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

Memorandum

MIAMI-DADE COUNTY

Date: January 20, 2016

Agenda Item No. 3(B)(9)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Application for a Transfer of Passenger Motor Carrier Certificate of Transportation No. 30152 from American Jitney, Inc. to CTE Jitney, LLC

Resolution No. R-15-16

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30152 from American Jitney, Inc. to CTE Jitney, LLC.

Scope

This PMC Certificate of Transportation is countywide, allowing the certificate holder to operate in unincorporated and incorporated areas of Miami-Dade County. However, as a jitney operator, service must be provided in their approved route.

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 $625.00 per certificate and $625.00 per vehicle that will yield $1,250.00 in revenue annually for the first vehicle and $625.00 for each additional vehicle. PMC certificate holders can operate an unlimited number of vehicles under the certificate. The County also collects $38.00 per vehicle inspection with frequency varying with the vehicle age from one (1) to four (4) inspections per year.

Track Record/Monitor

The applicant is a new permit holder but the principal of the corporation, Ms. Concepcion Gil, has been providing jitney service in Miami-Dade County for over 25 years and is in compliance with all requirements of the Code of Miami-Dade County (Code). 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 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.

American Jitney, Inc. has filed an application to transfer Passenger Motor Carrier Certificate of Transportation No. 30152 to CTE Jitney, LLC. Issued on December 14, 1993, via Resolution R-1647-93 (Attachment A), PMC No. 30152 authorizes jitney service. This class of service is defined as any motor vehicle having a maximum seating capacity of 15 or fewer, transporting passengers for compensation on a semi-fixed route between fixed terminal not on a fixed schedule basis.

The company is required to adhere to the terms of Resolution R-1647-93, which approved the certificate. CTE Jitney, LLC, located at 800 Palm Avenue, Hialeah, Florida 33012, seeks to continue transporting passengers for compensation on a semi-fixed route between fixed terminals not on a fixed schedule throughout Miami-Dade County. Transportation will be provided using chauffeur-driven vehicles with a seating capacity of at least nine (9) or more, excluding the driver, but no more than 15 passengers, seven days a week, from 6:00 a.m. to 7:00 p.m. The proposed rates are $2.00 per person, one-way.

The management plan submitted by Ms. Concepcion Gil, Manager of CTE Jitney, LLC, includes maintenance, communication, and recordkeeping 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 B) between American Jitney, Inc. and CTE Jitney, LLC establishes the acquisition of Passenger Motor Carrier Certificate of Transportation No. 30152 for a total price of $6,000.00.

Jack Osterholt, Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: January 20, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(B)(9)

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**

_____ **Statement of social equity 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. 3(B)(9)
1-20-16

RESOLUTION NO. R-15-16

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30152 FROM AMERICAN JITNEY, INC. TO CTE JITNEY, LLC TO PROVIDE JITNEY 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 of Miami-Dade County, the transfer of Certificate of Transportation No. 30152 from American Jitney, Inc. to CTE Jitney, LLC to provide jitney service as a passenger motor carrier is approved. This class of transportation is defined as any motor vehicle having a maximum seating capacity of fifteen (15) or fewer, 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 **José "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:

Jean Monestime, Chairman **aye**
Esteban L. Bovo, Jr., Vice Chairman **aye**

Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**	Xavier L. Suarez	**absent**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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

ATTACHMENT A Agenda Item No. 7(R)
12-14-94

RESOLUTION NO. R-1647-93

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF TRANSPORTATION TO AMERICAN JITNEY, INC. TO PROVIDE JITNEY 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 jitney transportation service on a semi-fixed route in Dade County as a Passenger Motor Carrier, as recommended by the County Manager, be issued to American Jitney, Inc. Said certificate shall be subject to revocation if there is failure, on the part of the operator, to operate the route in its entirety when jitney service is being provided.

The foregoing resolution was offered by Commissioner James Burke, who moved its adoption, the motion was seconded by Commissioner Natacha S. Millan and upon being put to a vote, the vote was as follows:

James Burke	aye	Miguel Diaz de la Portilla	aye
Betty T. Ferguson	aye	Maurice A. Ferre	aye
Larry Hawkins	absent	Bruce Kaplan	aye
Natacha S. Millan	aye	Dennis C. Moss	aye
Alexander Penelas	aye	Pedro Reboredo	aye
Javier D. Souto	aye	Sherman S. Winn	absent
Arthur E. Teele, Jr.	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 14th day of December, 1993.

DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

WILLIAM G. OLIVER
By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MEMORANDUM

Agenda Item No. 7(R)

107 07-17A METRO-DADE GSA MAT MGT

Hon. Chairperson and Members
Board of County Commissioners

DATE: December 14, 1993

SUBJECT: Application for a Passenger Motor Carrier Certificate of Transportation

FROM: Joaquin G. Avino, P.E., P.L.S.
County Manager

RECOMMENDATION:

It is recommended that the Board approve the application of American Jitney, Inc., d/b/a American Jitney for a Passenger Motor Carrier Certificate of Transportation to provide jitney 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 procedure to be followed by Metropolitan 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 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 the 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 Metro-Dade Transportation Plan. In particular, it shall be deemed not in the public interest to authorize a Certificate 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.

ANALYSIS:

American Jitney, Inc., d/b/a American Jitney, located at 9801 W. Flagler Street, #D-400, Miami, Florida 33174, seeks to obtain a Passenger Motor Carrier Certificate of Transportation to provide jitney transportation service as follows: starting at N.W. 67 Avenue and N.W. 25 Street, west on N.W. 25 Street to N.W. 107 Avenue, south on N.W. 107 Avenue to N.W. 14 Street (International Mall), then N.W. 107 Avenue south to N.W. 7 Street (Fountainebleau Boulevard), east on N.W. 7 Street to Park Boulevard, east on Park Boulevard to N.W. 87 Avenue, north on N.W. 87 Avenue to N.W. 8 Street, east on N.W. 8 Street to N.W. 82 Avenue, south on N.W. 82 Avenue to N.W. 7 Street, east on N.W. 7 Street to N.W. 79 Avenue, south on N.W. 79 Avenue to West Flagler Street, east on West Flagler Street to N.W. 67 Avenue, north on N.W. 67 Avenue to Tamiami Canal Road (which becomes N.W. 7 Street), east on N.W. 7 Street to N.W. 36 Court, south on N.W. 36 Court to N.W. 6 Street, west on N.W. 6 Street to N.W. 37 Avenue, north on N.W. 37 Avenue to N.W. 11 Street, east on N.W. 11 Street to N.W. 34 Avenue, north on N.W. 34 Avenue to N.W. 14 Street, east on N.W. 14 Street to N.W. 26 Avenue, north on N.W. 26 Avenue to N.W. 16 Street Road, east on N.W. 16 Street Road to N.W. 24 Avenue, south on N.W. 24 Avenue to N.W. 14 Street, east on N.W. 14 Street to N.W. 22 Avenue, north on N.W. 22 Avenue to N.W. 28 Street, east on N.W. 28 Street to N.W. 18 Avenue, north on N.W. 18 Avenue to N.W. 30 Street, east on N.W. 30 Street to N.W. 17 Avenue, south on N.W. 17 Avenue to N.W. 29 Street, east on N.W. 29 Street to Biscayne Boulevard and back on N.W. 29 Street traveling west to the originating point. Transportation will be provided using chauffeur-driven vehicles with a seating capacity of nine or more, but less than fifteen (15), excluding the driver, from 6:00 a.m. to 8:00 p.m., 7 days a week. The proposed rate is $1.25 per passenger one way.

The management plan submitted by Ms. Loreta Ferrer, President of American Jitney, Inc. includes maintenance, communication, and record keeping systems and meets the requirements of the Code. All required financial statements and credit references have

erson and Members
unty Commissioners

tted and the proposed service standards adequately
nger transportation and comfort needs. A background
ion revealed no criminal record for the applicant.

nalysis determined that the proposed route is in
with the criteria of Section 31-103(g)4 of the
an Dade County Code.

nce with Section 31-103(e) of the Code, a 20-day
application was provided to all affected
ties within Dade County, all passenger motor carrier
e holders, and interested parties. No protests were

is being submitted for the November 2, 1993 Public
l Consumer Services Committee meeting.

t

Applicant:

Operating Authority: American Jitney, Inc.

Application No.:

Reviewed by: MDTA Service Planning and Scheduling Division

Date: 17 May 1993

The jitney route application of American Jitney, Inc. has been analyzed for compliance with the criteria established in Section 31-103 (g) and (n) of the Metro Dade County Code and the result is as follows:

	Miles	Percent of Duplication
Total one way length of application	20.5	
Miles of Metrobus and jitney duplication	5.4	26

The proposed jitney route of American Jitney, Inc. would meet the criteria for duplication of Metrobus and regulated jitney service.

This analysis did not take into account duplication of alignment with other pending applications.

M E M O R A N D U M

TO: Sheila Rushton
Director
Consumer Services Department

DATE: JUN 0 3 1993

FROM: Chester E. Colby
Director
Metro-Dade Transit Agency

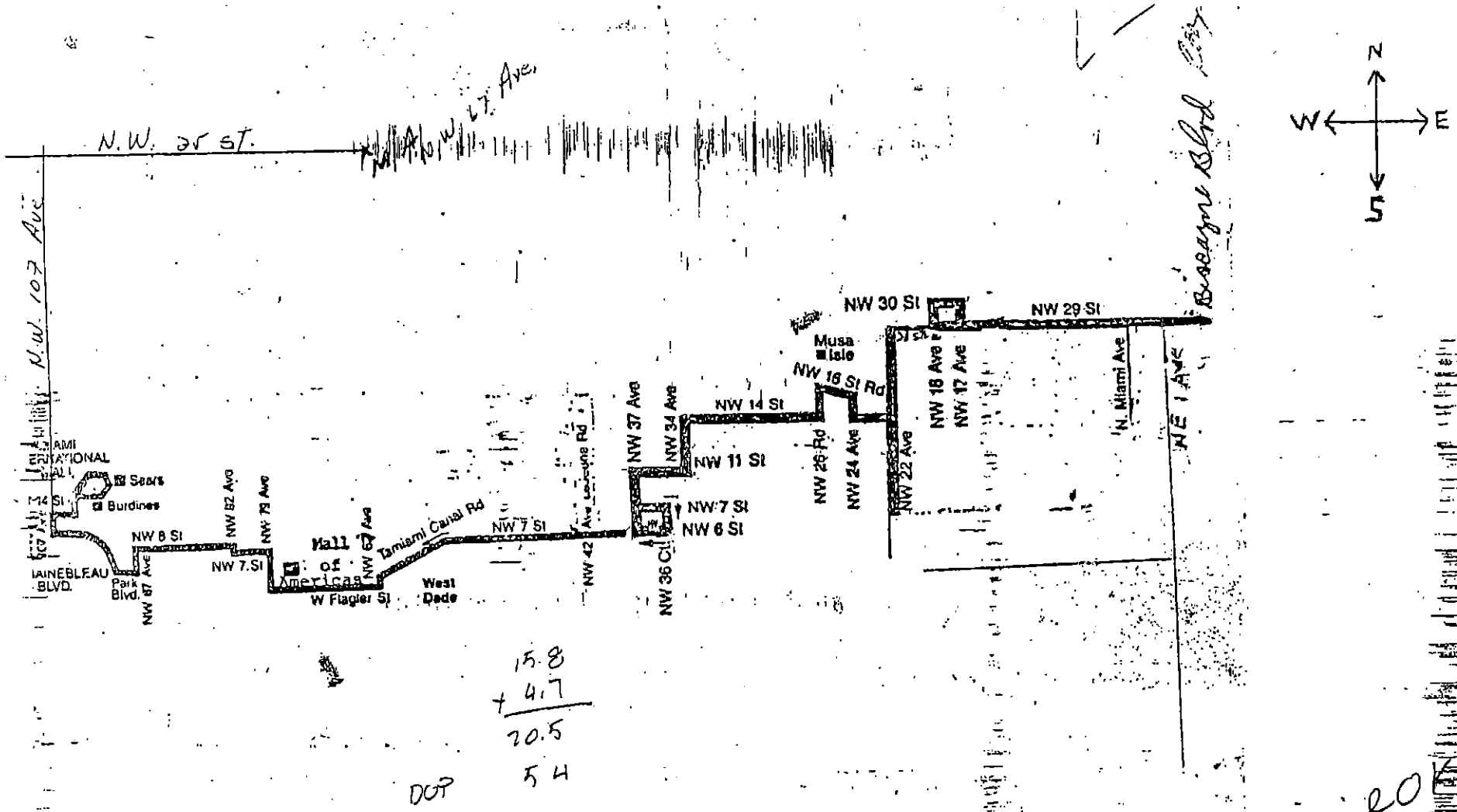
SUBJECT: Jitney Route Review
American Jitney, Inc.

Attached is a jitney route review conducted by the Service Planning Branch of the Metro-Dade Transit Agency for the Passenger Motor Carrier application submitted by your Department in a memo dated 4 May 1993.

The Metro-Dade Transit Agency has determined that the revised application of American Jitney, Inc. for a jitney route is in compliance with the criteria established in Section 31-103 (g) and (n) of the Metro-Dade County Code such that it will not adversely affect the existing transportation system as a whole or future planned transit service as designated in the most current Transporation Development Program.

Attachment

RECEIVED
JUN 04 1993
CONSUMER SERVICES
DEPARTMENT



The only purpose of presenting the potential legal mini-bus route depicted here is to show the type of route that could meet the criteria of Section 31-103 (g) 4 of the Dade County Code. Any application for such a route would be subject to rigorous analysis of the route to confirm that is does meet the County Code. There are numerous other requirements for the granting of a Certificate of Transportation. The development of this route and the distribution of this map in no way implies that this route is feasible, profitable, or has any other characteristics that would influence a business decision to apply for and operate such a route.

Provisional OK
2/1/93
26.3 %
IF RUN TO AIRPORT + 67 AVE

ATTACHMENT B

Transfer of PMC 30152

American Jitney, Inc transfers PMC 30152 to CTE Jitney, Inc, on March 11, 2015. The sale price $6000.00 to be paid $3000.00 today and pay balance as soon as the (temporary) transfer is complete. If for any reason the PMC 30152 cannot be transferred the money will be returned.

Jose A. Macho, President of American Jitney, Inc

Concepcion Gil, Manager of CTE Jitney, LLC

Sworn to and subscribed before me this 17th day of March, 2015.

ANGELICA M. SANTIAGO
Notary Public - State of Florida
My Comm. Expires Oct 10, 2018
Commission # EE 842179