OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: December 4, 2012

Agenda Item No. 8(M)(7)

To: Honorable Vice Chairwoman Audrey M. Edmonson and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Miami Connection Tours, LLC Application for a Transfer of Passenger Motor Carrier Certificate of Transportation No. 30168

Resolution No. R-1031-12

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30168 from R & B International Group, LLC to Miami Connection Tours, LLC.

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 $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 a new permit holder; however, the principal of the corporation, Mr. Hector Franco, has been a registered chauffeur since 2008. The applicant is in compliance with all Miami-Dade County Code (Code) requirements. Joe Mora, Division Director 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.

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.

R & B International Group, LLC has filed an application to transfer Passenger Motor Carrier Certificate of Transportation No. 30168 to Miami Connection Tours, LLC. Transferred on December 7, 2010, via Resolution R-1160-10 (Attachment A), PMC No. 30168 authorizes special operations service. This class of service is defined as transportation of persons in a motor vehicle to a common destination or

series of common destinations where the person may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not between fixed terminals or on a regular route.

The company is required to adhere to the terms of the resolution, which approved the certificate. Miami Connection Tours, LLC, located at 4402 NW 113 Place, Doral, Florida 33178, seeks to continue providing this class of service by transporting tourist and resident groups to and from various locations throughout Miami-Dade County 24-hours a day, seven days a week. Transportation is required to be pre-arranged at least 24-hours prior to service, using chauffeur driven vehicles with a seating capacity of nine or more, but less than 28 passengers, excluding the driver. The proposed rates are listed on the attached rate schedule (Attachment B).

The management plan submitted by Mr. Hector Franco, Manager of Miami Connection Tours, LLC, 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.

As required by the Code, the applicant has provided disclosure of the terms and conditions regarding the transfer of the certificate. A Transfer Agreement (Attachment C) between the managers of Miami Connection Tours, LLC, Mr. Hector Franco and Mr. Delio Batista, and R & B International Group, LLC, establishes the acquisition of Passenger Motor Carrier Certificate of Transportation No. 30168 for a total price of $23,000.00.

Jack Osterholt
Deputy Mayor

MEMORANDUM
(Revised)

TO: Honorable Vice Chairwoman Audrey M. Edmonson and Members, Board of County Commissioners

DATE: December 4, 2012

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

SUBJECT: Agenda Item No. 8(M)(7)

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 _____

Agenda Item No. 8(M)(7)
12-4-12

RESOLUTION NO. R-1031-12

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30168 FROM R & B INTERNATIONAL GROUP, LLC TO MIAMI CONNECTION TOURS, LLC TO PROVIDE SPECIAL OPERATIONS 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 transfer of Certificate of Transportation No. 30168 from R & B International Group, LLC to Miami Connection Tours, LLC to provide special operations service as a passenger motor carrier is approved. This class of transportation is defined as transportation of persons in a motor vehicle to a common destination or series of common destinations where the person may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not between fixed terminals or on a regular route.

The foregoing resolution was offered by Commissioner **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Vice Chairwoman **aye**

Bruno A. Barreiro	**aye**	Lynda Bell	**absent**
Esteban L. Bovo, Jr.	**aye**	Jose "Pepe" Diaz	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**absent**
Jean Monestime	**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 4th day of December, 2012. 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 Sanchez

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(C)(1)(F)
12-7-10

ATTACHMENT A

RESOLUTION NO. R-1160-10

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30168 FROM BMB LUXURY TRANSPORTATION SERVICE CORP. TO R & B INTERNATIONAL GROUP, LLC D/B/A MIAMI CONNECTION LUXURY TRANSPORTATION SERVICE TO PROVIDE SPECIAL OPERATIONS 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 that in accordance with Chapter 31 of the Code, the transfer of Certificate of Transportation No. 30168 to R & B International Group, LLC d/b/a Miami Connection Luxury Transportation Service to provide special operations service is approved. This class of service is defined as transportation of persons in a motor vehicle to a common destination or series of common destinations where the person may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not between fixed terminals or on a regular route.

The foregoing resolution was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and and upon being put to a vote, the vote was as follows:

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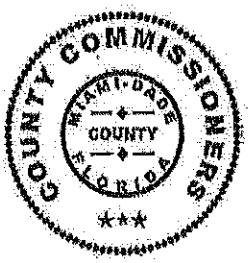
Dennis C. Moss, Chairman aye
Jose "Pepe" Diaz, Vice-Chairman aye

Bruno A. Barreiro	aye	Lynda Bell	aye
Audrey M. Edmonson	aye	Carlos A. Gimenez	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Natacha Seijas	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of December, 2010. 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. GKS

Gerald K. Sanchez

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OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: December 7, 2010

Agenda Item No. 8(C)(1)(F)

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Resolution No. R-1160-10

Subject: R & B International Group, LLC d/b/a Miami Connection Luxury Transportation Service application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 30168

RECOMMENDATION
It is recommended that the Board approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30168 from BMB Luxury Transportation Service Corp. to R & B International Group, LLC d/b/a Miami Connection Luxury Transportation Service.

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
There is no fiscal impact to the County.

TRACK RECORD/MONITOR
Applicant is a new permit holder; however, the principal of the corporation, Mr. Oscar Rivas, has been a registered chauffeur since June, 2010. There is no enforcement history. The Consumer Services Department (CSD) 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 (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 November 9, 2010 Government Operations Committee (GOC) meeting (Attachment A). 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.

BMB Luxury Transportation Service Corp. has filed an application to transfer PMC Certificate of Transportation No. 30168 to R & B International Group, LLC d/b/a Miami Connection Luxury Transportation Service. Originally issued on July 12, 1994, to Canaa International, Inc. via Resolution R-1151-94 (Attachment B) and transferred to BMB Luxury Transportation Service Corp. in 2000 via Resolution R-1135-00 (Attachment C), PMC No. 30168 authorizes special operations services. This class is defined as transportation of persons in a motor vehicle to a common destination or series of

common destinations where the person may be charged as an individual or as part of a group, including but not limited to charter, sightseeing, or subscription service, not between fixed terminals or on a regular route.

The company is required to adhere to the terms of the resolution, which approved the initial certificate (R-1151-94). R & B International Group, LLC d/b/a Miami Connection Luxury Transportation Service, located at 3900 NW 79 Ave, Doral, Florida 33166, seeks to continue providing this class of service by transporting resident and tourist groups to and from various locations throughout Miami-Dade County 24-hours a day, seven days a week. Transportation is required to be pre-arranged at least 24-hours prior to service, using chauffeur driven vehicles with a seating capacity of nine or more, but less than 28 passengers, excluding the driver. The proposed rates are listed on the attached rate schedule (Attachment D).

The management plan submitted by Mr. Oscar Rivas, Director of R & B International Group, LLC d/b/a Miami Connection Luxury Transportation Service, 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.

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 E) between R & B International Group, LLC d/b/a Miami Connection Luxury Transportation Service and BMB Luxury Transportation Service Corp., establishes the acquisition by R & B International Group, LLC d/b/a Miami Connection Luxury Transportation Service of PMC Certificate of Transportation No. 30168 for a total price of $18,000.00.

Assistant County Manager

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ATTACHMENT B

Miami Connection Tours
3900 NW 36th St
Doral, Fl. 33166
Phone: (786) 295-5374
Cell: (305) 715-9922
E-mail:

Destinations	1-4 Passengers	5-7 Passengers	8-10 Passengers	11-14 Passengers
Miami International Airport	$50.00	$60.00	$85.00	$105.00
Miami Downtown Area	$55.00	$65.00	$85.00	$105.00
Port of Miami	$55.00	$65.00	$85.00	$105.00
South Beach/Miami Beach	$60.00	$70.00	$85.00	$105.00
Aventura/Bal Harbor	$65.00	$75.00	$90.00	$115.00
Seminole Hard Rock Casino/Hollywood Area	$75.00	$95.00	$115.00	$140.00
Ft. Lauderdale Airport	$75.00	$95.00	$115.00	$140.00
West Palm Beach	$175.00	$225.00	$250.00	$275.00
Orlando	$500.00	$550.00	$600.00	$650.00
Port Everglades	$80.00	$100.00	$120.00	$150.00
Key Largo	$180.00	$210.00	$230.00	$270.00
Key West	$500.00	$530.00	$560.00	$590.00
As Directed (4 hours Min.)	$75/h	$75/h	$75/h	$75/h

All rates include: tax, gas, tolls, gratuity, and any other surcharges.

Cancellation Policy: Minimum 1 hour prior to scheduled time.

ATTACHMENT C

R&B INTERNATIONAL GROUP L.L.C

Miami, November 30, 2011

BILL OF SALE

Oscar M. Rivas, Director of R&B International Group LLC (The Seller), does hereby sell, assign and transfer to Hector Franco and Dello Batista (The Buyer) the For-Hire License 30168 PM for a total amount of Twenty Three Thousand Dollars ($23,000.00). The Seller warrants that the license is being transferred to the Buyer free and clear of any liens and encumbrances.

Oscar M. Rivas
R&B INTERNATIONAL GROUP L.L.C

R&B INTERNATIONAL GROUP LLC Official SEAL 2007 State of Florida

Hector Franco

Dello Batista

must be made available for inspection and copying within one (1) business day of such request by the OSD or any police agency during regular business hours and shall be retained for one (1) year;

(5) Shall maintain a log of all customer complaints;

(6) Shall maintain quarterly vehicle accident records for all vehicles operated in the prior quarter;

(7) Shall not refuse to dispatch or neglect to dispatch a request to transport to or from any place in the county, any orderly person requesting service;

(8) Shall hold any personal property deposited in the lost and found facility for a period of six (6) months, at the end of which time the personal property shall become the property of the finder. A record of personal property reported to or deposited at the lost and found facility shall be kept for at least one (1) year; and

(9) Shall comply with all applicable obligations of the for-hire license holder when acting as his, her or its agent.

(l) *Responsibility for violations of chapter.* The holder of a passenger service company registration or any person providing passenger services directly shall be responsible for any violation of this chapter involving passenger services and shall be subject to the penalties provided for in this chapter for any such violation. In addition, the registration shall be subject to suspension or revocation for any such violation. Charges against or penalties imposed on a for-hire license holder or for-hire chauffeur for the same or related offense shall not relieve the passenger service company of its responsibilities or liabilities under this chapter. Violations shall be punishable as provided in this chapter.

(Ord. No. 98-105, § 1, 7-9-98; Ord. No. 01-178, § 1, 11-6-01; Ord. No. 03-45, § 1, 3-11-03)

ARTICLE III. PASSENGER MOTOR CARRIERS*

Sec. 31-101. Transportation policy.

To assure the development and maintenance of a safe, healthy and efficient passenger transportation system for Miami-Dade County, the Commission, County Manager and County staff, in carrying out the duties and responsibilities prescribed in this article, shall consider the following as being in the public interest:

(1) Reliance on market forces and on actual and potential competition among all transportation modes, so as to provide transportation services at competitive prices.

(2) Coordination of regulatory decision-making with the transportation improvement plan, and the orderly development of an integrated transportation/transit system for Miami-Dade County so as to ensure the development and maintenance of a transportation/transit system responsive to the needs of the public, in which regulatory decisions are reached fairly and expeditiously, and with consideration of their costs and benefits.

(3) Improvement of motor vehicle safety.

(4) Achievement of County, national and State energy conservation goals.

(5) Reduced concentration of market power, and prevention of unfair, deceptive, predatory or anticompetitive practices.

(6) Reduction of restrictive regulatory barriers to entry into the industry and promotion of equal opportunities.

(7) Promotion of the safety and welfare of the residents and visitors of Miami-Dade County who use the services of passenger motor carriers to meet their transportation needs.

*Editor's note—Ord. No. 81-17, adopted Feb. 17, 1981, did not specify manner of codification; therefore, inclusion of §§ 2—16 as Art. III, §§ 31-101—31-115, has been at the editor's discretion.