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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Agenda Item No. 14(A)(4)

Date: July 15, 2014

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

From: Carlos A. Gimenez
Mayor

Subject: Limousines of South Florida, Inc. Application for Modification of Passenger Motor Carrier Certificate of Transportation No. 31028

Resolution No. R-690-14

Recommendation
It is recommended that the Board of County Commissioners (Board) approve the application of Limousines of South Florida, Inc. to modify existing Passenger Motor Carrier (PMC) Certificate of Transportation No. 31028 for the provision of contract carrier service.

Scope
This PMC Certificate of Transportation allows the certificate holder to operate a trolley service in the City of Miami Beach.

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 an existing service provider. The applicant is in compliance with all Miami-Dade County Code (Code) requirements. Joe Mora, Division Chief within the Department of Regulatory and Economic Resources, 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 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 Mayor'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.

Limousines of South Florida, Inc., located at 2766 NW 62 Street, Miami, FL 33147, seeks to modify Passenger Motor Carrier Certificate of Transportation No. 31028 to provide contract carrier service pursuant to a Transportation Agreement with the City of Miami Beach. PMC Certificate No. 31028 was approved by the Board on June 3, 2014 via Resolution No. R-484-14. Contract carrier 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 contracts with one or more persons.

Limousines of South Florida, Inc. is required to adhere to the terms of resolution R-484-14. Transportation will be provided using chauffeur driven vehicles with a seating capacity of at least nine (9) nine or more, excluding the driver, but less than 28 passengers, seven days a week, from 8:00 a.m. to 12:00 a.m.

The management plan submitted by Mr. Raymond Gonzalez, President of Limousines of South Florida, 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.

The City of Miami Beach has launched a free trolley service as part of a maintenance of traffic strategy, operated by Limousines of South Florida, Inc., that loops around Alton Road and West Avenue to help customers reach the approximate 300 shops and restaurants found along the trolley route which have been impacted by the construction project. The City entered into a Transportation Agreement with Limousines of South Florida, Inc. for maintenance and operations of a trolley system on January 31, 2014. The agreement provides that upon written notification to the contractor, the City reserves the right, as its sole discretion and judgment, to modify such routes, schedules, and hours of operation at any time during the term of the agreement. On May 13, 2014, the City requested the contractor to expand the service to Belle Isle in order to mitigate the impact caused by Miami-Dade Transit's reduction in service due to the Venetian Causeway structural issues. This will require the addition of the third vehicle connecting Alton Road West to Belle Isle.

In July 1998, the Board approved Resolution R-1404-98 placing a moratorium on new PMC applications, with certain exceptions. One of the exceptions is a finding that the service is in the County's best interest. Approval of this application will allow the City of Miami Beach to continue providing the City's residents and visitors with a fare free trolley service while mitigating the hardship to local residents caused by the reduction of transit service due the Venetian Causeway structural problems. The certificate of transportation will only authorize contract carrier passenger motor carrier services as provided for in the Transportation Agreement between Limousines of South Florida, Inc. and the City of Miami Beach. Based on this information, it is in the best interest of the County to approve this request to offer contract carrier service as described herein.

Jack Osterholt, Deputy Mayor

MEMORANDUM
(Revised)

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

DATE: July 15, 2014

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

SUBJECT: Agenda Item No. 14(A)(4)

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
Veto _____
Override _____

Agenda Item No. 14(A)(4)
7-15-14

RESOLUTION NO. R-690-14

RESOLUTION APPROVING APPLICATION OF LIMOUSINES OF SOUTH FLORIDA, INC. TO MODIFY CERTIFICATE OF TRANSPORTATION NO. 31028 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 application of Limousines of South Florida, Inc. to modify Certificate of Transportation No. 31028 to provide contract carrier passenger motor carrier services 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 a written contract with one (1) or more persons.

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

Rebeca Sosa, Chairwoman			**absent**
Lynda Bell, Vice Chair			**aye**
Bruno A. Barreiro	**aye**	Esteban L. Bovo, Jr.	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**absent**	Barbara J. Jordan	**aye**
Jean Monestime	**absent**	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 17th day of July, 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