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

Memorandum

MIAMI-DADE COUNTY

Date: March 3, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

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

Resolution No. R-160-09

Subject: Miami Sunshine Transfer & Tours, Corp. application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 228

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 228 from Ideal Transportation, Inc. to Miami Sunshine Transfer & Tours, Corp.

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

Applicant is a new service provider. The Consumer Services Department will be responsible for monitoring this company. There has been no enforcement history within the last five years.

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 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 February 13, 2009 Government Operations Committee meeting (Attachment A). The Board may approve 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 if in the public's interest.

Ideal Transportation, Inc. has filed an application to transfer PMC Certificate of Transportation No. 228 to Miami Sunshine Transfer & Tours, Corp. Originally issued on February 4, 1997 via Resolution R-126-97 (Attachment B), PMC No. 228 authorizes Special Operations Service. This class of service is defined as transportation of persons in a motor vehicle to a common destination or series of common destinations where the person may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not between fixed terminals or on a regular route.

The company is required to adhere to the terms of the resolution, which approved the initial certificate (R-126-97, attached). Miami Sunshine Transfer & Tours, Corp. seeks to continue transporting resident and tourist groups to and from various locations throughout Miami-Dade County.

Miami Sunshine Transfer & Tours, Corp. located at 3267 NW 70 Terrace, Miami, Florida 33018, 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 the resolution which approved the initial certificate in 1997. The proposed rates are listed on the rate schedule (Attachment C).

The management plan submitted by Hector Gonzalez, President of Miami Sunshine Transfer & Tours, Corp., 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 D) between Manuel Calzadilla, President of Ideal Transportation, Inc., and Hector Gonzalez, President of Miami Sunshine Transfer & Tour, Corp., establishes the acquisition by Hector Gonzalez of PMC Certificate of Transportation No. 228 for a total price of $2.00.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: March 3, 2009

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

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

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 Mayor'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)(A)

3-3-09

RESOLUTION NO. **R-160-09**

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 228 TO MIAMI SUNSHINE TOURS & TRANSFER, CORP. TO PROVIDE SPECIAL OPERATIONS 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. 228 to Miami Sunshine Tours & Transfer, Corp. to provide special operations service is approved. This class of service is defined as transportation of persons in a motor vehicle to a common destination or series of common destinations where the person may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not between fixed terminals or on a regular route.

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

Dennis C. Moss, Chairman **aye**
Jose "Pepe" Diaz, Vice-Chairman **aye**

Bruno A. Barreiro	**aye**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Barbara J. Jordan	**aye**	Joe A. Martinez	**absent**
Dorrin D. Rolle	**aye**	Natacha Seijas	**absent**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of March, 2009. 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

A

MIAMI-DADE COUNTY

PUBLIC NOTICE

THE GOVERNMENT OPERATIONS COMMITTEE OF THE BOARD OF COUNTY COMMISSIONERS of Miami-Dade County, Florida will meet on Friday, February 13, 2009, 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. 228 to Miami Sunshine Tours & Transfer, Corp. to special operations service as a passenger motor carrier.

A person who decides to appeal any decision made by the Government Operations 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.

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 4(O)
2-4-97

B

RESOLUTION NO. R-126-97

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF TRANSPORTATION TO F&A INTERNATIONAL, INC. TO PROVIDE SPECIAL OPERATIONS 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 special operations passenger motor carrier service to a common destination or series of common destinations in Dade County, as recommended by the County Manager, be issued to F&A International, Inc.

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

Dr. Miriam Alonso	absent	James Burke	aye
Dr. Barbara M. Carey	absent	Miguel Diaz de la Portilla	aye
Betty T. Ferguson	aye	Bruce C. Kaplan	absent
Gwen Margolis	aye	Natacha Seijas Millan	absent
Jimmy L. Morales	aye	Dennis C. Moss	aye
Pedro Reboredo	absent	Katy Sorenson	aye
Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of February, 1997. 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.

DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

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

KAY SULLIVAN
Deputy Clerk

MEMORANDUM Agenda Item No. 4(O)

Honorable Chairperson and Members
Board of County Commissioners

DATE: February 4, 1997

FROM: Armando Vidal, P.E.
County Manager

SUBJECT: F&A International, Inc. for a Passenger Motor Carrier Certificate (PMC Control No. 297)

RECOMMENDATION

It is recommended that the Board approve the application of F&A International, Inc. for a Passenger Motor Carrier Certificate of Transportation to provide pre-arranged special operations 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.

ANALYSIS

F&A International, Inc., located at 10401 W Broward Blvd., Suite 207, Plantation, Florida, 33324, seeks to obtain a Passenger Motor Carrier Certificate of Transportation to provide pre-arranged special operations service transportation to passengers throughout all of Dade County. This class of service is defined as the transportation of persons to a common destination or series of common destinations where the person may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not between fixed terminals or on a regular route.

The company seeks to transport tourist 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 rate schedule.

The management plan submitted by Ms. Fabiola C. Sanchez, President of F&A International, 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.

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 January, 1997 Policy Formulation and Internal Support Committee meeting.

Approved _____ Mayor

Veto _____

Override _____

Agenda I' ı No. 4(L)

6-19-01

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

RESOLUTION NO. R-666-01

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 228 TO IDEAL TRANSPORTATION, INC. TO PROVIDE SPECIAL OPERATIONS 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,

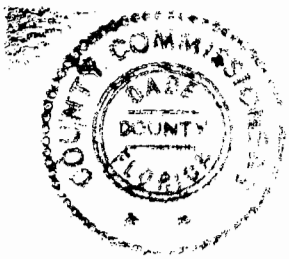
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that in accordance with Chapter 31 of the Code, the transfer of Certificate of Transportation No. 228 to Ideal Transportation, Inc. to provide special operations passenger motor carrier service to a common destination or series of common destinations in Miami-Dade County is approved.

The foregoing resolution was offered by Commissioner Jimmy L. Morales, who moved its adoption. The motion was seconded by Commissioner Joe A. Martinez and upon being put to a vote, the vote was as follows:

Dr. Miriam Alonso	absent	Bruno A. Barreiro	aye
Dr. Barbara M. Carey-Shuler	absent	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	absent
Katy Sorenson	aye	Javier D. Souto	aye
Rebeca Sosa	aye		

11

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of June, 2001. 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

By: KAY SULLIVAN
Deputy Clerk

MEMORANDUM Agenda Item No. 4(L)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: June 19, 2001

SUBJECT: Ideal Transportation, Inc. application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 228

FROM: Steve Shiver
County Manager

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier Certificate of Transportation No. 228 from F & A International, Inc. to Ideal 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

F & A International, Inc. has filed an application to transfer Passenger Motor Carrier (PMC) Certificate of Transportation No. 228 to Ideal Transportation, Inc. The Code requires that such transfers be approved by the Board. PMC No. 228, originally issued on February 4, 1997, authorizes PMC special operations service. Ideal Transportation, Inc., located at 3267 West 70 Terrace, Hialeah, Florida, 33018, 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-126-97, attached). Ideal 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 or 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 Manuel Calzadilla, President of Ideal 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 Ideal Transportation, Inc. and F & A International, Inc., establishes the acquisition by Ideal Transportation, Inc. of PMC Certificate of Transportation No. 228 for a total price of ten thousand dollars ($10,000.00).

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.

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-666-01, adopted by the said board of County Commissioners at its meeting held on June 19, 2001.

IN WITINESS WHEREOF, I have hereunto set my hand and official seal on this 29th day of June , A. D. 2001.

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

By _____
Deputy Clerk

SEAL

Board of County Commissioners
Dade County, Florida

CLK/CT 587 3/93

Miami Sunshine Transfer & Tour

Price List

From:	To:	Price Per Passenger:
MIA	Port of Miami	$10.00
Hotel	Port of Miami	$10.00
Hotel	International Mall	$10.00
Hotel	Westland Mall	$10.00
Hotel	Wall-mart	$10.00
Hotel	Bayside	$10.00

Entertainment

Place		Price Per Passenger:
City Tour		$45.00
The Everglades Tour		$45.00
Sea Aquarium	(Ticket Included)	$60.00
Parrot Jungle Island	(Ticket Included)	$45.00
Coconut Grove		$10.00
South Beach		$10.00
Saw-Grass Mills	(Round-Trip)	$15.00

D

STATE OF FLORIDA

COUNTY OF DADE

BILL OF SALE

Before me, an officer duly commissioned by the laws of the State of Florida in person appear **Manuel Calzadilla,** identified with documents shown below and being duly sworn depose and say:

I, Manuel Calzadilla sell the PMC # 30228 to Hector Gonzalez for the amount of $ 2.00 Dollars.

Manuel Calzadilla
FL ID# C 423-540-64-349-1
Expires: 09/29/2009

Hector Gonzalez
FL DL# G524-320-66-422-0
Expires: 11/22/2013

The above signers who produced Driver Licenses as Identification and did take an oath acknowledged the Foregoing instrument before me this July 22, 2008.

My Commission expires on

Notary Public

NOTARY PUBLIC STATE OF FLORIDA
MIRTA M. GARCIA
My Commission DD371133
Expires January 11, 2009