

Date: November 3, 2015

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

From: Carlos A. Gimenez
Mayor

Subject: Noyah Transportation Services, Inc. Application for Six Non-Emergency Vehicles

Agenda Item No. 8(M)(3)

Resolution No. R-989-15

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the application of Noyah Transportation Services, Inc. for six (6) Certificates of Public Convenience and Necessity to operate six (6) non-emergency vehicles.

Scope

These Certificates of Public Convenience and Necessity are 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 Miami-Dade Department of Regulatory and Economic Resources to support regulatory activities. There is an annual regulatory fee of \$625.00 per certificate that will yield \$3,750.00 in revenue annually for the new certificates. The County also collects \$38.00 per vehicle inspection with inspection frequency varying with the vehicle age from one (1) to four (4) per year.

Track Record/Monitor

The applicant is an existing permit holder and is in compliance with all requirements of the Code of Miami-Dade County. Joe Mora, Division Chief within the Department of Regulatory and Economic Resources, will be responsible for monitoring this company.

Background

On December 18, 1980, the Board adopted Ordinance 80-145, later codified in Chapter 4, Article III of the Code of Miami-Dade County, providing for the regulation of non-emergency medical transportation. Section 4-44 of the Code provides the procedures to be followed by the County in processing certificate applications. Based upon those requirements, the Board may issue or refuse to issue the certificate as applied for, or may issue the certificate with modifications or upon such terms and conditions as in its judgment the public interest may require. In reaching a determination, the Board shall consider the application, the Mayor's recommendation, all matters presented during the public hearing, and among others, the following criteria:

- (1) The ability of the applicant to provide the proposed service;
- (2) The adequacy of the management plan of the applicant; and
- (3) The benefits that will accrue to the public interest from the proposed service.

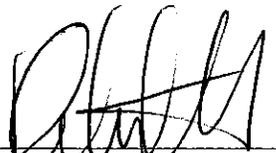
Honorable Chairman Jean Monestime
and Members, Board of County Commissioners
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Noyah Transportation Services, Inc., located at 14662 SW 48th Street, Miami, FL 33175, seeks to obtain six (6) Certificates of Public Convenience and Necessity to provide wheelchair non-emergency medical transportation service to individuals requiring this type of transportation.

The applicant seeks to transport patients to and from various medical facilities throughout Miami-Dade County seven (7) days a week, from 5:00 a.m. to 11:00 p.m. Non-emergency transportation rates are not regulated by Miami-Dade County. However, under the Code the Certificate Holder must file their rates with the Department of Regulatory and Economic Resources and post them within the passenger compartment section of each vehicle. The proposed rate schedule is attached. The vehicles operated under these certificates will have to meet the requirements of Section 4-49 of the Code establishing vehicle inspection frequencies.

The management plan submitted by Mr. Dionis Perez, President of Noyah Transportation Services, Inc., includes maintenance, communication, and recordkeeping systems and meets the requirements of the Code. All required financial statements and credit references have been submitted. The proposed service standards meet all requirements of the Code and adequately meet transportation and comfort needs. A background investigation reveals that applicant meets the criteria of Miami-Dade County Code.

The proposed services to be provided under this certificate will increase the availability of licensed non-emergency medical transportation in Miami-Dade County, thus providing increased competition and high service standards to the public.



Jack Osterholt, Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: November 3, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(M)(3)

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. 8(M)(3)
11-3-15

RESOLUTION NO. R-989-15

RESOLUTION APPROVING APPLICATION FOR SIX (6)
CERTIFICATES OF PUBLIC CONVENIENCE AND
NECESSITY TO NOYAH TRANSPORTATION SERVICES,
INC. TO PROVIDE WHEELCHAIR NON-EMERGENCY
MEDICAL TRANSPORTATION SERVICE

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 this Board approves the application by Noyah Transportation Services, Inc. for six (6) Certificates of Public Convenience and Necessity to operate six (6) non-emergency vehicles to provide wheelchair non-emergency medical transportation service in Miami-Dade County.

The foregoing resolution was offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Xavier L. Suarez** 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	absent	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	aye	Xavier L. Suarez	aye
Juan C. Zapata	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of November, 2015. 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



NON-EMERGENCY

Faire & Rate Schedule

- One-way trip: \$ 40.00 (First 10 Millage)
- Round Trip: \$ 80.00 (First 20 Millage)
- Additional Millage Fee: \$ 2.00 After the first 10 Millage in a One-way trip
- Additional Millage Fee: \$ 2.00 After the first 20 Millage in a Round trip
- No waiting fee, nor any other additional fee will be charged



Dionis Noel Perez, President