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

MEMORANDUM

Amended
Agenda Item No. 7(A)

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

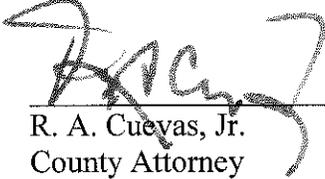
DATE: July 19, 2011

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

SUBJECT: Ordinance amending Chapter
31 of the Code relating to
taxicab for-hire motor vehicles

Ordinance No. 11-53

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum



Date: -July 19, 2011

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive style with a large, sweeping initial "C".

Subject: Amended fiscal impact for ordinance establishing a taxicab medallion lottery for veterans

The proposed amendment establishes a lottery of six (6) taxicab medallions directed to veterans of the United States Armed Forces who have been honorably discharged. Currently, thirteen (13) taxicab chauffeurs have applied for this category at \$ 270.00 per applicant. Furthermore, the winners of the six (6) medallions will pay the Sustainability, Planning, and Economic Enhancement Department (SPEE) \$5,000.00 each; therefore the total positive fiscal impact of this amended ordinance is projected at \$33,510.00, comprised of \$3,510 in application fees and \$30,000 in medallion revenue.

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive style with a large, sweeping initial "C".

Office of the Mayor

Fis2512



MEMORANDUM

(Revised)

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

DATE: July 19, 2011

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

SUBJECT: Amended
Agenda Item No. 7(A)

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 Manager'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 _____

Amended
Agenda Item No. 7(A)
7-19-11

ORDINANCE NO. 11-53

ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO TAXICAB FOR-HIRE MOTOR VEHICLES; PROVIDING FOR LOTTERY OF SPECIFIED NUMBER OF TAXICAB FOR-HIRE LICENSES; LIMITING PARTICIPATION IN LOTTERY TO SPECIFIED CHAUFFEURS WHO ARE VETERANS OF THE UNITED STATES ARMED FORCES; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Chapter 31 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Chapter 31

VEHICLES FOR HIRE

* * *

ARTICLE II. LICENSING AND REGULATION OF FOR-HIRE MOTOR VEHICLES

* * *

Sec. 31-82. For-hire licenses.

* * *

(m) All new taxicab for-hire licenses issued after the effective date of this ordinance shall be issued pursuant to a medallion system. Such licenses shall be issued upon payment of twenty-five

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

thousand dollars (\$25,000.00), payable in full within one hundred twenty (120) days after lottery and only to such drivers who have had a Miami-Dade County taxicab chauffeur's registration for the previous five (5) years in good standing and satisfy the criteria stated in Section 31-82(c). A sixty-day extension may be granted by the CSD Director provided good cause be shown.

(n) Existing taxicab for-hire license holders on the effective date of this ordinance shall receive one (1) medallion for each for-hire license upon payment of a one-time administrative fee established by administrative order.

(o) For-hire taxicab license lottery.

(1) In the year 2009 fifteen (15) for-hire taxicab licenses shall be operated using accessible vehicles and issued utilizing the criteria and procedure provided in Section 31-82. Notwithstanding any other provision of this chapter, taxicab licenses issued pursuant to this subsection, after January 1, 2009, shall be prohibited from providing transportation of persons and their baggage from Miami International Airport.

(2) In addition to the for-hire licenses authorized by the preceding subsection, an additional five (5) South Miami-Dade taxicab service area for-hire taxicab licenses shall be issued in the year 2009, pursuant to Section 31-93(d) utilizing the criteria and procedure provided in Section 31-82.

(3) In addition to the for-hire licenses authorized by the preceding subsections, an additional five (5) underserved area for-hire taxicab licenses shall be issued in the year 2009, pursuant to Section 31-93(c), utilizing the criteria and procedure provided in Section 31-82. >>In fiscal year 2011-2012, six (6) for-hire taxicab licenses shall be issued to chauffeurs who are veterans of the United States Armed Forces who have been honorably discharged pursuant to a lottery (hereinafter "veterans lottery") advertised and supervised by the Consumer Services Department utilizing the criteria and procedure provided in Section 31-82. Notwithstanding any provision to the contrary, each taxicab license issued to a veteran as provided in the preceding sentence shall be issued upon payment of five thousand dollars (\$5,000.00). Each taxicab operated pursuant to a

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for-hire license issued pursuant to the veterans lottery provided for in this subsection shall comply with the technology requirements in section 31-82(o)(7)(i), (ii), (iii), (iv) and (v).<<

- (4) All taxicab licenses issued pursuant to this section after January 1, 2009 shall have a mobile two-way radio or electronic dispatch system, installed and operating properly that is connected to and subscribed to service with a passenger service company that has a fixed-base call center operated twenty-four (24) hours a day, 365 days a year and by which a dispatcher may communicate with the taxicab chauffeur during all hours of vehicle operation to provide for-hire transportation to a passenger. In addition, notwithstanding any provision to the contrary, all taxicab licenses issued pursuant to this section shall be issued upon payment of twenty-five thousand dollars (\$25,000.00).

* * *

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: July 19, 2011

Approved by County Attorney as
to form and legal sufficiency:

RAE

Prepared by:

GKS

Gerald K. Sanchez

Prime Sponsor: Commissioner Jose "Pepe" Diaz