

**PUBLIC TRANSPORTATION COMMISSION
MEETING MINUTES**

Wednesday, May 11, 2016
County Commissioners Board Room
601 E. Kennedy Blvd., 2nd Floor

1. CALL TO ORDER

The meeting of the Public Transportation Commission was called to order by Chairman Victor Crist at 9:07 a.m. The following members were present:

*Victor Crist, Chair
David Pogorilich
Guido Maniscalco
Al Higginbotham
Billy Keel
Ken Hagan
Cindy Oster
Kyle Cockream
Brett Saunders
Kimberly Kerwin*

*Board of County Commissioner
Temple Terrace
City of Tampa
Board of County Commissioner
Plant City
Board of County Commissioner
Senior Assistant County Attorney
Executive Director
Chief Inspector
Administrative Specialist II*

2. INVOCATION, PLEDGE OF ALLEGIANCE & AGENDA

The invocation and pledge was given by Commissioner Crist, and the swearing in of witnesses was administered by Chief Inspector Brett Saunders. Mr. Cockream Recommended moving items A, B, and C under Directors Report to the June meeting. Councilman Pogorilich motioned to approve the amended agenda, it was seconded by Councilman Maniscalco, and unanimously approved.

3. IN THE NEWS

None

4. AUDIENCE PARTICIPATION

Audience participation was given 45 minutes (3 minutes per individual). The below individuals spoke: (Please Visit: <http://www.hillsboroughcounty.org/index.aspx?nid=274/> to purchase a copy of the video or download a copy of the captioning for full details.)

- A. Stephanie Smith*
- B. Brian Chapman*
- C. Robert Miller*
- D. Matt Bryant*
- E. Rolnita Wilson*
- F. Kevin Archer*
- G. Jay Mitchell*
- H. Dave Shaw*
- I. Lonny Morales – passed*
- J. Seth Mills*
- K. Brook Negusei*
- L. Robert Searcy*
- M. Thomas Halsnik*

- N. *Jeremy Jenkins*
- O. *Terry Kurmay*
- P. *Fassil Gabremariam*
- Q. *Thomas Smith*
- R. *Louie Minardi*
- S. *Justin Morgaman*
- T. *Marcus Carter*
- U. *Jim Scharba – passed agenda item*
- V. *Esther Rose – passed agenda item*
- W. *Brian Rose – passed agenda item*
- X. *Steve Anderson*
- Y. *Steve Schmnle*
- Z. *John Wagoner – passed*
- AA. *Gladstone Cooper*

Commissioner Higginbotham motioned to extend the allotted 45 minutes for audience participation, it was seconded by Councilman Maniscalco, and unanimously approved. (closed)

5. CONSENT ITEMS

Councilman Pogorilich motioned to approve the consent items, it was seconded by Commissioner Keel, and unanimously approved. (closed)

6. ATTORNEYS REPORT

A. Closed Sessions (Lyft / Uber Procedures)

Mrs. Oster advised the board she is “specifically, requesting direction on litigation during the closed session”. The items of discussion are “Lyft, Inc. vs. Hillsborough County Public Transportation Commission, case number 2D15-3449, Uber Technologies, Inc. vs. Hillsborough County Public Transportation Commission, case number 2D15-0621. Hillsborough County Public Transportation Commission vs. Uber Technologies, Inc., case number 2D15-3936, and Hillsborough County Public Transportation Commission vs. Uber Technologies, Inc., case number 15-CA-003097”.

Councilman Pogorilich motioned to approve closed door session, it was seconded by Commissioner Keel, and unanimously approved. (closed)

B. Finance & Audit Committee Follow-up – Ad Hock Committee Review – Procedural Inquiry

Moved to June Meeting

C. Black Pearl Litigation – Update

Moved to June meeting

Councilman Maniscalco motioned to move items B & C to the June meeting, it was seconded by Commissioner Higginbotham, and unanimously approved. (open)

Councilman Pogorilich motioned to approve attorneys report, it was seconded by Commissioner Keel, and unanimously approved. (closed)

7. DIRECTORS REPORT

A. Cherry Bekaert – Financial Audit Presentation

Postponed to June meeting

B. Inter-local Agreement – BOCC/PTC

Postponed to June meeting

C. Executive Car Service – Reinstatement of Certificate

Postponed to June meeting

8. OLD BUSINESS

A. Rules & Policy Committee Meeting – Update

Mr. Cockream advised the board the Rules & Policy Committee members voted to move forward with the proposed draft addressing the green vehicle, and reducing the annual fees as an incentive.

Councilman Pogorilich motioned to approve Mr. Cockream and Mrs. Oster to initiate the verbiage on the green vehicle proposal related to Chapter 1-17, subsection D, it was seconded by Commissioner Higginbotham, and unanimously approved.

Commissioner Crist appointed an ad hoc committee to review pending proposals during the Audit & Finance Committee meeting; as a result of not having quorum. PTC Board requested Mr. Cockream to reach out to the County Communications Department to help staff the Committee. (open)

9. NEW BUSINESS

A. Public Hearings

1. Handicab Certificate

a. Alternative Transportation Systems, LLC.

Hearing Officer Susan More recommends not granting Alternative Transportation Systems, LLC a certificate along with the twenty five unrestricted handicab permits. A motion was filed by Alternative Transportation Systems, LLC for a continuance. Continuance was approved during the February PTC Board meeting on a month by month basis. Mr. Anderson on behalf of Alternative Transportation Systems, LLC. withdrew their continuance of the hearing officers recommendation.

Councilman Pogorilich motion to accept the withdrawal of the continuance, it was seconded by Commissioner Keel, and unanimously approved. (closed)

Councilman Pogorilich motion to approve the hearing officers recommendation, it was seconded by Commissioner Keel, and unanimously approved. (closed)

B. Request for Variance/Waiver

1. Suncoast Limousine

Mr. Cockream briefed the board on a waiver request submitted by Suncoast Limousine to permit a 2005 Lincoln Towncar with 509,749 miles. PTC staff recommended not granting the waiver due to the quality of the vehicle.

Councilman Pogorilich motioned to disapprove the waiver request, it was seconded by Commissioner Keel.

C. Public Vehicle Driver's License Denial Appeal

1. Phillip Lipsey – Represented by Keith Simmons, Siminole Transportation

Mr. Lipsey was not present for his appeal. Board postponed Mr. Lipsey's appeal until the June meeting. (open)

2. Gregory Stillwell – Represented by Keith Simmons, Siminole Transportation

Mr. Stillwell was present for his appeal. Commissioner Keel motioned to approve Mr. Stillwell's PVDL with a six month probation period, it was seconded by Councilman Maniscalco, and unanimously approved. (closed)

3. Brian Rose – Represented by Rose Knapp, Stepp's Towing Service

Mr. Rose was present for his appeal. Councilman Maniscalco motioned to approve Mr. Rose's PVDL with a six month probation period, it was seconded by Councilman Pogorilich, and unanimously approved. (closed)

4. Oscar McCauley – Represented by Isaiah Minardi, Yellow Cab


Mr. McCauley was present for his appeal. Commissioner Higginbotham motioned to approve Mr. McCauley's PVDL with a six month probation period, it was seconded by Councilman Maniscalco, and unanimously approved. (closed)

Councilman Pogorilich motioned to request Commissioner Crist step down as Chairman, it was seconded by Commissioner Keel for further discussion.

10. ADJOURNMENT

Commissioner Crist adjourned the meeting at 10:59 a.m.

Councilman Pogorilich made a motion to have Commissioner Crist step down from being the chair of the PTC board, motion was seconded by Commissioner Keel for the purpose of further discussion. Final vote 1 aye, 5 nays, motion fails.



Kimberly Kerwin
Public Transportation Commission

Any person who decides to appeal any decision made by the Public Transportation Commission with respect to any matter considered at any meeting or hearing is hereby advised that they will need a record of the proceedings, and, for such purpose, ensure a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Please visit www.hillsboroughcounty.org/index.aspx?nid=274/ to purchase a copy of the video or to print a copy of the captioning for full details or visit the PTC website at www.hillsboroughcounty.org/ptc

****This is not an official, verbatim transcript of the PTC meeting, and should be used for informational purposes only****