.

The foregoing resolution was offered by Commissioner Jimmy L. Morales, who moved its adoption. The motion was seconded by Commissioner Jose " Pepe" Cancio Sr. and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	aye	Jose "Pepe" Cancio, Sr.	aye
Dr. Barbara Carey-Shuler	aye	Betty T. Ferguson	aye
Gwen Margolis	absent	Joe A. Martinez	aye
Jimmy L. Morales	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	absent	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of May, 2002. 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

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

Gerald K. Sanchez

By: KAY SULLIVAN
Deputy Clerk

STATE OF FLORIDA)
MIAMI-DADE COUNTY) SS:

I, HARVEY RUVIN, Clerk of the Circuit and County Courts in and for Miami-Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above foregoing is a true and correct copy of Resolution R-478-02, at its meeting held on May 21, 2002, as appears of record.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 31st of May, A.D. 2002.

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By _____
Deputy Clerk

SEAL

MEMORANDUM Agenda Item No. 4(N)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: May 21, 2002

SUBJECT: Marsan Miami Tours & Transportation, Inc. application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 146

FROM: Steve Shiver
County Manager

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier Certificate of Transportation No. 146 from Rada Tours, Inc. to Marsan Miami Tours & Transportation, 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 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 Commission, 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

Rada Tours, Inc. has filed an application to transfer Passenger Motor Carrier (PMC) Certificate of Transportation No. 146 to a new corporation, Marsan Miami Tours & Transportation, Inc. The Code requires that such transfers be approved by the Board. PMC No. 146, originally issued on October 5, 1993, authorizes contract carrier service. Marsan Miami Tours & Transportation, Inc., located at 165 NW 92 Street, Miami, Florida, 33150, 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-1218-93, attached). Marsan Miami Tours & Transportation, Inc. will continue transporting tourist and resident groups to and from various locations throughout Miami-Dade County.

Transportation will be pre-arranged on a 24 hours 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 rate schedule.

The management plan submitted by Mario C. Rodriguez, President of Marsan Miami Tours & Transportation, 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 conviction for the applicant or any corporate officers within five years of the date of the application.

As required by the Code, the applicant has provided disclosure of the terms and conditions regarding transfer of the certificate. A Sales Agreement between Marsan Miami Tours & Transportation, Inc. and Rada Tours, Inc., establishes the acquisition by Marsan Miami Tours & Transportation, Inc. of PMC Certificate of Transportation No. 146 for a total price of five thousand dollars ($5,000.00).

In accordance with Section 31-103(e) of the Code, a 20-day notice of application was provided to all affected municipalities within Miami-Dade County, all passenger motor carrier certificate holders and interested parties. No protests were filed.

D

TARIFF

Our company offers daily services as:

City tour: $ 48 per person

City /boat: $ 58 per person

Everglades: $ 79 per person

Key West: $ 82 per person

Sawgrass: $ 48 per person

Seaquarium, Jungle island, Vizcaya, Monkey jungle : $ 58 per person

Rapids on the water: $ 98 per person

Transfer in apto: $ 50 per person

Transfer out apto: $ 50 per person

Transfer in pto: $ 50 per person

Tranfer out pto: $50 per person

(E)

BILL OF SALE

The undersigned ,MARIO C RODRIGUEZ , President of MARSAN MIAMI TOURS & TRANSPORTATION, for inconsideration of good and valuable consideration, does hereby sell, assign and convey to JUMAS INC. all his/her/their rights, title and interest to the following: P M C CERTIFICATE No. 30146

The undersigned acknowledge receipt of the amount of $5,000.00 representing payment in full.

The sale and transfer of this certificate is pending approval of the Consumer Services Department, Passenger Transportation Regulatory Division and the Board of County Commisioners.

IN WITNESS WHEREOF, the undersigned MARIO C. RODRIGUEZ has executed this Bill of Sale this 03/11/2008

Mario C. Rodriguez
FDL #R362-543-40-374-0

Juan C. Monroy Jr
FDL M566-923-69-095-0
Buyer

STATE OF FLORIDA
COUNTY OF MIAMI DADE

On this 03/11/08 , before me personally appeared MARIO C RODRIGUEZ, know to me (or probed to me on the basis of satisfactory evidence) to be the person whose names is subscribed to within the instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument, she executed the instrument.

WITNESS my hand and official seal.

Notary Public

LUZ MERY ANGARICA
MY COMMISSION # DD674337
EXPIRES: June 11, 2011
1-800-3-NOTARY Fl. Notary Discount Assoc. Co.

LUZ M. ANGARICA
NOTARY PUBLIC
827 N.W 28 Street - Miami, FL 33127
Tel: 305-634-1031

MEMORANDUM
(Revised)

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

DATE: June 3, 2008

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

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

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**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(C)(1)(F)
6-3-08

RESOLUTION NO. **R-620-08**

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 146 TO JUMA'S, INC. TO PROVIDE CONTRACT CARRIER SERVICES 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. 146 to Juma's, Inc. to provide contract carrier service is approved. This class of service is defined as any passenger motor carrier who is not a common carrier and who repeatedly or continuously transports persons for compensation under written contract with one (1) or more persons.

The foregoing resolution was offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Jose "Pepe" Diaz** 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	**aye**
Joe A. Martinez	**aye**	Dennis C. Moss	**aye**
Dorrin D. Rolle	**absent**	Natacha Seijas	**absent**
Katy Sorenson	**aye**	Rebeca Sosa	**absent**
Sen. Javier D. Souto	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of June, 2008. 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. GKS

Gerald K. Sanchez