

Memorandum

MIAMI-DADE
COUNTY

Date: January 10, 2008

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

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Resolution approving transfer of Passenger Motor Carrier Certificate of Transportation No. 288 to Alfaro Limo, Inc.

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier Certificate of Transportation No. 288 from All State Transportation, Inc. to Alfaro Limo, Inc.

SCOPE

This Passenger Motor Carrier Certificate of Transportation is countywide, allowing the license 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

Alfaro Limo, Inc. is a current permit holder with two luxury sedan licenses. There has been some enforcement history within the last five years. Mr. Alfaro received three citations while operating his for-hire licenses. All citations have been satisfied. The Consumer Services Department 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 County Commission. The Economic Development and Human Services Committee and Board of County Commissioners, in considering the proposed transfer of ownership or control of the certificate, shall determine, upon evidence submitted by the parties or any other party or person affected by the proposed transfer, whether or not said transfer is contrary to the public interest. The Commission may approve said transfer 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 where the same may best serve the public interest.

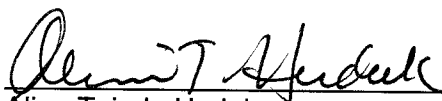
All State Transportation, Inc. has filed an application to transfer Passenger Motor Carrier (PMC) Certificate of Transportation No. 288 to Alfaro Limo, Inc. The Code requires that such transfers be approved by the Board. PMC No. 288 was originally issued on December 15, 1998, to Guillermo Martinez d/b/a Quick Transportation and transferred to Illeana Martinez d/b/a Quick Transportation on September 24, 2002; then to All State Transportation, Inc. on July 8, 2003. This class of service is defined as any passenger motor carrier who is not a common carrier and who repeatedly or continuously transports persons for compensation under written contract with one (1) or more persons. Alfaro Limo, Inc. located at 1072 SW 135 Place, Miami, Florida 33184, seeks to continue providing this class of service.

The company is required to adhere to the terms of the resolution, which approved the initial certificate (R-1384-98, attached). Alfaro Limo, Inc. seeks to continue transporting resident and tourist groups to and from various locations throughout Miami-Dade County.

Transportation will be pre-arranged on a 24-hour minimum basis. These services will be provided seven days a week, 24 hours a day, 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.

The management plan submitted by Mr. Gustavo Alfaro 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 between Allstate Transportation, Inc. and Alfaro Limo, Inc. establishes the acquisition by Alfaro Limo, Inc. of PMC Certificate of Transportation No. 288 for a total price of ten thousand dollars (\$10,000.00).


Alina Tejada Hudak
Assistant County Manager




MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: January 10, 2008

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

SUBJECT: Agenda Item No. 8(C)(1)(A)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(C)(1)(A)
01-10-08

RESOLUTION NO. _____

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF
TRANSPORTATION NO. 288 FROM ALLSTATE
TRANSPORTATION, INC. TO ALFARO LIMO, INC. TO PROVIDE
CONTRACT CARRIER 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. 288 from Allstate Transportation,
Inc. to Alfaro Limo, Inc. to provide contract carrier service is approved. This class of service is
defined as any passenger motor carrier who is not a common carrier and who repeatedly or
continuously transports persons for compensation under written contract with one (1) or more
persons.

The foregoing resolution 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:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 10th day of January, 2008. 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: _____
Deputy Clerk

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

5

 **MEMORANDUM**

Age 1 Item No. 7(C)(1)(B)

Honorable Chairperson and Members
Board of County Commissioners

DATE: July 8, 2003

SUBJECT: All State Transportation, Inc. application for
a transfer of Passenger Motor
Certificate of Transportation No. 288

FROM

George M. Burgess
County Manager



RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier Certificate of Transportation No. 288 from Ileana Martinez d/b/a Quick Transportation to All State Transportation, Inc.

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 County Commission. The Transportation Committee and Board of County Commissioners, in considering the proposed transfer of ownership or control of the certificate, shall determine, upon evidence submitted by the parties or any other party or person affected by the proposed transfer, whether or not said transfer is contrary to the public interest. The Commission may approve said transfer 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 where the same may best serve the public interest.

ANALYSIS

Ileana Martinez d/b/a Quick Transportation has filed an application to transfer Passenger Motor Carrier (PMC) Certificate of Transportation No. 288 to All State Transportation, Inc. The Code requires that such transfers be approved by the Board. PMC No. 288, originally issued on December 15, 1998, to Guillermo Martinez d/b/a Quick Transportation and transferred to Ileana Martinez d/b/a Quick Transportation on September 24, 2002, authorizes contract carrier service. All State Transportation, Inc., located at 5220 SW 101 Avenue, Miami, Florida, 33165, seeks to continue providing this class of service.

The company is required to adhere to the terms of the resolution which approved the initial certificate (R-1384-98, attached). All State Transportation, Inc. will continue transporting medical patients to and from various locations throughout Miami-Dade County.

Transportation will be pre-arranged on a 24-hour minimum basis. These services will be provided seven days a week, 24 hours a day, 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.

6

The management plan submitted by Mr. Manuel Gomez, President of All State Transportation, Inc., 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. An Asset Purchase and Sale Agreement between All State Transportation, Inc. and Ileana Martinez d/b/a Quick Transportation establishes the acquisition by All State Transportation, Inc. of the assets of Ileana Martinez d/b/a Quick Transportation used in the conduct of the transportation business for a total price of two thousand dollars (\$2,000.00). No price was assigned specifically to the PMC Certificate of Transportation.

In accordance with Section 31-103 (e) of the Code, a 20-day notice of application was provided to all affected municipalities within Miami-Dade County, all passenger motor carrier certificate holders and interested parties. No protests were filed.

27

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(C)(1)(B)
7-8-06

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

RESOLUTION NO. R-731-03

**RESOLUTION APPROVING TRANSFER OF CERTIFICATE
OF TRANSPORTATION NO. 288 TO ALL STATE
TRANSPORTATION, INC. TO PROVIDE CONTRACT
CARRIER 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,

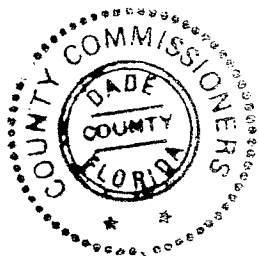
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that in accordance with Chapter 31 of the Code, the transfer of Certificate of Transportation No. 288 to All State Transportation, Inc. to provide contract carrier passenger motor carrier service to various points in Miami-Dade County, is approved.

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

Dr. Barbara Carey-Shuler, Chairperson	aye		
Katy Sorenson, Vice-Chairperson	aye		
Bruno A. Barreiro	aye	Jose "Pepe" Diaz	aye
Betty T. Ferguson	absent	Sally A. Heyman	aye
Joe A. Martinez	aye	Jimmy L. Morales	aye
Dennis C. Moss	absent	Dorrian D. Rolle	aye
Natacha Seijas	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

8

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of July, 2003. 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

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

Gerald K. Sanchez

By: KAY SULLIVAN
Deputy Clerk

89

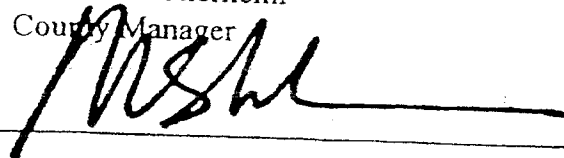
TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: December 15, 1998

SUBJECT:

Guillermo Martinez d/b/a Quick
Transportation application
for a Passenger Motor Carrier
Certificate (PMC Control No. 366)

FROM: Merrett R. Stierheim
County Manager



RECOMMENDATION

It is recommended that the Board approve the application of Guillermo Martinez d/b/a Quick Transportation for a Passenger Motor Carrier Certificate of Transportation to provide pre-arranged contract carrier 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 Miami-Dade County under Chapter 31 of the Code of Miami-Dade County.

Section 31-103 of the Code provides the procedures to be followed by Miami-Dade County in processing certificate applications. Based on those 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 this 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.

ANALYSIS

Guillermo Martinez d/b/a Quick Transportation, located at 701 S. Royal Poinciana Blvd., #1, Miami Springs, Florida, 33166, seeks to obtain a Passenger Motor Carrier Certificate of Transportation to provide pre-arranged contract carrier service transportation to passengers throughout all of Miami-Dade County. This class of service is defined as any passenger motor carrier who is not a common carrier and who repeatedly or continuously transports persons for compensation under written contracts with one or more persons.

The company seeks to transport patients to and from various locations throughout Miami-Dade County. Transportation will be pre-arranged on a 24-hour minimum basis. These services will be provided six days a week, between the hours of 6:00 a.m. to 7:00 p.m. Monday through Saturday, using chauffeur driven vehicles with a seating capacity of nine or more, but less than 28 passengers, excluding the driver. The proposed rates are \$1.35 per person, per mile.

The management plan submitted by Mr. Guillermo Martinez, President of Quick Transportation, 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.

In accordance with Section 31-103(e) of the Code, a 20-day notice of application was provided to all affected municipalities within Miami-Dade County, all passenger motor carrier certificate holders and interested parties. No protests were filed.

15 11

Approved _____ Mayor

Agenda Item No. 5 (BB)
12-15-98

Veto _____

Override _____

RESOLUTION NO. R-1384-98

RESOLUTION APPROVING APPLICATION FOR ONE
CERTIFICATE OF TRANSPORTATION TO GUILLERMO
MARTINEZ D/B/A QUICK TRANSPORTATION TO PROVIDE
CONTRACT CARRIER 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, a Certificate of Transportation to provide contract carrier passenger motor carrier services to various points in Miami-Dade County, pursuant to written service contracts, as recommended by the County Manager, be issued to Guillermo Martinez d/b/a Quick Transportation.

The foregoing resolution was offered by Commissioner DR. Barbara M. Carey, who moved its adoption. The motion was seconded by Commissioner Gwen Margolis and upon being put to a vote, the vote was as follows:

Dr. Miriam Alonso	aye	Bruno A. Barreiro	absent
Dr. Barbara M. Carey	aye	Miguel Diaz de la Portilla	aye
Betty T. Ferguson	aye	Gwen Margolis	aye
Natacha Seijas Millan	aye	Jimmy L. Morales	aye
Dennis C. Moss	aye	Pedro Reboredo	absent
Dorrian D. Rolle	aye	Katy Sorenson	absent
		Javier D. Souto	absent

H 12

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December, 1998. 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

KAY SULLIVAN
By: _____
Deputy Clerk

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

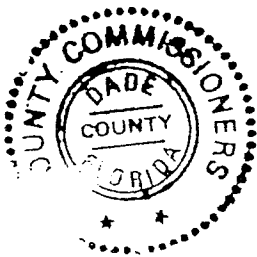
12 13

STATE OF FLORIDA)
MIAMI-DADE COUNTY) SS:

I, HARVEY RUVIN, Clerk of the Circuit and County Courts in and for Miami-Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above foregoing is a true and correct copy of Resolution R-994-02, at its meeting held on September 24, 2002, as appears of record.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 18th of October, A.D. 2002.

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida



By *Alexis West*
Deputy Clerk

SEAL

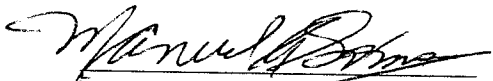
Board of County Commissioners
Dade County, Florida


13 14

Bill of Sale

Manuel Gomez, President of AllState transportation, Inc. sold PMC # 30288 to Gustavo Alfaro in the sum of \$10,000.00. \$5,000 was paid and the balance of \$5,000 will be paid when said transfer is approved by Miami-Dade County.

Seller is the lawful owner of the goods which are free from all encumbrances. Seller has right to sell the goods and will warrant and defend the right against the lawful claims and demands of all persons. Seller has executed this bill of sale on August 2, 2007.

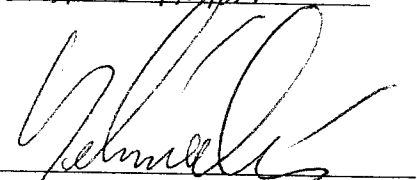

Manuel Gomez, President
All State Transportation


Gustavo Alfaro, President
Alfaro Limo, Inc.

State of Florida

County of Dade

The above referenced was signed and subscribed before me this 2nd day
of August year 2007 by Manuel A. Gomez FDL# 6520-541-36-219-0
and Gustavo Alfaro FDL# A416-296-56-415-0


Notary Public

NOTARY PUBLIC-STATE OF FLORIDA
Selma Diaz
Commission # 00574597
Expires AUG. 26, 2010
BONDED THRU ATLANTIC BONDING CO., INC.

Seal

01/17/02

Rate and Fare Schedule

Miami Airport Area

1. Port of Miami			
Five (5) people			\$ 50
Each additional person			10
2. Fort Lauderdale Airport			
One (1) to Five (5) people			\$ 80
Each additional person			15
3. Port Everglades			
One (1) to Five (5) people			\$ 80
Each additional person			15
4. Sawgrass Mills Mall			
One (1) to Five (5) people			\$ 80
Each additional person			15
5. Parrot Jungle Island			
Each Adult	\$ 49	Each Child	\$ 35
6. Miami Seaquarium			
Each Adult	\$ 55	Each Child	\$ 45
7. Coopertown Airboat			
Each Adult	\$ 69	Each Child	\$ 59
8. Metrozoo			
Each Adult	\$ 69	Each Child	\$ 59

9. Fairchild Tropical Botanic Garden
 Each Adult \$ 45 Each Child \$ 35

10. Viscaya Museum & Gardens
 Each Adult \$ 45 Each Child \$ 35

11. Key West
 Each Adult \$ 70 Each Child \$ 65

12. Bayside Tours Boat
 Each Adult \$ 40 Each Child \$ 30

Groups Special Rates

A. Miami Beach Each person \$ 15 minimum of five (5) people

B. Aventura Mall Each person \$ 20 minimum of five (5) people

C. Dolphin Mall Each person \$ 10 minimum of five (5) people

D. International Mall Each person \$ 10 minimum of five (5) people

VANS HOURLY RATE \$ 80

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.

MIAMI-DADE COUNTY

PUBLIC NOTICE

THE ECONOMIC DEVELOPMENT AND HUMAN SERVICES COMMITTEE OF THE BOARD OF COUNTY COMMISSIONERS of Miami-Dade County, Florida will meet on Wednesday, December 12, 2007, at 9:30 a.m., in the County Commission Chambers, Second Floor, Stephen P. Clark Center, 111 NW First Street, Miami, Florida to consider:

Resolution approving transfer of Certificate of Transportation No. 288 to Alfaro Limo, Inc. to provide contract carrier service as a passenger motor carrier.

A person who decides to appeal any decision made by the Economic Development and Human Services Committee of the Board of County Commissioners, with respect to any matter considered at this hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.