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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Agenda Item No. 14(A)(5)

Date: July 15, 2014

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

From: Carlos A. Gimenez
Mayor

Subject: Safeguard America, Inc. Application for a Limited Passenger Motor Carrier Certificate of Transportation

Resolution No. R-691-14

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the application of Safeguard America, Inc. for a Limited Passenger Motor Carrier (PMC) Certificate of Transportation for the provision of limited passenger motor carrier services. The Limited Passenger Motor Carrier Certificate for Safeguard America, Inc. is for transportation work under Miami-Dade Transit Contract No. 9791-1/24.

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 $6,250 in revenue annually since the company will operate nine (9) vehicles as required by the contract with Miami-Dade Transit. 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 that a passenger motor carrier proposing to provide transportation services pursuant to a contract with Miami-Dade County for the provision of Miami-Dade Transit services, may satisfy the passenger motor carrier certificate requirements by obtaining a limited certificate of transportation. A holder of a limited certificate of transportation must comply with all requirements of the Miami-Dade County Code pertaining to holders of a Certificate of Transportation; however, the requirements of Section 31-103 (e) pertaining to hearings, notices, and administrative protest procedures and Section 31-103 (f) pertaining to advance notice to certificate holders and applicants do not apply. The limited certificate of transportation shall only authorize provision of transportation services pursuant to a contract for so long as the contract is in effect. A person who is issued a limited certificate of transportation shall not lease or otherwise assign the right to operate under such certificate to any other person.

Safeguard America, Inc., located at 3935 NW 26 Street, Miami, FL 33142, proposes to provide passenger transportation services solely in accordance with the terms and conditions of Miami-Dade Transit Contract No. 9791-1/24. The contract includes two routes: (1) Dade-Monroe Express, which runs between Florida City and Marathon; and (2) Card Sound Express, which runs between Florida City and the Ocean Reef Club. Contract No. 9791-1/24 was awarded by the Board on May 6, 2014 via Resolution No. R-417-14

The management plan submitted by Mr. Steven Masdeu, President of Safeguard America, 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 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 of public interest. The proposed transportation service will augment transit services and increase mobility and access to businesses and services for certain segments of the population. Based on this information, it is in the best interest of the County to approve this request to limited passenger motor carrier services 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)(5)

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)(5)
7-15-14

RESOLUTION NO. R-691-14

RESOLUTION APPROVING A LIMITED PASSENGER MOTOR CARRIER CERTIFICATE OF TRANSPORTATION FOR SAFEGUARD AMERICA, INC. TO PROVIDE SERVICE AS A LIMITED 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, this Board authorizes issuance of a Limited Passenger Motor Carrier Certificate of Transportation to Safeguard America, Inc. to provide limited passenger motor carrier services in Miami-Dade County pursuant to a contract with Miami-Dade Transit. Limited Certificate of Transportation means the holder thereof may engage in providing transportation services as described in a contract with Miami-Dade Transit for the provision of transportation services for so long as such contract is in effect.

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