

MEMORANDUM

Agenda Item No. 11(A)(33)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 5, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to (1) engage the taxicab industry in order to negotiate contracts for individual taxicab operators or taxicab companies to provide fixed, semi-fixed, or on-demand transportation services for the routes that are being operated under the Go Nightly Program; (2) prepare the appropriate agenda item to approve such negotiated contracts and to take the necessary actions to terminate any pre-existing Go Nightly Program contract(s); and (3) provide status reports

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



Geri Bonzon-Keenan
County Attorney


GBK/jp



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

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County Attorney

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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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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. 11(A)(33)
10-5-21

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO (1) ENGAGE THE TAXICAB INDUSTRY IN ORDER TO NEGOTIATE CONTRACTS FOR INDIVIDUAL TAXICAB OPERATORS OR TAXICAB COMPANIES TO PROVIDE FIXED, SEMI-FIXED, OR ON-DEMAND TRANSPORTATION SERVICES FOR THE ROUTES THAT ARE BEING OPERATED UNDER THE GO NIGHTLY PROGRAM; (2) PREPARE THE APPROPRIATE AGENDA ITEM TO APPROVE SUCH NEGOTIATED CONTRACTS AND TO TAKE THE NECESSARY ACTIONS TO TERMINATE ANY PRE-EXISTING GO NIGHTLY PROGRAM CONTRACT(S); AND (3) PROVIDE STATUS REPORTS

WHEREAS, the 2019 novel coronavirus, called SARS-CoV-2, caused an outbreak of illness (COVID-19) that began in December 2019 and quickly spread throughout the world; and

WHEREAS, on January 30, 2020, the World Health Organization declared the outbreak a global health emergency and later declared it a pandemic; and

WHEREAS, in March 2020, the Mayor of Miami-Dade County declared a state of emergency for Miami-Dade County as a result of COVID-19; and

WHEREAS, the COVID-19 local state of emergency has since been extended every seven days pursuant to section 252.38(3)(a), Florida Statutes and Chapter 8B-6 of the Code of Miami-Dade County, Florida, and continues to be in effect; and

WHEREAS, to help curb the spread of COVID-19, many state and local governments throughout the country ordered non-essential businesses to close and strongly urged residents to be safer at home; and

WHEREAS, the combination of these restrictions and the general public’s adherence to the Centers for Disease Control and Prevention’s guidelines on social distancing resulted in an extended reduction in passenger travel to and from Miami International Airport and Port Miami, on which taxicab drivers in the County are heavily dependent for work; and

WHEREAS, the restrictions and adherence to guidelines resulting from the COVID-19 pandemic also adversely impacted the demand for intra-county transportation services offered by taxicab drivers in the County, and as a corollary, also have resulted in a dramatic reduction in the income taxicab drivers derive from their delivery of such services; and

WHEREAS, despite the reduction in income, certain operating costs such as insurance and vehicle maintenance must still be met; and

WHEREAS, on July 27, 2020, this Board adopted Resolution No. R-773-20, which, among other things, directed the County Mayor or County Mayor’s designee to develop and implement an emergency fund or grant for taxicab, jitney and for-hire limousine drivers using \$10,000,000.00 in funds made available through the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to alleviate financial hardships caused by COVID-19; and

WHEREAS, for varying reasons, many taxicab license holders did not, or were unable to, avail themselves of this benefit; and

WHEREAS, in April 2020, due to the COVID-19 pandemic, the Department of Transportation and Public Works (DTPW) entered into emergency contracts with UBER Technologies, Inc., Lyft Inc., and Limousines of South Florida, for the provision of on-demand after-hours transportation services along various Miami-Dade County night-time bus routes (the “Go Nightly Program”) that DTPW suspended on an emergency-basis in order to re-allocate resources to properly address social distancing needs on high-demand routes; and

WHEREAS, the contracts for the Go Nightly Program have continued to be extended and items have been placed for this Board’s consideration to ratify and approve further extensions of such contracts through December 31, 2021; and

WHEREAS, the contracts for the Go Nightly Program each provide an early termination provision; and

WHEREAS, while many economic activities have now resumed, the taxicab industry continues to be negatively impacted by the effects of the COVID-19 pandemic; and

WHEREAS, this Board wishes to engage the taxicab industry to negotiate contracts for taxicabs to operate the Go Nightly Program,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Directs the County Mayor or County Mayor’s designee to engage the taxicab industry, including through direct engagement with the Taxicab Advisory Group, taxicab medallion owners, and taxicab operators, in order to negotiate contracts for individual taxicab operators or taxicab companies, as appropriate, to provide fixed, semi-fixed, or on-demand transportation services for the routes that are being operated under the Go Nightly Program for a term through December 31, 2021 or later as may be necessary.

Section 2. Further directs the County Mayor or County Mayor’s designee to prepare the appropriate agenda item to approve the contracts negotiated with the taxicab industry as referenced in section 1 above, and to take the necessary actions to terminate any pre-existing Go Nightly Program contract(s) upon the effective date of a contract for the provision of such services by a taxicab operator.

Section 3. Directs the County Mayor or County Mayor’s designee to place a status report on an agenda of this Board in accordance with Ordinance No. 14-65 within 30 days of the effective date of this resolution, and every 30 days thereafter, until such time that the contracts referenced in section 1 above are placed on an agenda of this Board or an explanation is provided as to why such contracts were not successfully negotiated.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jose “Pepe” Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of October, 2021. 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.

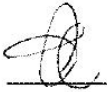
MIAMI-DADE COUNTY, FLORIDA

BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Annery Pulgar Alfonso