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

Memorandum

MIAMI-DADE COUNTY

Date: July 1, 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)(B)

Resolution No. R-738-08

Subject: Tri-Rail Bus Connection, Inc. application for stock transfer relating to Passenger Motor Carrier Certificate of Transportation No. 305

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the transfer of all issued and outstanding shares of capital stock of Tri-Rail Bus Connection, Inc., holder of Passenger Motor Carrier (PMC) Certificate of Transportation No. 305, to its new President, Dady Pierre.

SCOPE

This PMC 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

The principal of the company, Mr. Dady Pierre, has been a licensed for-hire chauffeur since 1990. There has been no enforcement history within the last 10 years. The Consumer Services Department will be responsible for monitoring this company.

BACKGROUND

On February 17, 1981, the Board adopted Ordinance 81-17, subsequently amended by Ordinance 85-20 on April 16, 1985, Ordinance 98-123 on September 3, 1998, and Ordinance No. 02-1 on January 29, 2002, 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 the 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 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 by the parties or any other party or person affected by the proposed transfer at the June 11, 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 in the public's best interest.

Mr. Alphe Willingham, President of Tri-Rail Bus Connection, Inc. and holder of PMC Certificate of Transportation No. 305, has filed an application to transfer all issued and outstanding shares of capital stock of the corporation to its new President, Dady Pierre. PMC No. 305 authorizes jitney route service. This class of service is defined as any motor vehicle having a maximum seating capacity of 15 or less, transporting passengers for compensation on a semi-fixed route between fixed terminals not on a fixed schedule basis.

Tri-Rail Bus Connection, Inc., located at 10801 NE 4 Avenue, Miami, Florida, 33161, seeks to continue providing this class of service. The company is required to adhere to the terms of the resolutions R-664-88 (Attachment B) and R-565-99 (Attachment C). The later resolution includes a condition that the company operate a wheelchair accessible vehicle during rush hours periods. However, due to economic considerations including the cost of equipment and insurance, Tri-Rail has been unable to comply with this condition. Tri-Rail seeks to modify the certificate to eliminate this provision. This jitney route runs parallel to Miami-Dade Transit Route #77 which is operated 24 hours a day, seven days a week with wheelchair accessible buses.

Tri-Rail Bus Connection, Inc. will continue transporting passengers for compensation on a semi-fixed route (Attachment D) between fixed terminals not on a fixed schedule. Transportation will be provided using chauffeur driven vehicles with a seating capacity of at least nine or more, excluding the driver 24 hours per day seven days a week. The proposed rates are $1.25 per person, one-way.

The management plan submitted by Mr. Dady Pierre, President of Tri-Rail Bus Connection, 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 the transfer of the certificate. A sales agreement between Mr. Alphe Willingham and Mr. Dady Pierre establishes the acquisition by Mr. Dady Pierre of PMC Certificate of Transportation No. 305 for $35,000.

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 affording them an opportunity to protest the application. No protests were filed.

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, June 11, 2008, at approximately 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 all issued and outstanding shares of capital stock of Tri-Rail Bus Connection, Inc., holder of Certificate of Transportation No. 305, to its new President, Dady Pierre, to provide jitney service 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.

B

Agenda Item No. 2(n)
6-7-88

RESOLUTION NO. R-664-88

RESOLUTION AUTHORIZING ISSUANCE OF A CERTIFICATE OF TRANSPORTATION, AS APPLIED FOR, TO ALPHE WILLINGHAM, TO PROVIDE SERVICE AS A PASSENGER MOTOR CARRIER

WHEREAS, the Board of County Commissioners has held a public hearing on the application in accordance with Chapter 31 of the Metro-Dade County Code; and

WHEREAS, the Board of County Commissioners has considered the application, the County Manager's report and recommendation, and all matters presented at the public hearing; and

WHEREAS, the Board of County Commissioners has determined that the applicant has an adequate management plan, the ability to provide the proposed transportation service, and the public interest will be served by approving the application issuing the Certificate;

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 Passenger Motor Carrier Services, in Dade County as recommended by the County Manager, be issued to Alphe Willingham.

The foregoing resolution was offered by Commissioner Barry D. Schreiber who moved its adoption. The motion was seconded by Commissioner Barbara M. Carey and upon being put to a vote, the vote was as follows:

Barbara M. Carey	Aye
Clara Oesterle	Absent
Beverly B. Phillips	Absent
James F. Redford, Jr.	Absent
Harvey Ruvin	Aye
Barry D. Schreiber	Aye
Jorge E. Valdes	Aye
Sherman S. Winn	Aye
Stephen P. Clark	Absent

The Mayor thereupon declared the resolution duly passed and adopted this 7th day of June, 1988.

DADE COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS

RICHARD P. BRINKER, CLERK

By: RAYMOND REED
Deputy Clerk

Approved by County Attorney as to form and legal sufficiency.

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MEMORANDUM

Agenda Item No. 2(n)

TO Honorable Mayor and Members
Board of County Commissioners

DATE June 7, 1988

SUBJECT Request for Issuance of a Certificate of Transportation to Alphe Willingham

FROM Dewey W. Knight, Jr.
Interim County Manager

Dewey W Knight

Recommendation:

It is recommended that the Board of County Commissioners at the conclusion of the public hearing to consider the application of Alphe Willingham, for a Certificate of Transportation, approve the certificate as requested.

Background:

On February 17, 1981, the Board of County Commissioners adopted Ordinance 81-17, subsequently amended as 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 it 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 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.

Analysis:

Alphe Willingham, doing business as a County Mini Service located at 2948 N.W. 59th Street., Miami, Florida 33142, proposes to provide passenger transportation to a common destination or series of destinations where the passengers may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not on fixed or semi-fixed routes, non-scheduled with no fixed terminals.

The applicant's management plan is well defined and meets required standards. The financial capability of the applicant to provide the proposed transportation service appears to be adequate. The proposed services standards meet or exceed all requirements of the code and adequately meet passenger transportation and comfort needs. A background investigation has revealed no criminal record for the applicant.

In accordance with Section 31-103(d) of the County Code, notice of filing of this application was disseminated and no formal protests were processed.

Approval for issuance of a Certificate of Transportation to Alphe Willingham is therefore recommended.

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CONSUMER SERVICES DEPARTMENT

Passenger Transportation Regulatory Division
3000 N.W. 32 Ave. - Miami, Florida 33142

December 18, 1986

TO: MUNICIPALITIES, APPLICANTS AND INTERESTED PARTIES

SUBJECT: NOTICE OF FILING OF APPLICATIONS FOR CERTIFICATE OF TRANSPORTATION TO OPERATE AS A PASSENGER MOTOR CARRIER

Pursuant to the provisions of Section 31-103 of the Code of Metropolitan Dade County, NOTICE is hereby given that applications have been filed with the Metro Dade Transportation Administration seeking a Certificate of Transportation to operate as a passenger motor carrier.

Under the provisions of Section 31-103(e) of the County Code, any party that determines they may be affected by any of the services to be provided by the applicants may file a formal protest. The protest must be in writing and delivered no later than January 8, 1987, to:

Consumer Services Department
Passenger Transportation Regulatory Division
3000 N.W. 32 Ave.
Miami, Florida 33142

A copy of the protest must be forwarded to the applicant. Protests received after January 8, 1987 will not be accepted.

If a protest is received, the party or parties filing the protest and the applicants will be notified of the date, time, and location that the administrative hearing set forth in Section 31-103(e) of the Code will be held.

- ALPHE WILLINGHAM, located at 2948 N.W. 59 St., Miami, Florida 33142, proposes to provide passenger transportation to a common destination or series of destinations where the passengers may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not on fixed or semi-fixed routes, non-scheduled with no fixed terminals.

- CAMPANILE MOTOR SERVICE, INC., located at 11001 Biscayne Blvd., Miami, Florida 33161, Mr. Michael J. Campanile, President, proposes to provide pre-arranged transportation for the passengers of the S.S. Dolphin at the Port of Miami. Vehicles to be used are 15-passenger vans, 12-passenger van, 9-passenger van, and 25-passenger bus.

For more information or to obtain a copy of the above applications, contact this office at 638-6442.

Sincerely,

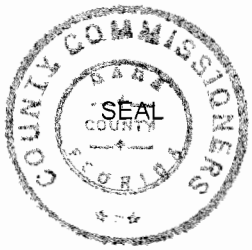
J. R. Fernandez, Director
Passenger Transportation Regulatory Division

JRF:mjm

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

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 and foregoing is a true and correct copy of Resolution No. R-664-88 , adopted by the said Board of County Commissioners at its meeting held on June 7, 1988 , as appears of record.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 6th day of May , A.D., 2008 .



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

By: _____
Deputy Clerk

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 4 (HH)
5-25-99

C

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

RESOLUTION NO. R-565-99

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF TRANSPORTATION TO TRI-RAIL BUS CONNECTION, INC. TO PROVIDE JITNEY/FIXED ROUTE 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, a Certificate of Transportation to Tri-Rail Bus Connection, Inc. to provide jitney/fixed route transportation service in Miami-Dade County as a Passenger Motor Carrier is approved subject to the following conditions: (1) The route must be operated in its entirety with no deviation from the approved route or the days and hours of operation; (2) A maximum of 30 vehicles shall be authorized to be permitted by the Consumer Services Department and to operate under the route provided, however, effective fifteen months after approval of this resolution, additional vehicles may be authorized administratively where the Director of the Consumer Services Department determines that the addition of any new vehicle will not adversely impact the Miami-Dade Transit Agency existing route and will serve the public interest; (3) Within twelve months after Certificate approval, Tri-Rail Bus Connection, Inc. shall operate one wheelchair accessible vehicle between the hours of 7:00 a.m. and 9:00 a.m. and 4:00 p.m. and

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6:00 p.m. Within twenty-four months, a total of two wheelchair accessible vehicles shall operate during peak periods; (4) Tri-Rail Bus Connection, Inc. shall maintain a minimum five-minute headway between its vehicles and MDTA buses; (5) Within 45 days after approval of the COT for the requested jitney/fixed route, Alphe Willingham shall file an application to modify the trade name and color scheme and markings for Certificate 30057 (Special Operations). No vehicle operated under Certificate 30057 shall operate on any jitney or fixed route. Said certificate shall be subject to suspension and/or revocation if there is failure on the part of the operator to comply with the conditions of the Certificate or requirements of the Code.

The foregoing resolution was offered by Commissioner **Jimmy L. Morales**, 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:

Dr. Miriam Alonso	aye	Bruno A. Barreiro	absent
Dr. Barbara M. Carey-Shuler	aye	Miguel Díaz de la Portilla	absent
Betty T. Ferguson	aye	Gwen Margolis	aye
Natacha Seijas Millán	aye	Jimmy L. Morales	aye
Dennis C. Moss	aye	Pedro Reboredo	absent
Dorrin D. Rolle	aye	Katy Sorenson	absent
Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 25th day of May, 1999. 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

KAY SULLIVAN
By:_____
Deputy Clerk

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

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MEMORANDUM Agenda Item No. 4(HH)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: May 25, 1999

SUBJECT: Application by Tri-Rail Bus Connection, Inc. for a Passenger Motor Carrier Certificate of Transportation (PMC Control No. 425)

FROM: M.R. Stierheim
County Manager

RECOMMENDATION

It is recommended that the Board approve the application of Tri-Rail Bus Connection, Inc. for a Passenger Motor Carrier (PMC) Certificate of Transportation (COT) to provide jitney/fixed route service subject to the following conditions:

(1) The route must be operated in its entirety with no deviation from the approved route or the days and hours of operation.

(2) A maximum of 30 vehicles shall be authorized to be permitted by the Consumer Services Department (CSD) and to operate under the route. Commencing fifteen (15) months after the approval date of the resolution authorizing the Certificate, requests for additional vehicles may be approved administratively where the Director of the Consumer Services Department determines that the addition of any new vehicle will not adversely impact the Miami-Dade Transit Agency existing route and will serve the public interest.

(3) Within twelve months after Certificate approval, Tri-Rail Bus Connection, Inc. shall operate one wheelchair accessible vehicle between the hours of 7:00 a.m. and 9:00 a.m. and 4:00 p.m. and 6:00 p.m. (peak periods). Within twenty four months, a total of two wheelchair accessible vehicles shall operate during peak periods.

(4) Tri-Rail Bus Connection, Inc. shall maintain a minimum five-minute headway between its vehicles and MDTA buses.

(5) Within 45 days after approval of the COT for the requested jitney/fixed route, Alphe Willingham shall file an application to modify the trade name and color scheme and markings for Certificate 30057 (Special Operations). No vehicle operated under Certificate 30057 shall operate on any jitney or fixed route.

This application was filed pursuant to Ordinance No. 98-123.

BACKGROUND

On February 17, 1981, the Board of County Commissioners adopted Ordinance 81-17, subsequently amended by Ordinance 85-20 on April 16, 1985 and Ordinance 98-123 on September 3, 1998, 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 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.

(4) That, if applying for 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 frequencies of thirty (30) minutes or less and/or where such service will impair special transportation provided by the passenger motor carrier industry. The provisions of the preceding sentence shall not apply when the applicant is applying for a certificate of transportation to provide jitney or fixed route authority and the Commission finds (1) that 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; (2) the route applied for has been operated by the applicant for at least five (5) years utilizing at least twelve (12) vehicles during 1997 which were issued permits by the CSD; (3) the fixed or jitney route traverses at least five (5) miles on either NW 7th Avenue or NE 2nd Avenue in Miami-Dade County; and (4) the applicant has held a certificate of transportation issued by Miami-Dade County for at least eight (8) years.

ANALYSIS

Alphe Willingham, President of Tri-Rail Bus Connection, Inc., located at 2010 Opa-locka Blvd., Opa-locka, Florida 33054, applied for a Passenger Motor Carrier Certificate of Transportation to provide jitney/fixed route service along the route depicted in Attachment A. The application was submitted pursuant to criteria established by Ordinance No. 98-123, adopted September 3, 1998, which enable the Board to consider applications that do not meet certain criteria related to frequency of service and route traveled. The criteria outlined in Section 31-103 (g)(4) are:

(1) That the proposed transportation will not adversely affect the existing transportation system. The Miami-Dade Transit Agency (MDTA) conducted an analysis of the proposed route and determined that operation of the jitney/fixed route has no further adverse impact on MDTA beyond that already experienced.

(2) The route applied for has been operated by the applicant for at least five years utilizing twelve vehicles during 1997 which were issued permits by the CSD. In 1997, the applicant had thirteen vehicles permitted under COT No. 30057, which was authorized in July, 1988 (see Attachment C). The applicant attests it has operated on the route for five years. The CSD has conducted enforcement operations which confirm operation for five years (see Attachment D). The MDTA analysis similarly confirms operations for five years.

(3) The jitney/fixed route traverses at least five miles on N.W. 7th Avenue. The jitney/fixed route traverses at least 9.8 miles on N.W. 7th Avenue in Miami-Dade County.

(4) The applicant has held a COT, issued by Miami-Dade County, for at least eight years. Tri-Rail Bus Connection, Inc. was issued COT No. 30057 by Miami-Dade County under Resolution No. R 664-88, on July 7, 1988 for Special Operations Service (see Attachment E). According, the applicant meets this criteria.

There has been an extensive history of enforcement related to the operations conducted pursuant to COT No. 30057, which does not authorize jitney/fixed route work. The route did not meet the criteria of 31-103(g)(4) prior to the 1998 Code amendment; however, the application meets the criteria of the Code as amended by Ordinance No. 98-123. The conditions that have been recommended and have been agreed to by the applicant, are reasonable and in the public interest. Any violations of the conditions shall be grounds for suspension and or revocation.

Transportation services will be provided using chauffeur driven vehicles with a seating capacity of at least nine (9) or more, excluding the driver, between the hours of 6:30 a.m. and 9:50 p.m., seven days a week. The proposed rates are $1.25 per person, one way. The management plan submitted by Mr. Alphe Willingham, President of Tri-Rail Bus Connection, 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 Miami-Dade County, all existing PMC Certificate Holders and interested parties affording them an opportunity to protest the application. No protests were filed.

This application was filed prior to the adoption of R-1404-98 which provides that new applications will not be received by the department after December 15, 1998; however, applications on file will be processed for Board consideration.

RECEIVED
NOV 19 1998
PASSENGER TRANSPORTATION
REGULATORY

Detailed Route Description

**** - Start on State Road 441 (N.W. 2nd Ave.) and Broward County Line

**** - Go south on 441 (N.W. 2nd Ave.) to N.W. 199 Street

- At 199 St. continue going south on N.W. 2nd Ave. to Golden Glades Interchange and get off on 441 (N.W. 2nd Ave.) and continue south on N.W. 7th Ave. (which is 441) to N.W. 5th Street

- Go left at N.W. 5th Street and 7th Avenue onto North River Drive to N.W. 4th Street

- Go left at N.W. 4th Street to N.W. 3rd Ave.

- Go right on N.W. 3rd Ave. to N.W. 3rd Street

- Go left on N.W. 3rd Street to N.W. 2nd Ave.

- Go right on N.W. 2nd Ave. to S.W. 1st Street

- Go left on S.W. 1st Street to S.E. 1st Ave.

- Go left on S.E. 1st Ave. to N.E. 1st Street

- Go left on N.E. 1st Street to N.W. 2nd Ave.

- Go right on N.W. 2nd Ave. to N.W. 3rd Street

- Go left on N.W. 3rd Street to N.W. North River Drive

- Go right on N.W. North River Drive to N.W. 4th Street and continue to N.W. 5th Street and 7th Ave. and go north and then retrace same route to head back to Broward county line.

C:\Wlgm\Detailed route description

Alphe Willingham

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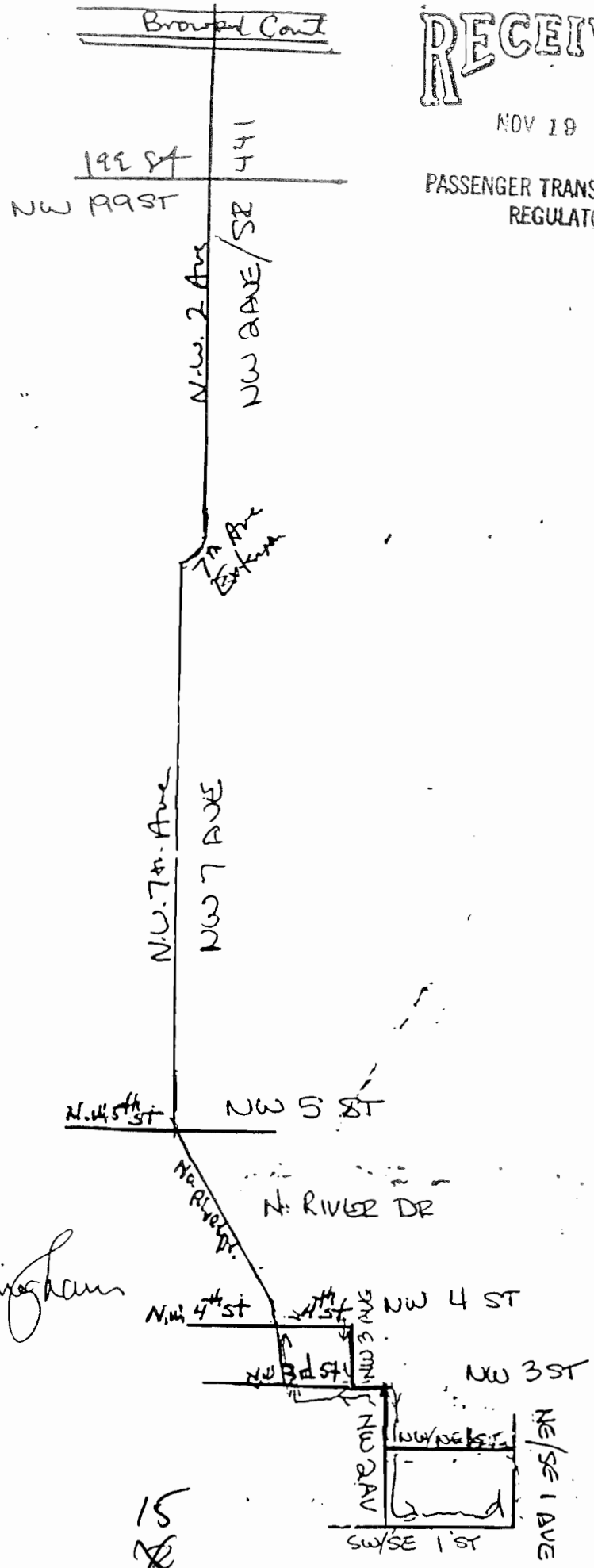
ATTACHMENT A

RECEIVED
NOV 19 1998
PASSENGER TRANSPORTATION
REGULATORY



Alphe Willingham

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MEMORANDUM

(Revised)

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

DATE: July 1, 2008

FROM: R. A. Cuevas, Jr. 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**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(C)(1)(B)
7-1-08

RESOLUTION NO. **R-738-08**

RESOLUTION APPROVING TRANSFER OF ALL OF THE ISSUED AND OUTSTANDING SHARES OF STOCK OF TRI-RAIL BUS CONNECTION, INC., HOLDER OF CERTIFICATE OF TRANSPORTATION NO. 305, TO ITS NEW PRESIDENT, DADY PIERRE

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 Board hereby approves the transfer of all of the issued and outstanding shares of capital stock of Tri-Rail Bus Connection, Inc., holder of Certificate of Transportation No. 305, to its new President, Dady Pierre. A jitney is defined as any motor vehicle having is 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.

The foregoing resolution was offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of July, 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