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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: March 12, 2014

TAC
Agenda Item No. 1(G)5

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Coastline Transportation, Inc. Application for a Transfer of Passenger Motor Carrier Certificate of Transportation No. 30183

Resolution No. R-342-14

Recommendation
It is recommended that the Board of County Commissioners (Board) approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30183 from Magic City Carrier, Inc. to Coastline Transportation, Inc.

Scope
This PMC Certificate of Transportation is countywide, allowing the certificate holder to operate in unincorporated and incorporated areas of Miami-Dade County.

Fiscal Impact/Funding Source
Licensing, operating permit and inspection fees are collected by the Department of Regulatory and Economic Resources to support regulatory activities. There is an annual regulatory fee of $625 per certificate and $625 per vehicle that will yield $1,250 in revenue annually if the company operates only one (1) vehicle. Passenger Motor Carrier certificate holders can operate an unlimited number of vehicles under the certificate. Vehicle inspections are $38 per vehicle.

Track Record/Monitor
Applicant is a new service provider. The applicant is in compliance with all Miami-Dade County Code (Code) requirements. The Department of Regulatory and Economic Resources, For-Hire Transportation Division Chief, Joe Mora will be responsible for monitoring this company.

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.

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 public hearing. 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.

Magic City Carrier, Inc. has filed an application to transfer Passenger Motor Carrier Certificate of Transportation No. 30183 to Coastline Transportation, Inc. Transferred on June 7, 2011, via Resolution R-436-11 (Attachment A), PMC No. 30183 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 certificate. Coastline Transportation, Inc., located at 5201 Arthur Street, Hollywood, Florida 33021, seeks to continue providing this class of service by transporting tourist and resident 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 proposed rates are listed on the attached rate schedule (Attachment B).

The management plan submitted by Mr. Daniel J. Richardson, President of Coastline 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 the transfer of the certificate. A Sales Agreement (Attachment C) between Magic City Carrier, Inc. and Coastline Transportation, Inc. establishes the acquisition of Passenger Motor Carrier Certificate of Transportation No. 30183 for a total price of $12,000.00.

Jack Osterholt
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: April 8, 2014

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

SUBJECT: Agenda Item No.

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

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

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor Agenda Item No.
Veto _____
Override _____

RESOLUTION NO. R-342-14

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30183 FROM MAGIC CITY CARRIER, INC. TO COASTLINE 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. 30183 from Magic City Carrier, Inc. to Coastline Transportation, Inc. to provide special operations service as a passenger motor carrier is approved. This class of transportation 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 **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman			**aye**
Lynda Bell, Vice Chair			**aye**
Bruno A. Barreiro	**aye**	Esteban L. Bovo, Jr.	**aye**
Jose "Pepe" Diaz	**absent**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of April, 2014. 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: Christopher Agrippa
Deputy Clerk

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

Gerald K. Sanchez

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

ATTACHMENT A

Memorandum

MIAMI-DADE COUNTY

Date: June 7, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

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

From: Alina T. Hudak
County Manager

Resolution No. R-436-11

Subject: Magic City Carrier, Inc. application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 30183

RECOMMENDATION
It is recommended that the Board approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30183 from Miami Blue Sea, Inc. to Magic City Carrier, Inc.

SCOPE
This PMC Certificate of Transportation is countywide, allowing the certificate holder to operate in unincorporated and incorporated areas of Miami-Dade County.

FISCAL IMPACT/FUNDING SOURCE
Licensing, operating permit and inspection fees are collected by the Consumer Services Department (CSD) to support regulatory activities. There is an annual regulatory fee of $625 per certificate and $625 per vehicle that will yield $1,250 in revenue annually if the company operates only one (1) vehicle. PMC certificate holders can operate an unlimited number of vehicles under the certificate. Vehicle inspections are $38 per vehicle.

TRACK RECORD/MONITOR
Applicant is a new service provider; however, the principal of the corporation, Ms. Christiane Naumann, has been a registered chauffeur since August 2010. There is no enforcement history. The Consumer Services Department (CSD) will be responsible for monitoring this company.

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 public hearing. 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.

Miami Blue Sea, Inc. has filed an application to transfer PMC Certificate of Transportation No. 30183 to Magic City Carrier, Inc. Transferred on December 7, 2010, via Resolution R-1156-10 (Attachment A), to Miami Blue Sea, Inc., PMC No. 30183 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 certificate. Magic City Carrier, Inc., located at 12245 NE 12th Place, North Miami, Florida 33161, 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 proposed rates are listed on the attached rate schedule (Attachment B).

The management plan submitted by Ms. Christiane Naumann, President of Magic City Carrier, 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 (Attachment C) between Magic City Carrier, Inc. and Zoraida Villalobos, President of Miami Blue Sea, Inc., establishes the acquisition by Magic City Carrier, Inc. of PMC Certificate of Transportation No. 30183 for a total price of $12,000.00.

Assistant County Manager

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(C)(1)(B)
6-7-11

RESOLUTION NO. R-436-11

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30183 FROM MIAMI BLUE SEA, INC. TO MAGIC CITY CARRIER, 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. 30183 to Magic City Carrier, Inc. to provide special operations service is approved. This class of transportation 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 **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman			aye
Audrey M. Edmonson, Vice Chairwoman			aye
Bruno A. Barreiro	absent	Lynda Bell	aye
Esteban L. Bovo, Jr.	aye	Jose "Pepe" Diaz	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Jean Monestime	aye	Dennis C. Moss	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	absent
Xavier L. Suarez	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of June, 2011. 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: DIANE COLLINS
Deputy Clerk

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

Gerald K. Sanchez

ATTACHMENT B

COASTLINE TRANSPORTATION

PO BOX 814087
HOLLYWOOD, FL 33081
(954) 981-9010
(954) 445-6916
(866) 407-0089 FAX
reservations@coastlinetransport.com

RATES 2014
12 PASSENGER MERCEDES SPRINTER

BROWARD TO:	RATE	20% GRATUITY	TOTAL
BROWARD	$145.00	$29.00	$174.00
MIAMI	$170.00	$34.00	$204.00
PALM BEACH	$220.00	$44.00	$264.00

MIAMI TO:	RATE	20% GRATUITY	TOTAL
MIAMI	$145.00	$29.00	$174.00
BROWARD	$170.00	$34.00	$204.00
PALM BEACH	$270.00	$54.00	$324.00

HOURLY CHARTER:	RATE	20% GRATUITY	TOTAL
(4) HOUR MINIMUM	$85.00 P/H	$17.00	$102.00 P/H

8% fuel surcharge added to all rates

ADDITIONAL FEES:	RATE
AIRPORT FEE	$5.00
CUSTOMS	$25.00
PORT OF MIAMI	$18.00
WAIT TIME	$85.00 P/H

ATTACHMENT C

AGREEMENT FOR THE SALE OF PMC Licence 30-183

This Agreement for the Sale of the PMC Certificate No.30183 made and effective this Sep 27th, 2013 by and between MAGIC CITY CARRIER INC and COASTLINE TRANSPORTATION, INC..

NOW, THEREFORE, in consideration of the mutual promises herein contained, the parties hereto agree as follows:

1. Sale.

Seller agrees to sell, transfer and convey to Buyer, and Buyer agrees to purchase the PMC TRANSPORTATION LICENSE 30-183.

2. Price.

Buyer shall pay Seller for the Goods the sum of "Twelve thousand USD" ($12,000.00). Buyer shall make payment of the purchase price in full within ten (10) days following delivery of the Goods by Seller as provided herein, subject to Buyer's right to inspection as set forth in Section 4 below. In the event that the purchase price is not timely paid, in addition to its other remedies, Seller may impose, and Buyer shall pay, a late payment charge equal to one (1 %) of the overdue amount each month.

3. Warranty.

Seller warrants that the Goods shall be free of all liens and encumbrances at the time of delivery, except for any lien or encumbrance created or permitted to be created by Buyer. Seller warrants that it is the owner of the Goods or otherwise has the right to sell the Goods and otherwise performs Seller's obligation set forth in this Agreement and neither knows, nor has any reason to know the existence of any outstanding title or claim of title hostile to the rights of Seller in the Goods. EXCEPT AS SET FORTH HEREIN, SELLER MAKES NO WARRANTY TO BUYER WITH THE RESPECT TO THE GOODS, AND BUYER DISCLAIMS ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

4. Transfer of Title.

Title to and ownership of the Goods shall not pass from Seller to Buyer until Buyer has paid in full the purchase price to Seller.

5. Limitation of Liability.

In no event shall Seller be liable for any special, indirect, incidental or consequential damages arising out of or connected with the Agreement or the Goods, regardless of whether a claim is based on contract, tort, strict liability or otherwise, nor shall Buyer's damages exceed the amount of the purchase price of the Goods.

6. Taxes.

Buyer shall pay or reimburse Seller as appropriate for any sales, use, excise, or other tax imposed or levied with respect to the payment of the purchase price for the Goods or the conveyance of title in the Goods to Buyer. In no event shall Buyer be responsible for any tax imposed upon Seller based upon Seller's income or for the privilege of doing business.

7. Notices.

Any notice required by the Agreement or given in connection with it, shall be in writing and shall be given to the appropriate party by personal delivery or by certified mail, postage prepaid, or recognized overnight delivery services.

AGREEMENT FOR THE SALE OF PMC Licence 30-183

If to Seller:
MAGIC CITY CARRIER INC
12245 NE 12TH PL, NORTH MIAMI, Florida, 33161

If to Buyer:
COASTLINE TRANSPORTATION, INC.
5201 ARTHUR ST, HOLLYWOOD, Florida, 33021

8. Governing Law.

This Agreement shall be construed and enforced in accordance with the laws of the State of Florida.

9. Final Agreement.

This Agreement terminated and supersedes all prior understandings or agreements on the subject matter hereof. This Agreement may be modified only by further writing that is duly executed by both parties.

10. Severability.

If any term of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, the this Agreement, including all the remaining terms, will remain in full force and effect as if such invalid or unenforceable terms had never been included.

11. Headings.

Headings used in this Agreement are provided for convenience only and shall not be used to construe meaning or intent.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as the date first above written.

CHRISTIANE NAUMANN
PRESIDENT MAGIC CITY CARRIER INC

FLORIDA DL#: N550-113-60-669-0

DANIEL J. RICHARDSON
PRESIDENT COASTLINE TRANSPORTATION INC

FLORIDA DL#: R263 170 69 218 0

SWORN TO AND SUBSCRIBED BEFORE ME THIS 27TH DAY OF SEPTEMBER 2013

NOTARY PUBLIC_____ SEAL

TAUNI MILLER
Notary Public - State of Florida
My Comm. Expires Sep 7, 2014
Commission # EE 9814
Bonded Through National Notary Assn.

TAUNI MILLER
Notary Public - State of Florida
My Comm. Expires Sep 7, 2014
Commission # EE 9814
Bonded Through National Notary Assn.