

CAPTIONING
JUNE 8, 2016
HILLSBOROUGH COUNTY PUBLIC TRANSPORTATION COMMISSION

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>> VICTOR CRIST: GOOD MORNING, WELCOME TO HILLSBOROUGH COUNTY PUBLIC TRANSPORTATION COMMISSION, WEDNESDAY, JUNE 8th, 2016, MEETING. IF WE COULD RISE FOR THE PLEDGE OF ALLEGIANCE AND INVOCATION.
[PLEDGE OF ALLEGIANCE]

>> VICTOR CRIST: O FATHER, CALLED BY MANY NAMES, SUPREME BEING, CREATOR OF THE UNIVERSE, WE COME BEFORE YOU TODAY HUMBLY TO ASK FOR YOUR DIVINE GUIDANCE, DIVINE WISDOM FOR AND FOR US TO DO OUR JOBS THE WAY THAT WE SHOULD DO THEM IF THE BENEFIT OF ALL PEOPLE. WE ASK FOR THAT DIVINE GUIDANCE AND PEACE AMONG ALL OF US AND THE UNDERSTANDING THAT WE ARE HERE TO DO WHAT IS RIGHT, EVEN THOUGH THERE MAY BE DIFFERENT PERSPECTIVES OF WHAT THAT IS. IN ALL THAT WE PRAY, WE ASK AMEN. OKAY. WE HAVE A RATHER FULL AGENDA TODAY. I UNDERSTAND COMMISSIONER KEN HAGAN IS ON HIS WAY. HE IS STUCK IN TRAFFIC, BUT HE WILL BE HERE SHORTLY. AND THE AGENDA WAS MAILED OUT TO EVERYONE IN ADVANCE. ARE THERE ANY CHANGES OR CORRECTIONS TO THE AGENDA? OKAY, THERE IS ONE BIT OF INFORMATION. UNDER THE OLD BUSINESS, THERE IS A PORTION WHERE WE'RE GOING TO HAVE A PRESENTATION FOR INFORMATION ON FINDING A NEW PERSON. IT TOOK A LONG TIME TO GET ALL THE DATA SO YOU WILL BE GIVEN A HANDOUT TODAY TO REVIEW, AND I APOLOGIZE. BEVERLY IS GOING TO BE HERE FROM HILLSBOROUGH COUNTY WITH THAT INFORMATION TO PROVIDE TO YOU. BUT OTHER THAN THAT, IS THERE A MOTION TO ACCEPT THE AGENDA AS IS PRESENTED?

>> SO MOVED.

>> SECOND.

>> VICTOR CRIST: OKAY, WE HAVE A MOTION AND A SECOND.

ALL IN FAVOR, AYE? THOSE OPPOSED? SHOW IT UNANIMOUS. WE HAVE THE SWEARING IN OF THE WITNESSES. BRETT?

>> [SWEARING IN]

>> VICTOR CRIST: KYLE, IN THE NEWS?

>> NOTHING TO REPORT, COMMISSIONER.

>> VICTOR CRIST: ALL RIGHT, I GUESS THAT'S NOT A BAD THING.

>> IF I MAY, COMMISSIONER.

>> VICTOR CRIST: CERTAINLY.

>> I JUST WANT TO INVITE MR. REDDICK BACK AND LET HIM KNOW YOU WERE CERTAINLY IN OUR PRAYERS AND WE'RE GLAD YOU ARE WELL AND WITH US.

>> VICTOR CRIST: I GOT TO SAY, I LOVE THAT JACKET, MAN.

AFTERWARDS, I GOT TO FIND OUT WHERE, WHEN, AND HOW BECAUSE I WANT ONE.

[LAUGHTER] BUT WE ARE HAPPY TO HAVE YOU BACK. THE CONSENT ITEMS?

WE HAVE A THROUGH E. ARE THERE ANY QUESTIONS, ANY CONCERNS? MR. COCKREAM?

>> NOTHING UNUSUAL THERE, SIR. THE MINUTES FROM THE MAY MEETING, APPROVAL OF THE PVDLS, FISCAL YEAR STATUS REPORT, COMMISSION REPORT, AND THERE IS UNUSUAL HERE TO REPORT.

>> VICTOR CRIST: OKAY, IS THERE A MOTION TO APPROVE THE CONSENT REPORT. ALL IN FAVOR, AYE? WE NOW GO INTO THE PORTION OF THE MEETING WHICH IS AUDIENCE PARTICIPATION. WE'RE GOING TO GO AHEAD AND ALLOCATE 40 MINUTES TO THIS. WE'RE GOING TO HAVE THREE MINUTES PER SPEAKER. WE ASK THAT YOU PLEASE BE RESPECTFUL OF THIS BOARD AND THIS ROOM, AND TRY TO KEEP YOUR THOUGHTS AND COMMENTS FOCUSED ON THE ISSUES OF THE DAY, SO I'M GOING TO CALL THEM IN THE ORDER THAT I HAVE, AND HOPEFULLY NONE OF THESE CARDS ARE STICKING TOGETHER. BUT I'M SURE IF THEY ARE, SOMEBODY WILL LET ME KNOW. THE FIRST ONE UP IS TIM ABORRA.

>> MR. CHAIRMAN, COMMISSIONERS, I'M THE SOUTHEAST PUBLIC POLICY MANAGER FOR LYFT. REALLY, NO FORMAL COMMENTS TO GIVE THIS MORNING OTHER THAN TO SAY HELLO AND YOU KNOW, JUST BE HERE AS A RESOURCE FOR YOU GUYS TO ANSWER ANY QUESTIONS YOU HAVE. I APPRECIATE YOUR WILLINGNESS TO ENGAGE WITH US IN BEING ABLE TO OPERATE HERE IN HILLSBOROUGH COUNTY, AND THANK YOU VERY MUCH.

>> VICTOR CRIST: I'VE GOT ONE QUESTION.

>> WHERE'S YOUR PINK MUSTACHE? [LAUGHTER] HOLD ON A SECOND.

>> VICTOR CRIST: THE LADY WHO ONCE STOOD UP AT THE PODIUM BEFORE YOU, SHE HAD ONE.

>> THANK YOU VERY MUCH, MR. CHAIRMAN.

>> VICTOR CRIST: YOU'RE WELCOME. STEVE ANDERSON.

>> [INAUDIBLE]

>> VICTOR CRIST: THAT'S FINE. DID YOU WEAR YOUR PINK TIE ON PURPOSE TODAY?

>> [INAUDIBLE]

>> VICTOR CRIST: THOMAS SMITH?

>> [INAUDIBLE]

>> VICTOR CRIST: OKAY. LOU MINARDI.

>> I WOULD ALSO POSSIBLY DEFER SOME OF MY TIME TO THE TNC ISSUE IF WE ARE GOING TO TALK ABOUT THAT LATER AND BE ABLE TO SPEAK ON BEHALF OF THAT, BUT OTHER THAN THAT, THE TOA I WOULD LIKE TO SAY THAT WE HOLD OFF UNTIL THE JUNE WEEKEND HEARING AS WE'VE STATED BEFORE AND LET THE COURTS DECIDE WHETHER THE JURISDICTION LIES WITHIN THIS BORDER OR NOT. AND SECONDLY, I WOULD LIKE TO AGAIN ASK THIS COMMISSION TO MOVE FORWARD OUR TNC RULES THAT WE PASSED AND THE BOARD PASSED QUITE A FEW MONTHS BACK. IT'S A COMPREHENSIVE PLAN WITH TNCs THAT OTHER TNCs BESIDES LYFT AND UBER COULD FUNCTION UNDER. THEY'VE BEEN VETTED. THEY'VE BEEN PASSED. AND THEY'VE BEEN SET ASIDE, AND WE'D LIKE TO SEE IF WE COULD GET THOSE MOVING. AND ADVERTISED SO THAT THE OTHER TNCs THAT WANT TO WORK WITHIN HILLSBOROUGH COUNTY CAN DO IT UNDER OUR GOOD COMPREHENSIVE PLAN INSTEAD OF THIS PIECEMEAL THAT WE'RE TRYING TO DO NOW. THANK YOU.

>> VICTOR CRIST: SETH MILLS.

>> GOOD MORNING, COMMISSION. SETH MILLS. I TOO WILL RESERVE MY COMMENTS UNTIL THE TNC ISSUE WHEN THAT MATTER COMES FORWARD BUT I DO WANT TO SPEAK TO YOU FOR A MOMENT ON ONE OTHER ITEM ON YOUR AGENDA. THAT IS THE ISSUE OF THE CONTRACT AND THE BUDGET RELATING TO YOUR LOBBYIST. I WOULD JUST URGE ALL OF YOU TO CONSIDER NOT REDUCING THE CURRENT CONTRACT SUCH AS YOU WOULD RESTRICT FUTURE BOARDS FROM THEIR ABILITY TO ADVOCATE WHATEVER THESE AGENCIES' POSITION MAY BE IN THE COMING

YEAR, SO I WOULD URGE YOU TO CONSIDER THAT WHEN DISCUSSING THAT LATER TODAY. THANK YOU.

>> VICTOR CRIST: JORDAN MILLER.

>> GOOD MORNING, CHAIRMAN, COMMISSIONERS, JORDAN MILLER, I REPRESENT EXPRESS MEDICAL TRANSPORTERS AS AN EXISTING HANDICAB PROVIDER HERE IN HILLSBOROUGH COUNTY. AND I JUST WANT TO SPEAK QUICKLY ON ONE AGENDA ITEM, THE REQUEST FOR VARIANCE AND WAIVER FOR WHEELCHAIR TRANSPORT SERVICE. IT'S MY UNDERSTANDING THAT WHEELCHAIR TRANSPORT SERVICE IS REQUESTING AN EXTENSION ON 10 TEMPORARY PERMITS. I'M NOT HERE TO SPEAK IN DIRECT OPPOSITION TO THAT EXTENSION, BUT I WOULD REQUEST THAT ANY EXTENSION NOT GO BEYOND PAST THE NEXT COMMISSION PUBLIC OR BOARD MEETING. I UNDERSTAND THAT THEY ARE SUBMITTING AN APPLICATION FOR PERMANENT PERMITS, SO I JUST DON'T WANT TO SEE THIS DRAG OUT INDEFINITELY. IF THERE IS GOING TO BE ANY KIND OF EXTENSION, I WOULDN'T LIKE TO SEE IT GOING PAST NEXT BOARD MEETING, SO I WOULD LIKE IT AND WHEELCHAIR TRANSPORT SERVICES SHOULD BE LIMITED IF THE EXTENSION IS GOING TO BE GRANTED. THAT'S ALL I HAVE TO SAY. THANK YOU.

>> VICTOR CRIST: STEPHANIE SMITH.

>> GOOD MORNING, CHAIR AND COMMISSIONERS. STEPHANIE SMITH WITH UBER TECHNOLOGIES. ALSO I WILL DEFER SOME OF MY TIME TO THE DISCUSSION LATER ON BUT I ALSO WANT TO MAKE MYSELF AVAILABLE FOR QUESTIONS AND CONCERNS. WE HAVE MADE A LOT OF PROGRESS AND LOOK FORWARD TO DISCUSSING LATER IN THE AGENDA. THANK YOU.

>> VICTOR CRIST: BROOK NEGUSEI.

>> GOOD MORNING, MR. CHAIRMAN, COMMISSIONERS, AND STAFF. I JUST WANTED TO, BROOK NEGUSEI, 4810 NORTH DALE AVENUE. I JUST WANT TO THANK MS. -- FOR EXPEDITING THE RULES ADVERTISING. I KNOW IT TOOK A COUPLE OF MONTHS. I KNOW SHE IS BUSY, BUT I JUST WANT TO THANK YOU FOR DOING THAT. AND THEN OF COURSE THE STAFF. I DO WANT TO DEFER, YOU KNOW, SPEAKING ON THE TNC ISSUE, BUT I JUST WANTED TO MAKE ONE REMARK. BASICALLY, YOU KNOW, ABOUT TWO WEEKS FROM NOW, THE JUDGE MIGHT SAY YOU GUYS DON'T HAVE THE AUTHORITY. WHATEVER YOU DO TODAY, JUST WASTING TIME. SO I DO, I TOO AGREE, YOU KNOW, I AGREE ALSO THAT WE WOULD NEED TO JUST WAIT AND SEE WHAT HAPPENED, WHETHER YOU HAD AUTHORITY OR NOT. THANK YOU.

>> [INAUDIBLE]

>> VICTOR CRIST: I CAN'T HEAR HIM.

>> HE WOULD LIKE TO DEFER UNTIL THE TNC DISCUSSION COMES UP.

>> VICTOR CRIST: ALL RIGHT. STEVEN? MITCH UM. IS THERE A STEVEN IN HERE? OKAY, NO STEVEN. TOM.

>> GOOD MORNING, COMMISSIONERS, TOM, BLACK PEARL LIMOUSINE. I WOULD JUST LIKE TO SAY THAT LAST MONTH'S MEETING I WAS EXTREMELY DISAPPOINTED IN HOW IT WAS HANDLED AND HOW IT WAS SET UP. THE TEMPORARY OPERATING AGREEMENT, I ASK THAT NOTHING LIKE THAT WOULD BE SIGNED BECAUSE IT BASICALLY CREATES TWO SETS OF RULES. THERE IS NO LEVEL PLAYING FIELD IF THEY HAVE A DIFFERENT SET OF RULES THAN WHAT WE HAVE. WITH ALL DUE RESPECT, COMMISSIONER CRIST, THAT'S WHAT YOU SAID YOU WERE FIGHTING FOR, AND I DON'T THINK THAT BY SIGNING ANY KIND OF AGREEMENT WITH THEM AND GIVING THEM THEIR OWN RULES, IT CREATES ANYTHING THAT'S LEVEL. I ASK ALSO THAT ANY KIND OF NEW RULES CREATED UNDER A SUBCATEGORY OF LIMOUSINES BEING NONLUXURY LIMOUSINES, I DON'T UNDERSTAND WHY IT NEEDS TO BE PUT UNDERNEATH THAT.

MAYBE THOSE RULES ARE EASIER TO CHANGE. I DON'T UNDERSTAND WHY THEY CAN'T BE PUT IN THE TAXIS, AND IF THEY ARE PUT UNDER LUXURY LIMOUSINES OR LIMOUSINES, THEY HAVE A DIFFERENT TERM, MAYBE SPECIALTY TRANSPORTATION OR COMPLIMENTARY LIMOUSINE OR SOMETHING LIKE THAT SO PEOPLE AREN'T CONFUSED BECAUSE ON THE BACK OF THE CAR IT'S GOING TO HAVE THE TERM LIMOUSINE ON THERE AND I THINK PEOPLE ARE GOING TO BE CONFUSED. THANK YOU.

>> VICTOR CRIST: SINCE YOU ARE OUR LAST SPEAKER, TO ANSWER YOUR QUESTION, BECAUSE OVER THE LAST THREE YEARS WE HAVE LEARNED THAT THE LEAST AMOUNT OF TIME TO BE ABLE TO MAKE A RULE IF EVERYBODY AGREES TO IT IS 18 MONTHS. IF THERE IS ANY DISAGREEMENT, WHICH THERE WOULD BE HERE, IT COULD TAKE UP TO SIX YEARS. THAT'S THE PRIMARY REASON. THE SECONDARY REASON IS AT THIS POINT, IT STILL ISN'T CLEAR IF WE HAVE THE AUTHORITY OR WE DON'T HAVE THE AUTHORITY TO DO THAT, AND WE STILL WOULD HAVE TO TRAVEL THROUGH THE COURTS TO DO THAT, AND THAT COULD TAKE YEARS AS WELL. SO THAT'S THE PRIMARY REASON. TO ANSWER YOUR OTHER QUESTION ABOUT A LEVEL PLAYING FIELD, IT'S ALL A MATTER OF OPINION. MY OPINION IS THIS HAS BEEN A CLOSED MARKET FOR 50 YEARS, AND IT'S TIME TO OPEN THIS MARKET. THAT'S THE BEGINNING OF LEVELING THE PLAYING FIELD. BY HAVING A SET OF GUIDELINES FOR THEM TO COME IN THE DOOR AND THEN TURNING AROUND AND REDUCING AND ELIMINATING THE ABUNDANCE OF RULES THAT YOU HAVE TO OPERATE UNDER THEN GIVES A LEVEL PLAYING FIELD BUT IT WOULD HAVE TO BE TWO SIDES. IF WE BRING THEM IN AT A LOWER STANDARD, THEN WE ARE GOING TO HAVE TOO OPEN THE DOOR AT A LOWER STANDARD FOR YOU TO BE ABLE TO OPERATE UNDER. RIGHT NOW WE GOT A LOT OF STANDARDS, AND THE STANDARDS ARE VERY, VERY HIGH. AND THE PEOPLE HAVE MADE IT CLEAR THAT THAT IS NO LONGER IMPORTANT TO THEM. WHAT'S IMPORTANT TO THEM IS CHOICE AND ACCESS, AND WE CAN ARGUE THAT UNTIL WE'RE BLUE IN THE FACE, BUT LOOKING AROUND THE WORLD AND LISTENING TO WHAT PEOPLE ARE SAYING, THAT'S WHAT THEY'RE SAYING IS GIVE US CHOICE, GIVE US ACCESS, LET US MAKE OUR OWN DECISIONS, LET US BE THE JUDGE OF OUR OWN EXPOSURE. WHETHER WE AGREE OR DISAGREE WITH THAT, THAT'S THE WAY IT IS.

>> WELL, PEOPLE CAN WANT WHAT THEY WANT, BUT THERE STILL NEEDS TO BE A LEVEL OF SAFETY AND A MINIMUM STANDARD, AND YOU SAYING THAT WE'VE PUSHED THEM AS FAR AS WE CAN GO, WELL, NO YOU HAVEN'T, BECAUSE IN OTHER CITIES THEY DO COME UP TO THAT LEVEL AND YOU'RE NOT MAKING THEM COME UP TO THAT LEVEL THEY HAVE ALREADY SHOWN THAT THEY CAN DO.

>> VICTOR CRIST: THAT IS NOT TRUE. WHAT WILL BE PRESENTED HERE TODAY GOES FURTHER IN A COMPREHENSIVE WAY THAN ANYWHERE ELSE IN THE UNITED STATES. IF THIS BOARD ADOPTS WHAT'S BEFORE THEM TODAY AS A COMPREHENSIVE PLAN, IT GOES FURTHER THAN ANYWHERE ELSE IN THIS COUNTRY. AND LOOKING AT IT FROM A COMPREHENSIVE PERSPECTIVE -- YOU ARE NOT INFORMED. YOU ARE NOT CORRECT, AND YOU KNOW, SPLITTING HAIRS BETWEEN THE DIFFERENCE OF A LEVEL 1 PLUS PLUS PLUS OR A LEVEL 2 IS SO CLOSE IT'S LIKE SPLITTING A HAIR BUT IT'S WAY ABOVE WHAT WE'VE GOT NOW, WHICH IS NOTHING. LOOK, I DON'T WISH TO GET INTO A DEBATE.

>> I UNDERSTAND.

>> VICTOR CRIST: BUT WHEN SOMEONE GETS UP AND TALKS ABOUT SOMETHING THEY KNOW NOTHING ABOUT AND SAYS THINGS THAT AREN'T TRUE, IT SETS THE WRONG TONE FOR A DISCUSSION.

>> I AM ONLY GOING BY THE INFORMATION YOU PROVIDED.

>> VICTOR CRIST: WELL YOU ARE GOING BY THE INFORMATION INCORRECTLY.

>> THANK YOU.

>> VICTOR CRIST: ALL RIGHT. MOVING FORWARD ON OUR AGENDA, WE NOW HAVE A CLOSED TO THE PUBLIC SPEAKING PORTION OF OUR MEETING. IS THERE ANYONE ELSE THAT HAS NOT SUBMITTED A CARD THAT WOULD WISH TO SPEAK. ALL RIGHT. SEEING THAT S THERE A MOTION TO CLOSE THE PUBLIC FORUM OF OUR MEETING?

>> SECOND.

>> VICTOR CRIST: ALL IN FAVOR, AYE. THOSE OPPOSED? SHOW IT UNANIMOUS. MOVING FORWARD, WE NOW HAVE THE ATTORNEY'S REPORT. MS. OSTER.

>> THANK YOU, MR. CHAIR. I HAVE TWO ITEMS UNDER MY REPORT. THE FIRST ONE IS TO PROVIDE THIS COMMISSION WITH AN UPDATE ON SOME PLEADINGS THAT WERE FILED BY THE TAMPA TAXI COALITION AND RED TOP CAB COMPANY AS WELL AS WEST COAST TRANSPORTATION SERVICES, AND THE NATURE OF THOSE PROCEEDINGS, AND THEY WERE ACTUALLY FILED BEFORE THE 2nd DISTRICT COURT OF APPEAL, IS A PETITION FOR EXPEDITED WRIT OF PROHIBITION AND ESSENTIALLY WHAT THOSE PLAINTIFFS HAVE ARGUED IS FOR DISQUALIFICATION OF THE CHAIRMAN FROM PARTICIPATING IN CERTAIN PROCEEDINGS. OUTSIDE COUNSEL HAS FILED A RESPONSE TO THAT PETITION, AND CONSISTENT WITH APPELLATE PROCEDURE, PLAINTIFFS WERE GIVEN, OR PETITIONERS WERE GIVEN AN OPPORTUNITY TO RESPOND. THIS IS NOT A PROCEEDING WHERE THERE ARE GOING TO BE ORAL ARGUMENTS OR SOME KIND OF TRIAL OR HEARING. ESSENTIALLY, THE COURT WOULD MAKE A DECISION ON THE PLEADINGS. WE ANTICIPATE THAT WE WILL BE HEARING BACK FROM THE COURT PROBABLY RELATIVELY SOON, AND AS SOON AS WE RECEIVE AN ORDER FROM THE COURT, CERTAINLY I WOULD DISSEMINATE THAT TO THIS COMMISSION. ARE THERE ANY QUESTIONS ABOUT THAT PARTICULAR PROCEEDING?

>> WHAT DO YOU THINK THE PROPOSED TIMELINE MIGHT BE AS FAR AS CLOSURE ON THIS?

>> WELL, I ACTUALLY EXPECTED THAT WE COULD'VE FULLY RECEIVED A RESPONSE BY THIS BY TODAY'S MEETING, AND THAT HASN'T HAPPENED, BUT I WOULD SAY RELATIVELY SOON.

>> THEN HOW LONG BEFORE THE JUDGE MAKE AS DECISION?

>> WELL, THAT'S WHAT I'M SAYING. I THINK IT'S GOING TO COME BACK THAT QUICKLY.

>> PLAINTIFFS HAVE FILED A RESPONSE TO YOUR RESPONSE, AND YOU'RE JUST WAITING FOR THE JUDGE?

>> YES, THAT'S CORRECT.

>> VICTOR CRIST: OKAY.

>> THE NEXT ITEM UNDER MY REPORT IS A STATUS OF THE PROPOSED SETTLEMENT AGREEMENT DISCUSSIONS WITH LYFT AND UBER. AS YOU RECALL, WE HAD A CLOSED SESSION MEETING AT THE MAY MEETING IN WHICH WE DISCUSSED PENDING LITIGATION, AND THE OUTCOME OF WHAT WE HAVE BEEN DILIGENTLY WORKING ON IS PROVIDED BEFORE YOU, IT'S BEEN HANDED OUT IN A MULTICOLOR FORMAT. THE DIRECTION WE WERE GIVEN IS TO GO BACK BASICALLY TO THE DRAWING BOARD AND ATTEMPT TO NEGOTIATE THE BEST AGREEMENT POSSIBLE TO BRING BACK BEFORE THIS COMMISSION AND WHILE WE DO NOT HAVE A FINAL WRITTEN SETTLEMENT AGREEMENT DOCUMENT, WHAT WE HAVE WE HAVE ARE BEFORE YOU SOME POLICY CONSIDERATIONS. THE PURPOSE OF THE SETTLEMENT AGREEMENT IS ESSENTIALLY TO ARRIVE AT AN AGREEMENT WHERE THE LITIGATION WOULD BE CONCLUDED. AS PART OF THAT PROPOSED SETTLEMENT AGREEMENT, WHAT WOULD BE CONTEMPLATED WOULD BE A TEMPORARY OPERATING AGREEMENT THAT WOULD BE INCORPORATED INTO THE SETTLEMENT AGREEMENT, AND WHAT I THINK IS IMPORTANT TO POINT OUT IS TEMPORARY OPERATING AGREEMENT IS JUST THAT, IT IS TEMPORARY AND HAS A FINITE PERIOD OF TIME, WHICH WE ARE RECOMMENDING TO BE JUNE OF NEXT YEAR. SO I THINK THERE'S BEEN SOME

CONFUSION THAT THIS IS ESSENTIALLY A RULE MAKING PROCESS, AND IT IS NOT. WHAT IT IS IS IT TEMPORARY OPERATING AGREEMENT IS A TEMPORARY ARRANGEMENT BY WHICH THESE COMPANIES WOULD BE ALLOWED TO OPERATE AS PART OF A SETTLEMENT AGREEMENT TO CONCLUDE THE LITIGATION. SO AT THIS TIME, I'D LIKE TO TURN THE TEMPORARY OPERATE LITIGATION AGREEMENT TO THE CHAIRMAN FOR COMMENT.

>> VICTOR CRIST: OKAY, WHAT I AM GOING TO DO IS WALK YOU THROUGH THIS AND THEN CALL UPON THE APPROPRIATE STAFF TO ELABORATE AND TO ANSWER ANY QUESTIONS THAT YOU MAY HAVE. THE BOTTLE LINE TO KEEP IN MIND IN LOOKING AT THIS IS WHAT THIS IS IS A CONTINUANCE OF WHAT WE DISCUSSED AT OUR LAST MEETING. YOU HAD DIRECTED STAFF TO MOVE FORWARD WITH THE DISCUSSIONS WITH UBER AND LYFT, AND TRIED TO SEEK SOME ADDITIONAL GROUND IN A FEW AREAS, AND THEY DID. IT IS A RECOMMENDED STARTING POINT TO GET INTO A POSSIBLE SETTLEMENT AGREEMENT TO BRING THESE LAWSUITS TO CLOSURE, AND TO FRANKLY SATISFY THE LEGISLATURE SO THAT THEY LEAVE THIS AGENCY ALONE. BEFORE I BEGIN, I WANT TO REITERATE, DESPITE WHAT ANYBODY ELSE MAY BE TELLING YOU, THE TRUTH IS, I'VE HAD FACE TO FACE DISCUSSIONS WITH THE KEY INCOMING LEADERSHIP OF THE LEGISLATURE. THEY HAVE MADE IT VERY, VERY DIRECTLY CLEAR THAT IF WE DON'T FIX THE PROBLEM THIS SUMMER, THEY WILL SHUT THIS AGENCY DOWN. I DO NOT BELIEVE THAT DURING THE NEXT LEGISLATIVE SESSION THEY WILL PASS ANY RIDE SHARE STATEWIDE REFORMS. I KNOW WHEN YOU TALK TO THE RIDE SHARE COMPANIES, THEY WILL SAY OH, YES, THEY WILL. WELL, I'VE BEEN MADE VERY CLEAR BY LEADERSHIP THERE'LL BE A BILL, THERE'LL BE DEBATE, BUT YOU'LL SEE THE SAME THING YOU SAW LAST YEAR. IT WILL DIE ON THE VINE AT THE END OF SESSION. THE FOLLOWING SESSION THERE WILL BE A BILL, THERE WILL BE STATEWIDE ACTION ON STATE REGULATION FOR RIDE SHARING. SO WHAT YOU HAVE BEFORE YOU IS A 15-MONTH PROPOSED OPERATING AGREEMENT THAT WOULD TAKE US THROUGH THE NEXT TWO LEGISLATIVE SESSIONS. SO THAT WE WOULD BE ABLE TO HAVE IN PLACE A TEMPORARY OPERATING AGREEMENT HERE SO THAT THIS AGENCY ISN'T ON THE DART BOARD FOR THE LEGISLATURE BECAUSE THEY FEEL WE ARE PREVENTING FREE ENTERPRISE AND BUSINESS FROM DOING RIDE SHARING IN HILLSBOROUGH COUNTY. YES, THERE ARE OTHER RIDE SHARING COMPANIES THAT ARE STARTUPS HERE IN THE BAY AREA OR THAT ARE NEWCOMERS THAT ARE SMALL, SMALL, SMALL PLAYERS IN THE BUSINESS. THEY AREN'T EVEN ON THE LEGISLATURE'S RADAR SCREEN. WHAT'S ON THE LEGISLATURE'S RADAR SCREEN ARE THE TWO INTERNATIONAL COMPANIES THAT HAVE SET THE STANDARD, UBER AND LYFT. AND ANYTHING THAT DOESN'T OPEN THE DOOR FOR UBER AND LYFT, THE LEGISLATURE WILL NOT CONSIDER A STEP FORWARD WITH ALLOWING RIDE SHARING. SO WHAT YOU HAVE BEFORE YOU IS WHAT IT'S GOING TO TAKE TO GET THE MOST OF WHAT WE WANT TO PROTECT THE CONSUMERS OUT OF UBER AND LYFT SO THEY WOULD AGREE WITH OUR TERMS. THE FIRST ISSUE IS THE FEE FOR OPERATING IN HILLSBOROUGH COUNTY. KYLE WENT TO THE MAT TO DETERMINE WHAT THE COST WOULD BE TO THIS AGENCY, AND THEN WE TOOK A LOOK AT THE MARKET SHARE THAT THE TWO COMPANIES CURRENTLY HAVE AND WOULD MOST LIKELY DEVELOP DURING THE 15-MONTH PERIOD AND CAME UP WITH THESE NUMBERS. \$250,000 FOR UBER AND \$125,000 ANNUALLY FOR LYFT. KYLE?

>> THANK YOU, MR. CHAIR. THAT ESSENTIALLY WOULD BE THE CERTIFICATE FEE PAID BY EACH COMPANY TO OPERATE A FOR HIRE TRANSPORTATION COMPANY HERE IN HILLSBOROUGH COUNTY. WE FELT THAT THE DIFFERENCE BETWEEN THOSE TWO COMPANIES WERE REFLECTIVE OF THEIR MARKET SHARE AS YOU STATED EARLIER.

>> VICTOR CRIST: AFTER MUCH DISCUSSION, LOOKING AT KYLE'S WORKING PAPERS, THE

THREE OF US AGREED THAT ALONG WITH UBER AND LYFT THAT THESE WOULD BE AT THIS POINT A GREAT STARTING POINT AT THIS POINT AND FAIR AND MARKETABLE.

QUESTIONS? TRADE DRESS. THIS IS BASICALLY WHEN WE REQUIRE THAT THE VEHICLE BE RECOGNIZABLE FOR WHO THE COMPANY IS THAT THEY'RE DRIVING FOR AND WHAT LEVEL OF LICENSURE THAT THEY FALL UNDER. KYLE?

>> THIS WOULD AS IT STANDS RIGHT NOW BOTH FOR UBER AND LYFT, THIS WOULD BE A NONPERMANENT PLACARD IN THE WINDOW OF THE VEHICLE, AND THE PLACARD WOULD REFLECT THE COMPANY THAT IS EMPLOYING THAT DRIVER THESE ARE NONPERMANENT PLACARDS. THESE DO COME WITH A FEW CHALLENGES, WE ARE WORKING WITH THE COMPANIES TO TRY TO OVERCOME THESE CHALLENGES BUT IN SHORT THIS IS A WAY TO IDENTIFY THE DRIVERS AS THEY ARE OPERATING ON THE STREETS AND FOR HIRE. THOSE PEOPLE WHO WOULD OBTAIN A PLACARD ILLEGALLY OR INAPPROPRIATELY WOULD BE CONSIDERED A ROGUE DRIVER, AND ANY OF THESE CATEGORIES A DRIVER OPERATING OUTSIDE OF WHAT'S AGREED UPON HERE WOULD BE CONSIDERED A ROGUE DRIVER AND WOULD BE TREATED AS AN INDEPENDENT AND DEALT WITH APPROPRIATELY.

>> VICTOR CRIST: QUESTIONS? THE INSURANCE ISSUE, WHICH HAS BEEN ONE OF THE HOTTEST DEBATED AND CONTESTED ISSUES IS REALLY SIMPLE. MOST PEOPLE DON'T UNDERSTAND THAT AN INDIVIDUAL UTILIZING A PERSONAL VEHICLE WITH PERSONAL INSURANCE, THEIR PERSONAL INSURANCE COMPANY HASN'T BEEN COVERING THEM WHEN THEY'VE BEEN TRYING AS A COMMERCIAL OPERATOR ON THE APP. AND THAT IN FLORIDA HAS BEEN A HUGE ISSUE AND REMAINS A HUGE ISSUE AND TRUTHFULLY IS ONE THAT IS GOING TO HAVE TO BE CORRECTED AT THE STATE LEVEL.

WHAT WE WERE ABLE TO DO TO MAKE SURE THE RIDER, THE PEDESTRIAN IN OTHER VEHICLES ARE PROTECTED IS OUR ATTORNEYS WERE ABLE TO WORK OUT LANGUAGE WITH BOTH UBER AND LYFT ATTORNEYS THAT WOULD REQUIRE THAT THE DRIVER OBTAIN INSURANCE THAT WILL COVER THEM WITH A DRIVE, AND IN THE EVENT THEY DON'T, THAT UBER AND LYFT'S INSURANCE WILL GUARANTEE THAT THEY WILL COVER ANY LOSSES DURING THAT DRIVE. AND THAT WAY IT'S A CONTRACTUAL AGREEMENT. IT'S IN WRITING. AND IT'S GUARANTEED. SO IF SOMEONE IS INJURED, THEY CAN BE MADE WHOLE RIGHT UP FRONT. KYLE?

>> THANK YOU, MR. CHAIR. THERE WERE TWO HURDLES REGARDING THIS ISSUE. ONE IS THAT ANY AGREEMENT PROPOSAL HAS LANGUAGE IN IT THAT CLEARLY IDENTIFIES THAT THE TNC INSURANCE POLICY WILL BE IN ABEYANCE WITH WHATEVER THE FLORIDA LAW SAYS. THAT WAS NUMBER ONE. AND NUMBER TWO IS AS THE COMMISSIONER JUST SAID, SHOULD THE DRIVER'S PERSONAL INSURANCE POLICY NOT COVER THE INCIDENT, THAT THE TNC'S INSURANCE POLICY WILL DROP DOWN TO FIRST DOLLAR AND COVER THE INCIDENT.

>> VICTOR CRIST: AND THAT'S NOT SOMETHING THAT'S HAPPENING RIGHT NOW, AT LEAST THERE'S NO REQUIREMENT THAT IT HAPPEN RIGHT NOW.

>> THAT'S CORRECT, SIR. SO THOSE WERE TWO HURDLES WE FEEL LIKE WE'VE ACCOMPLISHED BOTH OF THOSE. IN THIS AGREEMENT OR IN THIS PROPOSAL.

>> VICTOR CRIST: OKAY, BACKGROUND CHECKS. QUESTIONS? DAVE, CAN YOU PUT YOUR MIC ON.

>> SO WOULD TURNING THIS INSURANCE REQUIREMENT INTO A CONTRACTUAL AGREEMENT BETWEEN I GUESS US, UBER, LYFT AND THE TRAVELING PUBLIC, CORRECT.

>>> WELL THE INSURANCE IS ULTIMATELY REGULATED AT THE STATE LEVEL AND THE ONLY THING WE HAVE PUT IN THERE IS A, THEY WILL COVER FIRST DOLLAR, AND B IS THAT THEY WILL BE IN ABEYANCE WITH WHATEVER APPLICABLE FLORIDA LAWS ARE IN STANDING AT THAT -- DURING THE TIME --

>> RIGHT BUT THEY WOULD TURN IT INTO A CONTRACTUAL AGREEMENT WHICH THEIR UMBRELLA WOULD BECOME THE COVERAGE IN THE EVENT OF AN ACCIDENT.

>> PRIMARY USE.

>> I MAKE A LIVING BY PEOPLE NOT FOLLOWING CONTRACTS. WHAT HAPPENS WHEN THEY DON'T?

>> VICTOR CRIST: WE'LL GET TO THAT AS WE MOVE FORWARD IN THIS THING.

>> MY POINT IS IT ULTIMATELY BECOMES A COMMENT THAT I KNOW THE ANSWER.

THE ANSWER IS WE HAVE TO SUE THEM SO WE'RE NO BETTER OFF NOW OR WITH THIS AGREEMENT WITH THAT PARTICULAR PIECE OF THIS PROPOSED AGREEMENT THAN WE ARE TODAY.

ULTIMATELY IT'S GOING TO GET DECIDED IN THE COURTS IF THEY DECIDE NOT TO HONOR THAT PIECE OF THE PROPOSED AGREEMENT.

>> VICTOR CRIST: WELL, TODAY WE DON'T HAVE TEETH AND WE DON'T HAVE THE 900-POUND GORILLA STANDING THERE TO KICK THEM IN THE FANNY. WITH THIS AGREEMENT, WE HAVE THAT. WE'VE GOT TEETH AND PENALTIES IN THE EVENT THEY DON'T, AND WE'VE GOT THAT 900-POUND GORILLA TO HOLD THEIR FEET TO THE FIRE. RIGHT NOW WE HAVE NOTHING. WITH THIS, AT LEAST WE HAVE SOMETHING. IS IT AS GOOD AS REQUIRING THEM TO BE A PART OF THE RISK POOL? NO. HAVING THEM BE A PART OF THE RISK POOL GUARANTEES THE PAYING UP FRONT WHETHER WE GO TO COURT OR NOT. BUT AGAIN, WE'RE LOOKING TO COVER THE VOID AS QUICKLY AS WE CAN GET TO THAT POINT.

>> WHETHER IT HAS TEETH OR NOT SHOULD THEY DECIDE NOT TO ABIDE BY THE CONTRACTUAL AGREEMENT, WE ARE -- THE PEOPLE THAT ARE INVOLVED IN THE ACCIDENT END UP BACK IN COURT FIVE YEARS DOWN THE ROAD TRYING TO COLLECT THEIR MONEY.

>> VICTOR CRIST: AGAIN, THIS IS AS CLOSE TO MAKING THE INJURED WHOLE AS WE CAN LEGALLY GET WITHOUT THE LEGISLATURE ACTING.

>> WELL, I WOULD DISAGREE. THEY COULD BE LEGAL HERE TOMORROW IF THEY CHOSE TO. WE ARE NOT GETTING AS CLOSE AS WE POSSIBLY CAN. GETTING AS CLOSE AS THEY POSSIBLY CAN IS HAVING THEM DO WHAT EVERYBODY ELSE IS DOING IN HILLSBOROUGH COUNTY AND THAT IS BECOMING LEGAL IN ACCORDANCE WITH THE EXISTING RULES, SO I WOULD DISAGREE WITH YOU. I WAS GOING.

>> I WAS GOING TO HOLD MY QUESTIONS TILL THE END AND YOU SAID YOU WERE GOING TO ANSWER THAT LATER. I WOULD LIKE TO HEAR THE DIRECTOR'S COMMENTS ON THAT AND POSSIBLY ALSO COUNSEL.

>> THIS ISSUE ABOUT INSURANCE IS CURRENTLY BEING TRIED IN LEON COUNTY. THE FLORIDA OFFICE OF INSURANCE REGULATORS INVOLVED IN THAT, AND I THINK THAT THE COURT'S DECISION ON THAT CASE WILL LARGELY INFLUENCE TNC INSURANCE POLICIES STATEWIDE AND SOME OF THAT IS TO DETERMINE WHETHER THEIR POLICY IS ADEQUATE OR IT NEEDS TO BE CHANGED OR AMENDED, SO PART OF THAT'S CURRENTLY BEING TRIED IN COURT BUT TO ANSWER THE DIRECT QUESTION IS SIMPLY YES. SHOULD THERE BE ANY DEVIATION FROM WHATEVER CONTRACTUAL AGREEMENT, SETTLEMENT AGREEMENT THAT THIS BOARD ENTERS INTO WITH THE TNC, ULTIMATELY YES. IT'LL HAVE TO BE DECIDED IN COURT.

>> AND IF I CAN ADD ONTO THE DIRECTOR'S COMMENTS, ESSENTIALLY HE IS CORRECT THAT THAT PARTICULAR ISSUE IS BEING LITIGATED RIGHT NOW. THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES HAS ISSUED AN OPINION SAYING THAT THEY FELT THE TRANSPORTATION NETWORK COMPANIES INSURANCE COVERAGE WAS ADEQUATE UNDER FLORIDA LAW. THAT IS THE ISSUE THAT IS CURRENTLY BEING LITIGATED. THE QUESTION IS WHETHER OR NOT CERTAIN PROVISIONS OF THE FLORIDA STATUTES APPLY TO TRANSPORTATION NETWORK COMPANIES. THAT IS CURRENTLY BEING LITIGATED.

SO AT THIS TIME, UNLESS THE LEGISLATURE TAKES SOME KIND OF AFFIRMATIVE ACTION OR WE HAVE A COURT RULING, WHAT IS PROPOSED IN THE AGREEMENT IS THE BEST CASE SCENARIO UNDER THE CIRCUMSTANCES.

>> ALL RIGHT, AND THE LITIGATION IN LEON COUNTY, IS THE LITIGATION RELATED TO THE RULE OR IS THERE AN ACTUAL INCIDENT WHERE SOMEONE IS TRYING TO BE MADE WHOLE.

>> MY RECOLLECTION IS IT'S NOT RELATING TO A SPECIFIC ACCIDENT.

>> VICTOR CRIST: IT'S A CHALLENGE OF THE RULE.

>> I THINK IT IS BY THE TAXICAB INDUSTRY.

>> ALL RIGHT AND THAT ADDS WEIGHT TO COUNCILMAN'S CONCERNS.

>> VICTOR CRIST: I WANT TO ADD HERE THAT FOR ME I WAS LESS CONCERNED ABOUT THIS BECAUSE I KNOW LEGISLATURE'S PRIORITY IS TO GET INSURANCE DONE FIRST BEFORE ANYTHING ELSE, AND THEY CAME VERY CLOSE TO A SETTLEMENT IN THE LAST SESSION, AND THIS SHOULD MOST LIKELY COME OFF THE TABLE DURING THE NEXT SESSION IN YOU KNOW SIX MONTHS. WE JUST NEED TO HAVE SOMETHING IN PLACE THAT REQUIRES FIRST PAY INSURANCE RIGHT UP FRONT AND HAS PENALTIES IF IN THE EFFECT IT DOESN'T HAPPEN, AND PROVIDES RECOURSE IN THE EVENT THEY NEED TO BE MADE WHOLE BUT IN THE NEXT SIX MONTHS THE LEGISLATURE WILL MOST LIKELY HAVE THIS PORTION FIXED.

OKAY, BACKGROUND CHECKS, THE MOST CONTROVERSIAL PART OF ALL OF THIS.

I AM GOING TO DEFER TO KYLE TO WALK YOU THROUGH IT, BUT THERE ARE DOZENS OF DIFFERENT KINDS OF BACKGROUND CHECKS. ON A SCALE OF 1 TO 10, 10 BEING THE BEST, A LEVEL 2 IS A 10. AND A LEVEL ONE IS THE NEXT STEP DOWN BUT THERE ARE A LOT OF OTHERS THAT ARE WAY BELOW A LEVEL TWO AND WHAT KYLE AND CINDY WERE ABLE TO DO SINCE OUR LAST MEETING WAS PUSH WHAT I HAD BROUGHT TO THE TABLE LAST MONTH UP A NOTCH TO A LEVEL 1 PLUS PLUS. IT IS NOT A LEVEL 2 BUT IT'S ALMOST A LEVEL 2. IT DOESN'T HAVE THE FINGERPRINT, AND IT DOESN'T GO BACK A LIFETIME.

BUT WHEN LOOKING AT THIS BOARD AND THIS AGENCY, I FOUND TWO THINGS THAT HELPED ME BE COMFORTABLE WITH THIS POSITION HERE. ONE IS, WE'VE ALWAYS REQUIRED A LEVEL TWO. AND EVERY TIME WE'VE GOTTEN THE LIFETIME OF CRIMINAL HISTORY, ANYTHING OLDER THAN SEVEN YEARS WE'VE WAIVED. AND WE'VE PUT THE PERSON ON PROBATION AND ALLOWED THEM TO BE LICENSED. SO WE NEVER REALLY EVER USED THAT EXTRA INFORMATION THAT WAS PROVIDED. NUMBER TWO, THE PROGRESSIVE REPORTING, WHICH IS REALTIME REPORTING OF LEVEL ONE, IN THE LAST THREE YEARS, THAT HAS ONLY BEEN HELPFUL TO US THREE TIMES. AND OUT OF THOSE THREE TIMES, ONLY ONE PERSON ACTUALLY GOT THEIR LICENSE REVOKED. WITH THIS AGREEMENT, WE WILL REQUIRE THE LEVEL ONE, PLUS, PLUS, TO BE DONE ANNUALLY, AND WE WILL WITHIN 12 MONTHS PICK UP ON ANY NEW INFRACTIONS AND BE ABLE TO DO THE SAME BUT AGAIN LOOKING AT THE LEVEL OF IMPORTANCE AND THE ROLE IT HAS PLAYED HISTORICALLY WITH THIS AGENCY WAS REALLY QUITE LOW. SO THE EXTRA MEASURES ABOVE A LEVEL 1 PLUS PLUS REALLY HAS BEEN LUXURY ITEMS THAT WE REALLY HAVEN'T USED. SO IT WOULD BE LIKE BUYING A CAR AND PAYING MORE FOR FEATURES THAT YOU'RE NOT NECESSARILY GOING TO USE. BUT EITHER WAY THIS HAS BEEN THE BIG STICKING POINT IN THE DEBATES, AND KYLE AND CINDY I THINK DID A GREAT JOB OF PUSHING THIS UP A NOTCH. KYLE, CAN YOU WALK US THROUGH WHAT YOU WERE ABLE TO DO.

>> SURE. THE LEVEL 1 PLUS PLUS THAT THE COMMISSIONER DESCRIBED IS A MULTISTATE MULTI JURISDICTIONAL CRIMINAL RECORDS LOCATER, IT'S BASICALLY A SOFTWARE PROGRAM. AND IT REQUESTS THE SOFTWARE ACTUALLY GOES OUT AND SEEKS CRIMINAL RECORDS THROUGHOUT THE UNITED STATES WITH A BACKGROUND CHECK REVEALS A CRIMINAL RECORD AND WHERE THE INDIVIDUAL HAS LIVED FOR THE PAST SEVEN YEARS. IT PROFESSES

TO TAP INTO FEDERAL COURT RECORDS AS WELL AS STATE AND NATIONAL SEX OFFENDER DATABASES. I THINK IT'S WORTH NOTING THAT THERE HAVE BEEN SOME PUBLISHED PAPERS AND PEER REVIEWED PAPERS THAT HAVE SAID THAT THE SOFTWARE PROGRAM DOES NOT THOROUGHLY GO THROUGH SEVEN DIFFERENT STATES. THERE ARE SEVEN DIFFERENT STATES THAT ARE EXCLUDED FROM THIS SEARCH. I DON'T HAVE ANY, QUITE CANDIDLY, ROCK TO STAND ON TO TELL YOU IF THAT'S TRUE OR NOT. THERE WERE TWO CHALLENGES WITH THIS ISSUE, AND IN THE BACKGROUND CHECKS, AND IT WAS RELATED TO THE AUDITING PROVISION, WHICH WE'LL GET TO LATER, BUT IT DOES AS THE COMMISSIONER STATED, GO BACK SEVEN YEARS, AND WE WOULD REQUEST THAT AS A PART OF THIS RECOMMENDATION THAT IT BE DONE ANNUALLY FOR THOSE DRIVERS THAT STAY EMPLOYED WITH THESE TNCs THAT LONG.

>> VICTOR CRIST: BOTH UBER AND LYFT HAVE AGREED TO THESE TERMS, AND WE HAVE THEM PRESENTED TO YOU. QUESTIONS? COUNCIL REDDICK.

>> WHAT WAS THE DECIDING FACTOR TO ELIMINATE THE FINGERPRINT ASPECT OF IT.

>> VICTOR CRIST: BOTH COMPANIES ABSOLUTELY REFUSED TO DO IT, AND IT WAS A NON-NEGOTIABLE ITEM, AND AGAIN WE PUSHED THEM AS FAR AS THEY WERE WILLING TO GO AND THIS WAS A NONDEBATABLE, NON-NEGOTIABLE ITEM FOR THEM.

>> ARE WE ALLOWING THEM TO --

>> THANK YOU.

>> THAT IS DISTURBING WHAT I JUST HEARD, THAT THEY BOTH AGREED NOT TO DO IT, SO JUST BECAUSE THEY AGREED NOT TO DO IT, WE SUPPOSED TO BACK AWAY FROM THIS? I MEAN, I'LL TOTALLY AGAINST WHAT IS BEING PROPOSED HERE TODAY AND I WILL NOT SUPPORT UNLESS THERE IS FINGERPRINTING INCLUDED. WE CANNOT GET IN THE BUSINESS OF ALLOWING PEOPLE WHO WANT TO OPERATE IN THIS COUNTY TO DICTATE TO US WHAT THEY WANT TO DO, AND THIS IS WHAT I'M HEARING NOW IS THEY'RE DICTATING THE PARAMETERS OF WHAT THE DISCUSSION SHOULD BE, AND IF FINGERPRINTS IS NOT INCLUDED, THEN I DEFINITELY WILL NOT BE SUPPORTING THIS.

>> MR. CHAIRMAN, IF I MAY.

>> VICTOR CRIST: DAVE.

>> JUST WANT TO ADDRESS A COUPLE OF THINGS THAT YOU SAID. THE LEVEL TWO GOES BACK AND WE HAVE ALLOWED TAXI DRIVERS TO DRIVE WHEN WE FOUND INCIDENTS THAT WERE SEVEN YEARS OLD. AND WHILE THAT MAY BE TRUE, IT WAS IN CASES WHERE THEY ONLY HAD INSTANCES THAT WERE OVER SEVEN YEARS OLD AND WE DID PUT THEM ON PROBATION AND I WOULD SUBMIT TO YOU THAT KNOWING THAT AND PUTTING THAT DRIVER ON PROBATION HAS HELPED THE SAFETY OF THE TRAVELING PUBLIC. YOU ALSO MENTION THAT THERE WERE ONLY THREE TIMES WHERE WE HAD SOMEBODY COMING FROM -- WE ONLY TOOK THE LICENSE AWAY ONE TIME. I WOULD ALSO SUBMIT TO YOU THAT'S ONE LESS DRIVER OUT THERE TO COMMIT CRIMES AGAINST THE TRAVELING PUBLIC, AND TO ME, THE SAFETY OF THE TRAVELING PUBLIC IS NOT A LEVEL OF LUXURY. IT IS WHAT WE ARE ELECTED AND APPOINTED TO DO IS TO ENSURE THE SAFETY OF THE TRAVELING PUBLIC. THE ONE THING YOU DIDN'T MENTION, THAT THE DIFFERENCE BETWEEN THE LEVEL ONE PLUS PLUS OR A LEVEL 1 PLUS PLUS PLUS AND A LEVEL 2 IS THE PINGING SYSTEM YOU GET WITH A LEVEL 2. THE PINGING SYSTEM WILL TELL YOU WHEN THAT PERSON THAT ONLY COMMITTED CRIME SEVEN YEARS AGO COMMITS A NEW CRIME, AND THAT TO ME IS NOT SOMETHING THAT I'M WILLING TO NEGOTIATE OUT. HAVING THE ABILITY TO KNOW WHEN A DRIVER OR DRIVERS COMMIT A CRIME THAT COULD AFFECT THE SAFETY OF THE TRAVELING PUBLIC SHOULD NOT BE QUOTE, TERMED A LUXURY. IT SHOULD BE A NECESSITY FOR US. IT SHOULD BE A NECESSITY FOR

UBER AND LYFT.

>> VICTOR CRIST: ANY OTHERS? HAVING BEEN A PUBLIC POLICY MAKERS FOR OVER 20 YEARS AND HAVING CRAFTED LAWS THAT WE ALL LIVE BY IN THIS STATE, I LEARNED VERY EARLY ON THE IMPORTANCE OF BEING FLEXIBLE. THAT SOMETIMES YOU MAY WANT THE CADILLAC, BUT TO GET TO AND FROM WORK, YOU JUST NEED A CAR THAT RUNS, AND IN THIS PARTICULAR CASE, WHETHER WE HAVE POLICY OR NOT, THE RIDE SHARE COMPANIES HAVE MADE IT CLEAR THAT THEY'RE GOING TO OPERATE WITHOUT US. AND WE HAVE THEM OPERATING OUT THERE IN THIS COUNTY PUTTING OUR CONSTITUENTS AT RISK BECAUSE THEIR STANDARDS ARE FAR LOWER THAN WHAT WE'RE REQUIRING HERE. OUR GOAL WAS TO PUSH THE STANDARD UP AS HIGH AS WE COULD GO TO IMPROVE THE QUALITY OF SAFETY FOR OUR RIDING PUBLIC. IS IT AS HIGH AS WHAT WE HAVE DICTATED FROM THIS BOARD? NO. BUT IS IT HIGHER THAN WHAT IS BEING FOLLOWED OUT THERE RIGHT NOW? SIGNIFICANTLY HIGHER. SO TO SAY I'M GOING TO THROW THE BABY OUT WITH THE BATHWATER BECAUSE THE BATHWATER IS COLD I THINK IS IRRESPONSIBLE RULE MAKING. I THINK IT IS FLAGRANTLY IRRESPONSIBLE RULE MAKING. WE ARE TALKING ABOUT A 15-MONTH AGREEMENT ONLY. JUST A BRIDGE TO PROTECT OUR PUBLIC UNTIL THE LEGISLATURE ACTS WITH A STATEWIDE POLICY WHICH THEY SAID THEY'RE GOING TO DO. WE'RE TALKING ABOUT AN OPERATING AGREEMENT THAT WOULD PROTECT THIS AGENCY'S EXISTENCE AND ALL OF THE OTHER GOOD WORK THAT WE DO BECAUSE IF THEY SHUT US DOWN IN THE NEXT SESSION, THERE'LL BE NO SAFETY FOR NOBODY BECAUSE IT'LL BE NO RULES. SO WHAT YOU'RE TELLING ME IS YOU'RE GOING TO RISK EVERYTHING BECAUSE WE AREN'T FINGERPRINTING?

IT ISN'T THAT MUCH MORE VALUABLE TO DO THAT THAN RISKING EVERYTHING FOR IT. >> SOMETIMES AS ELECTED OFFICIALS, WE HAVE TO BE RISK TAKERS, AND THIS IS AN OPPORTUNITY AND WE NEED TO BE ONE. I DON'T KNOW WHO DRAFTED THIS PROPOSAL, DID IT COME FROM THE COMMISSION OR WHERE DID IT COME FROM? I HAVE BEEN ABSENT SO I DON'T KNOW WHO DRAFTED THIS, BUT MR. CHAIRMAN, IT SEEMS THAT YOU MAKE THIS PROPOSAL BECAUSE YOU ARE DEPENDENT ON EVERY ITEM ON THERE, BUT I THINK IT'S IRRESPONSIBLE FOR YOU TO MAKE THE COMMENTS THAT YOU JUST MADE JUST BECAUSE YOU QUESTION THE FINGERPRINTING, AND WE CAN'T FORCE OTHERS TO BE FINGERPRINTED AND DENIED THOSE PEOPLE WHO --

>> VICTOR CRIST: COUNCILMAN IF YOU WANT TO DEBATE WHAT'S BEFORE YOU, WE'LL HAVE TIME TO DO THAT. RIGHT NOW WE ARE GOING THROUGH EACH OF THE POINTS, SO IF YOU JUST HAVE QUESTIONS OR CONCERNS REGARDING THIS POINT, LET'S TRY TO STAY ON POINT. >> WELL, THAT'S FINE, BUT I ALSO RESPOND TO YOU THAT UNLESS YOU HAVE QUESTION TO RESPOND TO US, A RESPONSE TO OUR QUESTIONS, THEN I DON'T THINK YOU NEED TO GIVE COMMENTARY ON THESE ISSUES THAT WE ARE PROPOSING HERE TODAY. OR WHOEVER IS PROPOSING.

>> VICTOR CRIST: COUNCILMAN, I HAVE EVERY RIGHT TO DEFEND MYSELF AND TO DEFEND MY WORK, AND IF SOMEONE SAYS THAT WE SHOULD THROW THIS THING OUT BECAUSE OF A POINT, I HAVE A RIGHT TO DEFEND THAT POINT, AND I'M THE ONLY ONE SITTING AT THIS TABLE THAT HAS BEEN A LAW MAKER FOR 26 YEARS. SO YOU KNOW, I'M NOT SPEAKING AS AN AMATEUR.

>> I'M GOING TO TAKE EXCEPTION TO THAT COMMENT. IT'S LIKE LUMPING YOUR COLLEAGUES INTO WE'RE UNETHICAL IN THE LAST MEETING. I'M TAKING EXCEPTION ON THAT. YOU DID ASK US TO COMMENT ON EACH ITEM AND IT'S APPROPRIATE FOR COUNCILMAN REDDICK TO DO THAT. I SAID I HAVE QUESTIONS AND I AM GOING TO HOLD MINE UNTIL THE END. >> VICTOR CRIST: I AGREE WITH YOU, COMMISSIONER HIGGINBOTHAM. HE DOES HAVE THE

RIGHT TO DISCUSS EACH ISSUE, BUT HE STARTED TO DISCUSS THE PROPOSAL AS A WHOLE, AND WE NEED TO TRY TO STAY ON EACH POINT. WE CAN DEBATE EACH POINT, BUT LET'S HOLD THE DEBATE OF THE PROPOSAL AS A WHOLE UNTIL THE END. ALL RIGHT, ANY OTHER QUESTIONS REGARDING THE BACKGROUND CHECKS? I'VE GOT A QUESTION OF STAFF.

CINDY, HOW CLOSE ARE WE TO A LEVEL ONE? A LEVEL ONE? WHAT IS ACTUALLY MISSING HERE TO MAKE IT A LEVEL ONE? WHAT'S THE DIFFERENCE BETWEEN A LEVEL ONE AND A LEVEL TWO AND WHAT WE HAVE HERE.

>> A LEVEL ONE BACKGROUND CHECK IS A STATEWIDE SEARCH, SO THAT WOULD BE WITHIN THE STATE OF FLORIDA. AND ESSENTIALLY ANY CITIZEN COULD GET ON THE FDLE WEB SITE AND DO A BACKGROUND CHECK ON ANOTHER PERSON.

>> VICTOR CRIST: WHAT DO WE HAVE HERE THAT'S DIFFERENT THAN THAT.

>> WHAT WE HAVE DIFFERENT HERE IS THIS BACKGROUND CHECK DOES NOT USE FINGERPRINTS TO POSITIVELY IDENTIFY THE PERSON WHO IS THE SUBJECT OF THE BACK BACKGROUND CHECK. THE DIFFERENCE AS WELL IS THIS IS A MULTISTATE, MULTIJURISDICTION SEARCH, NOT JUST THE STATE OF FLORIDA, WHICH WOULD BE A LEVEL 1. THE ADDITIONAL ASPECTS OF THIS --

>> VICTOR CRIST: SO THAT PUTS IT HALFWAY BETWEEN A LEVEL 1, LEVEL 2. IT GOES FURTHER THAN A LEVEL 1 BUT NOT QUITE AS FAR AS A LEVEL 2.

>> YES, I THINK THAT'S FAIR TO SAY.

>> VICTOR CRIST: ALL RIGHT, DRIVING HISTORY THAT IT WOULD ALSO BE INCORPORATED IN THE SEARCH WITH A CRIMINAL HISTORY. BOTH COMPANIES SAID YES, CONCURRED. VEHICLE MODEL AND AGE. CURRENTLY, WE RESTRICT THE VEHICLES IN HILLSBOROUGH COUNTY TO NO OLDER THAN 10 YEARS, OR 10 YEARS 11 MONTHS, IS THAT CORRECT?

>> 10 YEARS.

>> VICTOR CRIST: AND WHAT THIS WOULD DO IS EXTEND IT FOR THEM TWO ADDITIONAL YEARS TO 12 YEARS. IF WE AGREE TO DO THAT, I SUGGEST WE GO BACK AND DO THE SAME FOR THE LIMOUSINES AND THE CAB COMPANIES AS WELL SO THAT WE HAVE A LEVEL PLAYING FIELD, BUT 12 YEARS SEEMED TO BE THE POINT BOTH UBER AND LYFT WANTED TO BE AT AND WE CONCURRED. VEHICLE INSPECTION. WHAT HAS WHAT HAS BEEN THE NATIONAL AND STATEWIDE STANDARD AND WHAT UBER AND LYFT HAVE BEEN DOING IN OTHER MARKETS IS A 19-POINT STANDARD. IN HILLSBOROUGH COUNTY WE HAVE A HIGHER STANDARD OF A 21-POINT. WE INCLUDE THANK COMMISSIONER EXHAUST SYSTEM, FUEL LEAKS, OIL LEAKS, AIR CONDITIONING AND HEATING SYSTEMS. AND WE GOT THEM TO AGREE TO THE 21-POINT INSPECTION BOTH CONCURRED. STREET HAILS. WE LIMIT THAT TO ONLY TAXICABS, WHICH IS THE CURRENT STANDARD THAT WE HAVE HERE AND WE WOULD CONTINUE WITH THAT. CASH. WE LIMIT THAT TO ONLY TAXICABS NOT TNCs SO WEAN CONCUR IT ON THAT. HANDICAP ACCESSIBILITY. BOTH CONCURRED THAT THEY WOULD FOLLOW THE NATIONAL ADA STANDARDS AND WOULD MAKE IT AVAILABLE AND THAT ANYONE WITH A DISABILITY TRANSPORTED BY AN UBER OR LYFT VEHICLE WOULD BE CHARGED THE SAME RATE AS ANY OTHER PERSON.

>> WHAT HAPPENS IF THEY DON'T IS.

>> VICTOR CRIST: KYLE?

>> WHAT HAPPENS IF THEY DON'T THEN THE PASSENGER IN ESSENCE WOULD HAVE TO FILE AN ADA COMPLAINT WHICH WOULD AGAIN TAKE IT RIGHT BACK TO COURT. AND THAT WOULD BE A VIOLATION OF THIS AGREEMENT AS WELL AS A VIOLATION OF ANY ADA RULES THAT MAY HAVE BEEN BROKEN.

>> VICTOR CRIST: CINDY, WOULD BE NECESSARILY HAVE TO GO TO COURT OR WOULD OUR

TICKETING PROCESS KICK INTO PLACE.

>> WELL, WE HAVE SOME ENFORCEMENT MECHANISMS THAT WE ARE PROPOSING TO ADD ONTO THIS AGREEMENT. ADDITIONALLY, THERE ARE LOCAL AGENCIES BY WHICH SOMEONE CAN FILE A COMPLAINT ALLEGING DISCRIMINATION WITHOUT NECESSARILY FILING A LAWSUIT. SO THERE IS I GUESS MECHANISMS BY LAW BY AGENCY OR BY THIS AGREEMENT THAT WOULD APPLY TO PREVENT A VIOLATION OF THE AMERICANS WITH DISABILITIES ACT.

>> VICTOR CRIST: SO KYLE COCKREAM IS NOT CORRECT, WE WOULD NOT HAVE TO GO TO COURT. THEY COULD BE TICKETED UNDER THE PROVISIONS OF OUR PENALTIES AND SANCTIONS PORTION OF THIS, AND WE PROVIDE THERE FOR 5,000 AND \$10,000 TICKET PENALTIES. >> IT WOULD BE A VIOLATION OF THIS AGREEMENT IF THEY VIOLATE THE AMERICANS WITH DISABILITIES ACT.

>> IN ORDER TO GET CLOSURE TO THAT VIOLATION OF THIS AGREEMENT, WE'D END UP BACK IN COURT.

>> THAT'S ONE POSSIBILITY, WE'VE ALSO FACTORED IN CIVIL PENALTIES IN THE AMOUNT OF \$5,000 FOR FIRST VIOLATION AND I WILL GO INTO A LITTLE MORE DETAIL LATER ON. THOSE PENALTIES WOULD NOT IMPLICATE A COURT ACTION.

>> AND WHAT HAPPENS NOW IF A TAXI DRIVER REFUSES A RIDE?

>> IT'S BASICALLY THE SAME THING, SIR. THEY WOULD, THERE COULD BE A COMPLAINT FILED BY THE PASSENGER IN VIOLATION OF ANY ADA RULE THAT MAY HAVE BEEN BROKEN. WE WOULD AUTHOR A CIVIL TICKET TO THEM, AND THEY WOULD HAVE THE RIGHT TO APPEAL THROUGH A HEARING OFFICER PROCEEDING.

>> VICTOR CRIST: THEY COULD VERY WELL END UP IN COURT AS WELL. VERY SIMILAR.

>> HOW LONG DOES OUR TYPICAL HEARING PROCESS TAKE?

>> TO GET ONE SCHEDULED OR TO HAVE THE ACTUAL HEARING.

>> TO GO THROUGH THE WHOLE PROCESS.

>> THAT COULD TAKE TWO TO THREE MONTHS. AT ITS LONGEST.

>> UNDERSTOOD. THANK YOU.

>> VICTOR CRIST: IS IT SAFE TO SAY THESE ARE VERY SIMILAR TO WHAT WE HAVE NOW OR WHAT WE COULD HAVE UNDER THIS AGREEMENT? CINDY? FROM A LEGAL PERSPECTIVE?

>> I THINK THAT THE ENFORCEMENT MECHANISMS ARE VERY SIMILAR. THE AGENCY HAS AN OPTION TO ISSUE A CITATION, IN THIS CASE THE AGREEMENT WE WOULD BE OFFERING ASSESSING SOME KIND OF CIVIL PENALTY. THE COMPLAINANTS COULD FILE AT LOCAL, STATE, OR FEDERAL, AGENCY SO THERE IS A THREE-TIERED APPROACH.

>> VICTOR CRIST: TO ANSWER YOUR QUESTION IT IS VERY SIMILAR TO WHAT WE HAVE NOW. WHAT COULD HAPPEN WITH THIS COULD ALSO HAPPEN NOW.

>> AND DOES THE PTC HAVE THE POWER AND AUTHORITY IF IT'S A TAXICAB TO TAKE AWAY THE DRIVER'S ABILITY TO OPERATE.

>> YES, SIR, CURRENTLY WE DO HAVE THAT AUTHORITY.

>> WOULD WE HAVE THAT SAME AUTHORITY WITH UBER AND LYFT?

>> NO, SIR.

>> THANK YOU.

>> VICTOR CRIST: WHY WOULDN'T WE HAVE THAT AUTHORITY BECAUSE IT WOULD BE IN BREACH OF THE CONTRACT?

>> THAT WOULD REQUIRE -- I THINK THE QUESTION WAS DO WE HAVE THE AUTHORITY TO TAKE AWAY THAT DRIVER'S ABILITY TO DRIVE, IS THAT CORRECT?

>> THAT'S CORRECT.

>> YES.

IN THIS CASE, THIS WOULD BE AN ACTION AGAINST THE COMPANY, NOT THE DRIVER, NOT AN INDIVIDUAL DRIVER. THIS AGREEMENT WOULD BE BETWEEN US AND THE COMPANY NOT US AND THE DRIVER.

>> VICTOR CRIST: BUT THE COMPANY HAS THE REQUIREMENT TO REMOVE THE DRIVER.

>> THAT'S NOT CORRECT.

>> I BELIEVE THERE IS A PROVISION IN THERE WHERE THEY WOULD TAKE ACTION AGAINST A DRIVER IF THEY WERE NOT COMPLYING WITH USING THE APP PROPERLY, THINGS LIKE THAT. THERE IS SOME GENERAL VERBIAGE IN THE AGREEMENT TO THAT EFFECT.

I THINK THAT ALTHOUGH THIS AGREEMENT DOES NOT HAVE THE SAME ADMINISTRATIVE PROCESS IF YOU WOULD TO REVOKE A DRIVER'S LICENSE, THERE IS A GENERAL PROVISION IN HERE AND I THINK THE OTHER COURSE OF ACTION WOULD BE TO TERMINATE THE AGREEMENT WITH THE ENTITY IF THERE IS AN ACTION AND THEY WOULD THEREFORE FORFEIT THEIR CERTIFICATE.

>> AND IN ORDER TO GET THAT AGREEMENT TERMINATED PROPERLY, WE WOULD HAVE TO GO TO COURT.

>> WELL, AND WHEN WE GET TO THAT POINT THERE WERE A DIFFERENCE IN THE MODELS BETWEEN TWO COMPANIES.

>> THANK YOU, I WILL WAIT.

>> VICTOR CRIST: ALL RIGHT. A HOTLINE. ONE OF THE COMPLAINTS WE HAVE HEARD OUT THERE IS THE INABILITY OF THE PUBLIC AND/OR THE REGULATOR TO BE ABLE TO CONTACT SOMEONE AT EITHER ONE OF THE COMPANIES TO QUICKLY RECTIFY AN ISSUE THAT HAPPEN FROM TIME TO TIME. SO BOTH COMPANIES HAVE AGREED TO ESTABLISH A 24-HOUR 7-DAY HOTLINE FOR THE RIDING PUBLIC AND/OR REGULATING OFFICERS TO BE ABLE TO ACCESS IN THE EVENT THAT THERE WERE ISSUES FROM TIME TO TIME THAT COULD CROP UP. ANY QUESTION?

>> I HAVE SOME. WHO IS MANNING THE HOTLINE.

>> WE HAVE BEEN ADVISED IT WOULD BE MANNED 24 HOURS A DAY.

>> WHAT IS THEIR ROLE? PUTTING A NOTE IN THE SUGGESTION BOX?

OR IS THERE GOING TO BE SOME ACTION TAKEN REQUIRED BY THIS CONTRACT FOR COMPLAINTS? IS THERE ANY REQUIREMENT FOR THEM TO PASS THOSE COMPLAINTS ON TO US SO THAT WE HAVE TRANSPARENCY BETWEEN US FOR THIS AGREEMENT SO THAT WE KNOW IF, YOU KNOW, LET'S SAY THE SAME DRIVER GETS THREE OR FOUR COMPLAINTS, ARE THEY GOING TO LET US KNOW OR ARE THEY GOING TO HAVE PEOPLE PUT NOTES IN A SUGGESTION BOX THAT ULTIMATELY IS JUST A SHREDDER.

>> I THINK THAT'S A TWO-PART ANSWER AND I WILL TRY TO KEEP THEM SEPARATE IN MY ANSWER TO YOU. NUMBER ONE IS, AND THIS IS WHAT I WAS REFERRING TO WITH REGARD TO THE ADA REQUIREMENT THAT I SPOKE OF A FEW MINUTES AGO.

THE AGREEMENT SPECIFICALLY HAS VERBIAGE IN IT THAT SAYS THE TNC MAY IMPOSE REASONABLE SANCTIONS AGAINST A DRIVER. MAY IMPOSE REASONABLE. THE WORD REASONABLE IS A PRETTY BIG WORD. AND WHAT'S REASONABLE TO ONE MAY OR MAY NOT BE REASONABLE TO OTHERS. SO THERE COULD BE. THE SECOND PART OF THAT IS CURRENTLY THERE IS NO AGREEMENT IN THERE OR NO VERBIAGE IN THERE THAT SAYS THEY MUST REPORT ALL COMPLAINTS TO US. THAT IS SOMETHING IF THIS BOARD CHOOSES TO HAVE INTO AGREEMENT THAT CERTAINLY CAN BE DISCUSSED THAT REQUIREMENT. BUT CURRENTLY THERE IS NOT ONE. THERE IS VERBIAGE IN THE AGREEMENT TO THE PROPOSED AGREEMENT THAT DOES SAY THE TNCs AGREE TO COOPERATE WITH THE PTC IN ANY INVESTIGATION.

>>> BUT YOU DON'T KNOW ABOUT ANYTHING YOU WOULD WANT TO INVESTIGATE WITHOUT GETTING INFORMATION.

>> WE WOULD HAVE TO ENTER THAT VERBIAGE INTO A SETTLEMENT, IF YOU SO CHOOSE.
>> I WOULD LIKE TO POINT OUT THIS SETTLEMENT AGREEMENT HAS TO BE AGREED TO BETWEEN THE PARTIES, PTC BEING ONE PARTY, THE TRANSPORTATION NETWORK COMPANY BEING THE OTHER PARTY, AND IF THERE'S SOMETHING IN HERE THAT YOU WANTED TO GO BACK TO THE DRAWING BOARD ON AND GET DEVELOPED MORE FULLY, WE CAN CERTAINLY DO THAT.

>> VICTOR CRIST: AGAIN, KEEP IN MIND, WE'RE TRYING TO PUSH THE STANDARD UP ABOVE WHAT IS OUT THERE NOW. AND TRYING TO GET IT TO THE CLOSEST POINT TO WHAT THIS BOARD HAS HAD AS AN EXPECTATION. IT DOES NOT FULLY MEET ALL OF THE LEVEL WE HAVE IN PLACE RIGHT NOW, BUT YOU'VE GOT TO LOOK AT WHAT IS OUT THERE, AND RIGHT NOW WHAT IS OUT THERE IS NOTHING CLOSE TO THIS, AND THIS IS ALL A SIGNIFICANT IMPROVEMENT TO WHAT IS OUT THERE RIGHT NOW. AND YOU KNOW, ANYTHING THAT WE HAVE IN PLACE RIGHT NOW CAN BE CHALLENGED IN A COURT. WE CAN TAKE THE CAB DRIVER'S LICENSE AWAY, AND YOU KNOW WHAT? THAT CAB DRIVER CAN SUE US. SO SAYING THAT OH WELL, SOMEBODY CAN SUE US BECAUSE THEY INADVERTENTLY DIDN'T MEET THE ADA STANDARDS OF OUR CONTRACT, SURE, THEY COULD, BUT THAT SCENARIO COULD ALSO HAPPEN TODAY AS WELL. NOTHING IS STOP US FROM GETTING SUED. SURGE PRICING. THIS WAS ANOTHER BONE OF CONTENTION. BOTH COMPANIES ENJOY THE OPPORTUNITY TO SURGE PRICE. WE DON'T ALLOW THAT CURRENTLY IN THIS MARKET WITH OUR CAB COMPANIES AND IT'S NOT SOMETHING WE HAVE ENTERTAINED IN THE PAST, BUT AGAIN, THIS WAS A HIGHLY CONTENTIOUS POINT WITH THE RIDE SHARING COMPANIES, AND WHAT WE WERE ABLE TO NEGOTIATE OUT OF THEM IS A VERY CLOSE SIMILARITY. BOTH COMPANIES WOULD BE ABLE TO PRICE SURGE. BOTH COMPANIES AGREED THAT THEY WOULD ADVERTISE AND STATE THAT UP FRONT TO THE RIDING PUBLIC IN ADVANCE SO THAT THERE WOULD BE NO SURPRISES. THE DIFFERENCE BETWEEN THE TWO IS UBER WANTS TO BE ABLE TO DO IT AT ALL TIMES UNDER ALL CIRCUMSTANCES, AND LYFT WAS WILLING TO RESTRICT IT NOT TO DO IT DURING DECLARED EMERGENCIES. OUR RECOMMENDATION WAS TO GO WITH THE LYFT POSITION OF NOT DOING IT DURING DECLARED EMERGENCIES. WE FELT THAT THAT WAS NOT THE RIGHT THING TO DO. FOR US, THE MEDIA, LOCAL OFFICIALS WILL KEEP THIS IN CHECK.

I THINK THE FIRST TIME IT HAPPENS DURING AN EMERGENCY, THE PUBLIC OUTCRY WILL BE SO TREMENDOUS THAT THE COMPANY WOULD SUBSIDE FROM THAT POLICY, REGARDLESS IF IT'S MANDATED OR NOT. BUT AGAIN, YOU KNOW FROM A POLICY STANDPOINT, WE FELT THAT THE LYFT POSITION WAS THE RIGHT PLACE TO NEGOTIATE FROM. QUESTIONS?

>> SO WE DON'T HAVE AGREEMENT ON THAT PARTICULAR ISSUE. ARE YOU CHANGING YOUR RECOMMENDATION? YOU JUST SAID THAT YOU THINK PUBLIC OUTCRY WOULD FORCE THEM NOT TO DO IT.

>> VICTOR CRIST: YOU KNOW IF YOU WANT TO KEEP UBER ON BOARD AND GO WITH ALLOWING THE PRICE SURGING, I THINK, YOU KNOW, THE PUBLIC OUTCRY WOULD PREVENT THEM FROM DOING IT DURING TIMES WHERE THE PUBLIC HONESTLY SEES IT AS INAPPROPRIATE.

I THINK THE FIRST TIME THEY TRIED TO DO IT DURING AN EMERGENCY, YOU KNOW, THE MEDIA AND THE PUBLIC WOULD JUST SHUT THEM DOWN. AND IT WOULD BE NEGATIVE PUBLICITY THAT WOULD TAKE A LOT OF RESOURCES TO OVERCOME. SO I THINK JUST BY SHEER PUBLIC PRESSURE THEY WOULD STAY IN LINE. BUT IF YOU'RE NOT RISKING, IF YOU'RE NOT A RISK TAKER AND YOU WANT TO HAVE AN ABSOLUTE, THEN THE LYFT POSITION IS A SAFER POSITION BECAUSE IT PROHIBITS ANY PRICE SURGING DURING TIMES OF AN EMERGENCY. I PERSONALLY PREFER THE LYFT POSITION, AND THAT'S WHY WE LISTED HERE LYFT

POSITION.

>> SO YOU ARE NOT CHANGING YOUR RECOMMENDATION?

>> NO, I AM NOT.

>> VICTOR CRIST: OKAY, AUDIT PROVISION. I GOT TO HAND IT TO CINDY AND KYLE, THEY REALLY WORKED THIS ONE. THIS WAS VERY, VERY DIFFICULT. ON THE ON SET TO LOOK AT IT, YOU THINK IT'S VERY SIMPLE BUT IT'S NOT. IT'S VERY COMPLICATED.

FROM AN APPLICATION STANDPOINT, WHICH IS THE ANGLE THAT KYLE APPROACHED IT, HOW DO YOU DO IT AND KNOW THAT YOU'RE GETTING A GOOD ACCURATE READ, AND FROM THE LEGAL STANDPOINT OF PROTECTING BUSINESS COMPETITION AND SENSITIVE INFORMATION. AND THE LEGAL ASPECTS. SO KYLE TOOK ONE SIDE, CINDY TOOK THE OTHER AND WHAT THEY CAME UP WITH IS A SEMIANNUAL AUDIT. UBER WOULD PROVIDE US WITH PAPER COPIES, AND SENSITIVE INFORMATION WOULD BE REDACTED. LYFT SAID THAT THEY WOULD PROVIDE US ACCESS TO THEIR COMPUTERS AND THE OPEN COMPUTER DATA UNWRIT ACTED. WE PREFERRED THE LYFT MODEL BECAUSE WE FELT THAT IT GAVE US UNRESTRICTED UNLIMITED ACCESS AT OUR OWN CHOICE TO BE ABLE TO CHOOSE AND WAS EASIER AND WE THOUGHT LESS RISKY AND MORE ACCURATE. KYLE?

>> THANK YOU. THE PROVISION IS WRITTEN IN SUCH A MANNER THAT IT WOULD ALLOW THE PTC TO HAVE ACCESS OF UP TO 50 DRIVERS. THE SEMIANNUAL AUDIT WOULD OCCUR AT A DESIGNATION TO BE DETERMINED BY PTC STAFF AS WELL AS A COMPANY REPRESENTATIVE. ONCE AGAIN, I THINK THE CHAIR, MR. CHAIR, YOU POINTED OUT THAT ONE COMPANY PREFERS A PAPER BUT AS LATE AS LAST NIGHT OR THIS MORNING, DID PROVIDE US A DOCUMENT THAT SAID IT COULD GO EITHER WAY. THEY'RE UNDECIDED I THINK AT THIS POINT WHICH DIRECTION THEY'D LIKE TO GO.

>> VICTOR CRIST: THIS ISSUE COULD POTENTIALLY BE OFF THE TABLE AND BE A CONCURRENCE THEN.

>> YES, SIR.

THE ONLY DIFFERENCE IS TO MY UNDERSTANDING THAT UBER IS STILL AT A POINT WHERE THE EXCUSE ME THE INFORMATION WOULD BE REDACTED, LYFT HAS AGREED TO REVEAL UNREDACTED INFORMATION. I THINK IT'S IMPORTANT TO KNOW THAT DURING AN AUDIT PROVISION, TWO THINGS IN MY OPINION SHOULD OCCUR. ONE IS WE SHOULD BE SOUND IN KNOWING THE LIST OF NAMES WE'RE LOOKING AT ARE ACTUAL DRIVERS FOR THAT TNC. AND B, WE SHOULD BE ABLE TO SEE THAT A HISTORY WAS RAN ON A PERSON, SO WE NEED TO KNOW THE FIRST AND LAST NAME OF THAT PERSON AND WE NEED TO KNOW WHAT THE RESULTS OF THAT WERE AND THAT THE RESULTS OF THE CRIMINAL HISTORY SHOULD NOT BE REDACTED. I THINK THAT'S THE SECRET SAUCE. IF YOU RUN A JOHN DOE, WHAT DID JOHN DOE TRY TO DO. WE NEED TO FIND THAT OUT. THAT INFORMATION NEEDS TO BE REDACTED, IN MY OPINION.

>> IT'S NOT ON HERE SO I WANT TO CLARIFY, DID YOU SAY 50 DRIVERS ONLY?

>> UP TO.

>> UP TO 50 DRIVERS.

>> YES, SIR.

>> HOW MANY DRIVERS DOES UBER AND/OR LYFT HAVE ON THE ROAD AT ANY GIVEN DAY.

>> THAT IS SPECULATIVE AT BEST. NOBODY KNOWS. THAT'S CONSIDERED.

>> WHAT'S THE CURRENT RUMOR.

>> PROBABLY BETWEEN 1,000 AND 1500.

>> OKAY.

>> NOT AT ANY GIVEN TIME BUT COLLECTIVELY. THAT'S PURELY SPECULATIVE.

>> SO BASED ON CURRENT RUMORS WE DO UP TO POSSIBLY 50 DRIVERS OUT OF 1500.

>> YES, SIR.

>>> THANK YOU.

>> VICTOR CRIST: OKAY. ENFORCEMENT AND REMEDIES. THERE WAS A LOT OF DISCUSSION ABOUT THIS SCATTERED THROUGHOUT THE PRESENTATION. WE PUT THIS AT THE END BECAUSE THIS KIND OF COVERS EVERYTHING ABOVE IT. AND IN THE EVENT THAT EITHER COMPANY WAS TO BLEACH THE AGREEMENT OR ANY PORTIONS THEREOF, THERE NEEDED TO BE SOME KIND OF REMEDIES AND ENFORCEMENT ABILITY, WHICH IS SOMETHING WE DO NOT HAVE NOW. AND WHAT YOU HAVE BEFORE YOU, BOTH COMPANIES BASICALLY HAVE AGREED TO THE SIMILAR STRUCTURE. THERE ARE SOME SMALL DIFFERENCES BETWEEN THE TWO. AFTER COMPARING THEM, WE FELT THE LYFT PROPOSAL WAS A SAFER BET FOR US AND WENT FURTHER BUT THEY BOTH ARE SO VERY, VERY CLOSE. CINDY, CAN YOU WALK US THROUGH THIS.

>> YES, MR. CHAIR. I THINK WHEN WE WERE LOOKING AT THIS ENFORCEMENT STRUCTURE, WE WERE OPERATING AT THE DIRECTION THAT WE'VE BEEN GIVEN BY DIFFERENT MEMBERS ABOUT THE IMPORTANCE OF HAVING SOME ENFORCEABILITY AND TEETH IN THIS AGREEMENT, AND THAT'S WHAT WE'VE ATTEMPTED TO PROVIDE. THE OTHER PIECE IS THAT WE LOOKED AT THE EXISTING ENFORCEMENT STRUCTURE AS IT RELATES TO TAXICABS AND LIMOUSINES, WHICH IS ESSENTIALLY A CIVIL CITATION OR CIVIL PENALTY PROCESS, AND ALSO AS WELL AS THE OPTION TO SUSPEND FOR TAXICABS AND REVOKE CERTIFICATES FOR THE OTHER PUBLIC VEHICLES REGULATED BY THE PTC. WHICH IN ESSENCE WOULD BE FORFEITURE OF PERMITTING FEES. THOSE WERE THE THINGS WE LOOKED AT, AND IN SOME WAYS IT IS A PROGRESSIVE STRUCTURE IN WHICH IF THERE IS A VIOLATION OF THE AGREEMENT THERE WOULD BE FIVE ESSENTIAL STEPS THAT WE WOULD FOLLOW IN TERMS OF TAKING ENFORCEMENT ACTION. ONE WOULD BE BASICALLY ALTERNATIVE DISPUTE RESOLUTION. THE PARTIES WOULD GET TOGETHER, DISCUSS WHAT IT IS, AND TRY TO GET IT FIXED. THE NEXT STEP IN THE PROCESS WOULD BE ASSESSING A CIVIL PENALTY FOR A FIRST TIME VIOLATION OF THE AGREEMENT AGAINST THE TRANSPORTATION NETWORK COMPANY. THAT WOULD BE FOR THE FIRST OFFENSE A \$5,000 CIVIL PENALTY. THAT WOULD CERTAINLY BE MORE THAN WHAT WE ASSESS AGAINST TAXICABS AND LIMOUSINES, WHICH IS TYPICALLY BETWEEN 100 AND \$500 SO WE ARE TALKING A SIGNIFICANT PENALTY PROVISION HERE. FOR A REPEAT VIOLATION, OR A VIOLATION THAT IS A LITTLE MORE SERIOUS IN NATURE, THE CIVIL PENALTY AMOUNT WOULD BE \$10,000 ASSESSED AGAINST A TRANSPORTATION NETWORK COMPANY. SHOULD THE TRANSPORTATION NETWORK COMPANY DECIDE THEY WANT TO CHALLENGE THAT THEN WE WOULD GO THROUGH AN ARBITRATION PROCESS RATHER THAN A CIVIL COURT ACTION TO AVOID EXTENDED AND PROTRACTED LEGAL FEES. THE FOURTH PROVISION OR FOURTH STEP IN THE PROCESS WOULD BE FOR THE PTC TO BY ITS OWN ACCORD TERMINATE THE AGREEMENT WITH THE TRANSPORTATION NETWORK COMPANY IN WHICH THE TRANSPORTATION NETWORK COMPANY WOULD FORFEIT THEIR OPERATING FEE. THE DIFFERENCE BETWEEN THE TWO MODELS IS THAT I THINK UBER RECOMMENDED THERE BE A REQUIRED COURT ACTION TO RESOLVE THE TERMINATION AGREEMENT. THE LYFT MODEL DOES NOT SUPPORT THAT AND WE DO NOT SUPPORT HAVING TO TAKE COURT ACTION TO TERMINATE THE AGREEMENT. IT WOULD BE BY THE OWN INITIATIVE AND OWN WILL AND IS SOLE OPTION OF THE PTC. THE FIFTH STEP IN THE OPERATING PROCESS IS THE PTC COULD SEEK INJUNCTIVE RELIEF AGAINST THE TRANSPORTATION NETWORK COMPANIES. THAT WOULD REQUIRE FILING A CIVIL ACTION IN A COURT OF JURISDICTION, AND THAT PARTY WOULD BE ENTITLED TO ATTORNEYS' FEES AND COSTS SO THAT IS THE SUMMARY OF THE ENFORCEMENT REMEDIES IN ACCORDANCE WITH THE LYFT POSITION THAT IS BEING RECOMMENDED.

>> VICTOR CRIST: QUESTIONS? WITH LATE NIGHT DISCUSSIONS WITH REPRESENTATIVES OF BOTH OF THESE GROUPS, I REALLY FEEL BOTH WILL END UP CONCURRING ON THIS ITEM. I DON'T THINK THIS IS GOING TO BE A STUMBLING POINT JUST LIKE THE AUDIT PROVISION I DON'T THINK IS GOING TO BE A STUMBLING POINT. AND I THINK THE ISSUES, DIFFERENCES ARE GOING TO BE THE SURGE PRICING AND THE LAST ISSUE ON OUR LIST HERE, WHICH IS THE VEHICLE ON BOARDING. I THINK THAT THOSE ARE ULTIMATELY GOING TO BE THE TWO STICKING POINTS WHERE THERE'S DIFFERENCE BETWEEN THE TWO COMPANIES. THE LAST ISSUE IS VEHICLE ON BOARDING. THIS MEANS THE EXISTING VEHICLES THAT ARE OUT THERE RIGHT NOW OPERATING ILLEGALLY WITHOUT ANY OF THE SAFEGUARDS YOU HAVE BEFORE YOU. BOTH COMPANIES NEED 42 DAYS TO BRING THEM INTO COMPLIANCE. WE STARTED THEM WITH 90 DAYS AND HAMMERED THEM DOWN TO 42 DAYS BUT AFTER 42 DAYS, ALL OF THEM WOULD BE IN COMPLIANCE WITH THE RULES AND RESTRICTIONS AND SAFEGUARDS THAT ARE BEFORE YOU. WHERE THE DIFFERENCES BETWEEN THE TWO COMPANIES ARE UBER WANTS ON AN ONGOING BASIS 42 DAYS TO AN BOARD ANY NEW DRIVERS. AND LYFT SAYS THEY NEED 14 DAYS. KYLE?

>> YES, SIR, THE ONLY STICKING POINT RIGHT NOW, AND I WOULD LIKE TO PREFACE THIS BY SAYING THIS IS STILL AN ONGOING ISSUE AND WE'RE STILL DISCUSSING THAT. WE WERE DISCUSSING THIS ISSUE AS RECENTLY AS THIS MORNING, SO THESE NUMBERS ARE IN FLUX TREMENDOUSLY HERE. SO THE ISSUE IS THE GRACE PERIOD TO ALLOW FOR VEHICLE ON BOARDING FOR BOTH COMPANIES AND BOTH COMPANIES SAY THEY NEED TIME TO DO THAT AND THAT ZERO IS NOT NECESSARILY A NUMBER THEY CAN WORK WITH. RITZ IMPORTANT TO UNDERSTAND OR RECOGNIZE THAT THIS IS STILL IN DISCUSSION AS WE'RE TALKING RIGHT NOW SO BOTH COMPANIES ARE DISCUSSING THIS WITH THE UPPER ECHELON. BIGGER PICTURE I WOULD LIKE TO STATE FOR THE RECORD THAT BOTH UBER AND LYFT, MR. ANDERSON, STEPHANIE AND RESPECTIVE MEMBERS OF BOTH COMPANIES, HAVE BEEN VERY, VERY ENGAGED IN THESE DISCUSSIONS, AND IT'S NOT AS EASY AS SAYING IT'S A NUMBER 42 OR IT'S A NUMBER ZERO. THEY HAVE PEOPLE THEY ANSWER TO AT THE NATIONAL LEVEL AND SOMETIMES THAT TAKES TIME, AND AS EVERYBODY IN THIS ROOM KNOWS, WE'RE NOT THE ONLY JURISDICTION THAT IS ENTHRALLED IN RULE MAKING WITH THESE COMPANIES SO I ASSUME WE HAVE TO GO INTO A QUEUE AND AT SOME POINT OUR ISSUES UP COME UP TO THE TABLE ON THOSE ISSUES BUT BOTH OF THE FOLKS CINDY AND I HAVE BEEN DEALING WITH VERY RESPONSIVE AT THE LOCAL LEVEL TO THE DEGREE THAT THEY CAN BUT WE ARE DEALING WITH VERY LARGE COMPANIES SO IT'S NOT AS EASY AS TO SAY WE WANT AN ANSWER TODAY. IT'S NOT QUITE THAT EASY BECAUSE OF THE MAMMOTH SIZE OF THE COMPANIES. RIGHT NOW THAT IS SOMETHING WE ARE STILL DISCUSSING. SOMEWHERE BETWEEN 0 AND 42.

>> THESE ARE HIGHLY QUESTIONABLE APPLICATION COMPANIES. WHY IS IT TAKING SO LONG?
>> THE ONLY THING I AM BEING TOLD IS IT IMPACTS THEIR BUSINESS MODEL AND THEIR ABILITY TO ON BOARD THESE DRIVERS IN A RAPID MANNER.

>> SO LET ME REPHRASE, THEIR BUSINESS MODEL IS MORE IMPORTANT THAN THE SAFETY OF THE TRAVELING PUBLIC?

>> I THINK THAT'S A QUESTION FOR THIS COMMISSION TO ANSWER.

>> VICTOR CRIST: DAVE, I WILL ANSWER THE FIRST PART OF YOUR QUESTION.

AGAIN, IT'S SPECULATIVE AND IT'S AN OPINION BUT I THINK IT'S A REASONABLE ASSUMPTION. IN LOOKING AT THEIR BUSINESS MODEL ON AN AVERAGE TYPICAL DRIVER DOESN'T STAY WITH THEM 42 DAYS. THE MAJORITY OF THE DRIVERS ARE ON AND OFF IN 42 DAYS. SO TO FORCE THEM TO DO IT IN LES THAN THAT BEGINS TO BE A COST MEASURE

FOR THEM. EACH OF US HAVE EXPRESSED A CONCERN WITH A DIFFERENT PART OF THIS PLAN. FOR ME, I'M COMFORTABLE WHERE WE'VE GOT ALL OF THE OTHER COMPONENTS, BUT NOT THIS ONE. FOR ME THE DEALBREAKER IS THIS ONE. I DON'T THINK ANYBODY SHOULD BE DRIVING ON THE ROAD, AND I DON'T THINK ANY MEMBER OF THE PUBLIC SHOULD GET INTO A VEHICLE IF THE DRIVER HASN'T HAD A SIGNIFICANT BACKGROUND CHECK AND I'M COMFORTABLE WITH WHERE WE HAVE THE BACKGROUND CHECK, THAT THE INSURANCE BE IN PLACE, AND I'M COMFORTABLE THAT WE HAVE THE INSURANCE IS IN PLACE, AND THAT THE VEHICLE HAD A REALISTIC INSPECTION. AND I'M COMFORTABLE WITH OUR INSPECTION. WHAT I'M NOT COMFORTABLE WITH IS ANY GRACE PERIOD AT ANY TIME AT ANY NUMBER THAT PUTS THE RIDING PUBLIC IN A VEHICLE THAT HASN'T MET OUR GUIDELINES, SO I THINK ANYTHING OTHER THAN ZERO IS UNACCEPTABLE AND NOT DOABLE AND NOT GOING TO HAPPEN. AT LEAST NOT FOR ME. SO THIS ONE IS LAST ON YOUR LIST BECAUSE FOR ME, OUT OF ALL OF THE THINGS WE'VE NEGOTIATED, THIS IS THE DEAL BREAKER. I DON'T THINK THAT WE'VE BEEN ABLE TO GET THE TWO COMPANIES TO THE POINT WHERE I'M COMFORTABLE SAYING YES. AND THAT'S WHY IT'S LAST. COMMISSIONER HIGGINBOTHAM.

>> THANK YOU, SIR. AND I SAID I'D WAIT TILL THE END TO MAKE SOME COMMENTS OR OBSERVATIONS OR ASK SOME QUESTIONS. I HAVE THE CONCERNS ON THE BACKGROUND PAGE. COUNCIL REDDICK I THINK IT WAS TALKED ABOUT PUBLIC SAFETY OF THE PUBLIC MAKING SURE THAT WE KNEW THAT THE DRIVERS, THE CONSUMERS WERE HOPPING IN CARS WITH WERE WHO IN FACT THEY SAID THEY WERE AND THAT IT WAS GOING TO BE A SAFE AND EFFICIENT EXPERIENCE. SO I HAVE CONCERNS THERE. THE INSURANCE IS STILL A CONCERN, THE HOTLINE, I WANT TO COME BACK TO THAT FOR A MINUTE AND ASK STAFF WHO MANAGES THE HOTLINE AGAIN? THEY MANAGE IT AND THEN REPORT TO US?

>> THAT WOULD BE THEM MANAGING THE HOTLINE, COMMISSIONER, AND THEN IF THIS BOARD SO CHOOSES TO MAKE IT WHEN SOMEONE CALLS WITH AN ISSUE, WE BE GIVEN THE INFORMATION.

>> SO IT WOULD BE UP TO THEM TO TELL US ABOUT A COMPLAINT OR A PROBLEM?

>> YES, SIR, AND TO THAT END, A LARGE PART OF THE BUSINESS MODEL IS TO BE SELF-CONTAINED, SELF-REGULATING, AND ACCUMULATE THIS INFORMATION AT VARIOUS LEVEL. YES WE WOULD HAVE TO RELY ON THEM TO GIVE US THAT INFORMATION.

>> VICTOR CRIST: WE COULD CERTAINLY DO OUR OWN HOTLINE.

>> YES, WE COULD LOOK AT OPTIONS. MANAGING IT 24 HOURS A DAY OR HAVING A VOICE RECORDING. IF YOU HAVE A VOICE RECORDING IT WON'T BE CONSIDERED A HOTLINE. IT WOULD REQUIRE US MANNING IT 24 HOURS A DAY BUT YES, SIR YES, SIR WE COULD PUT SOMETHING LIKE THAT IN PLACE INTERNALLY.

>> IF WE WERE TO DO THAT, MAKES SENSE TO ME THAT THE OPERATING FEE WOULD HAVE TO GO UP.

>> THERE WOULD BE A COST ASSOCIATED WITH MANNING THAT 24 HOURS A DAY.

>> SURGE PRICE, ADVERTISING, WHEN AND HOW IS THIS GOING TO BE ADVERTISED? IS IT SOMETHING YOU CAN JUST CALL FOR SERVICE AND THEY SHOW UP AT YOUR POINT OF ENTRY INTO THE VEHICLE YOU SAY THERE'S PRICE SURGING OR IS IT SOMETHING THAT IS ON BEFORE THEY CALL? IS IT SOMETHING?

>> THE GENERAL APPLICATION IS THAT THE PASSENGER IS NOTICED OF THE PRICE SURGING WHEN THE RIDE REQUEST GOES INTO THE COMPANY, AND THEY MUST TAP THEIR PHONE THAT THEY ACKNOWLEDGE THE PRICE SURGING TO BE IN EFFECT.

>> OKAY.

>> AUDIT PROVISION IS STILL A GREAT CONCERN OF MINE.

ON ENFORCEMENT REMEDIES, I THINK IT'S COUNSEL WHO MENTIONED THAT IF THEY DIDN'T COMPLY, THEY WOULD TERMINATE THEIR OPERATING FEE NOW. THEY WOULD LOSE THEIR OPERATING FEE THAT THEY HAVE PAID UP FRONT. IS THAT FEE PLACED IN ESCROW? AND HELD? ARE THESE, I'M NOT TRYING TO CALL YOU OUT OR BE DIFFICULT BUT TO BE CLEAR. THESE OFFENSES ARE ASSESSED AT, IF YOU HAVE SOMETHING \$2500 CIVIL PENALTY FIRST OFFENSE, THEN INCREASES, DO WE DEDUCT FROM THE OPERATING FEE.

>> IT WOULD BE PAID ON THE FRONT END BY THE TRANSPORTATION NETWORK COMPANY. WHAT HAS BEEN DISCUSSED IS WITHIN 15 DAYS OF ENTERING INTO THE SETTLEMENT AGREEMENT AND THAT'S THE MONEY OF THE PTC.

>> OKAY. ALL RIGHT. AND I HEARD THE THREE OF US, STAFF AND CHAIRMAN ARE IN AGREEMENT WITH THIS, AND I DON'T KNOW IF THAT MEANT THAT EVERYTHING, YOU GUYS ALL ON THE SAME PAGE WITH THIS OR ARE THERE STILL CONCERNS THAT THE THREE OF YOU HAVE WITH THIS?

>> VICTOR CRIST: WE MET EACH WEEK TO DISCUSS THE NEGOTIATIONS, AND WE MET YESTERDAY TO GO THROUGH THE FINAL DOCUMENT. AND I WAS VERY CLEAR WITH KYLE, VERY CLEAR WITH CINDY THAT I WANTED TO OPENLY DISCUSS AND DEBATE THEM AS PROFESSIONALS, AND IF WE ALL THREE AGREED THAT THE POSITION WAS THE BEST THAT COULD BE DONE THAT WE WOULD WRITE CONCUR ON IT. DOES THAT MEAN THAT WE THINK MORE SHOULD BE DONE? I DON'T KNOW BUT AT LEAST IT MEANS WE CONCUR THAT THIS IS THE BEST THAT WE COULD DO.

>> OKAY.

>> VICTOR CRIST: IT'S LIKE COOKING WHERE YOU HAVE A RECIPE AND YOU ARE PUTTING ALL THESE SPICES IN THERE TO GET THE RIGHT TASTE, AND RIGHT NOW, WE'VE GOT THE SAUCE COOKING AND TASTING AS GOOD AS WE CAN GET IT. SURE IT'S EASY TO POINT AT ANY ONE OF THESE AND SAY DO BETTER, BUT THAT BEGINS TO CHANGE THE TASTE OR ROCK THE BOAT. RIGHT NOW IT'S ABOUT LEVEL AND IT'S ABOUT AS FAR AS WE CAN PUSH THEM AND GET SOME MEANINGFUL SAFETY IN PLACE IMMEDIATELY. AGAIN, THIS IS ONLY FOR 15 MONTHS.

>> RIGHT.

>> VICTOR CRIST: THIS IS GAP, GAP COVERAGE UNTIL THE LEGISLATURE ACTS.

>> OKAY.

>> WE DON'T HAVE GUARANTEE THAT THE LEGISLATURE IS GOING TO ACT.

>> VICTOR CRIST: THERE IS NO GUARANTEES THE WORLD IS GOING TO COME TO AN END.

>> I'M PRETTY SURE I'LL WAKE UP TOMORROW.

>> YEAH, NOW, AND A LOT OF THIS IS BASED ON WHETHER OR NOT EITHER OF THE TNC COMPANIES FEEL LIKE THEY WANT TO RESPOND AND WE COULD END UP IN COURT OVER ANY OF THE ISSUES DURING THIS GAP PERIOD, AND THAT'S A CONCERN TO ME.

IF IT WAS A MAILER THAT WAS DONE A WHILE BACK, AND I DO HAVE THICK SKIN, BUT WHEN I WAS VERY, VERY SUPPORTIVE OF THE TNCs, THEY CHOSE TO SEND OUT A FLYER SAYING WE ARE DENYING CONSUMER CHOICE. THIS IS ABOUT CONSUMER CHOICE AND CONSUMER PROTECTION. THE CITIZENS HERE, WE HAVE TO MAKE SURE THEY ARE SAFE.

I BETTER BACK DOWN -- I WAS TOLD THAT I BETTER BACK DOWN, THAT THESE ARE BIG COMPANIES AND I'LL REGRET TAKING STANDS AND I TOOK EXCEPTION TO THAT THEN AS I DID THE MAILER. IT'S ONE THAT STUCK WITH ME AND I USE IT AS A REMINDER AS TO HOW PEOPLE CHOOSE TO DO BUSINESS AND TOO MANY OF THE THINGS THAT WE HAVE HERE RIGHT NOW STILL ARE ON THE TRUST ME SIDE OF THE EQUATION. AND FOR THE COMPANY. I KNOW THERE ARE TWO COMPANIES THE CHAIR REFERRED TO AS SMALL, SMALL, SMALL,

BUT THIS NATION IS BUILT ON SMALL BUSINESSES. AND JUST LIKE THE TWO TNC COMPANIES HERE TODAY THEY STARTED OUT SMALL AND THEY HAVE GROWN. IT'S MY UNDERSTANDING ONE OF THE TWO COMPANIES IS OKAY WITH THE CURRENT RULES AND I'M NOT SURE WHAT THE OTHER THINGS. NOT TO STIFLE CHOICE, NOT TO MAKE THE DIFFICULT TO DO BUSINESS HERE BUT TO BE OPEN TO DO BUSINESS TO DO IT IN A SAFE AND PRODUCTIVE MANNER. THEN MY LAST COMMENT WILL BE ON THE JUNE 22nd HEARING. MY FEELING ON ANY ACTION TODAY REALLY I DON'T KNOW IF THIS IS JUST A RECOMMENDATION TO REVIEW. I DON'T WANT -- I'M NOT GOING TO SUPPORT ANYTHING. I WANT TO SEE WHERE WE ARE GOING TO GET THE CLARITY IS ON THIS RULING JUNE 22nd. AND MY PREFERENCE AND CHOICE TODAY IS TO WAIT UNTIL JUNE 22nd HEARING LET THE COURTS PROVIDE DIRECTION, LET THE COURTS PROVIDE CLARITY AND IF THERE IS SOMETHING THE LEGISLATURE TAKES ACTION ON IN THE FUTURE, THE COURTS WILL STILL, IF NECESSARY PROVIDE PROTECTION, CLARITY AND DIRECTION. SO AS FAR AS SUPPORTING ANYTHING TODAY, THERE'S TOO MUCH OF THE TRUST ME FACTOR. I KNOW BIG BROTHER MAY COME AFTER ME AND THAT'S ALL RIGHT BUT I AM STILL GOING TO ERR ON THE SIDE OF CAUTION FOR THAT CONSUMER WHERE WE'RE WANTING TO PROVIDE CHOICE AND ADEQUATE MEASURE OF SAFETY. SO THAT'S ALL I HAVE TO SAY AT THIS POINT. THANK YOU.

>> MR. CHAIRMAN, IF I MAY.

>> VICTOR CRIST: YES.

>> YOU KNOW, I DON'T SEE WHERE THERE'S ANYTHING TO SUPPORT HERE TODAY.

THERE IS NO AGREEMENT AMONGST THE PTC HERE TODAY. THERE IS NO AGREEMENT ON EVERY UBER AND LYFT ISSUE. THERE IS NO AGREEMENT. TO HAVE EVERYBODY AGREEING TO HAVE AN AGREEMENT AND WE DON'T HAVE ANY OF THAT. IF WE WERE TO GET EVEN A TEMPORARY AGREEMENT, YOU KNOW, YOU KEEP SAYING IT'S ONLY 15 MONTHS BUT I THINK IT HAS MORE LONG RANGE IMPLICATIONS AND STARTS TO SET A PRECEDENT THAT THIS PTC BOARD IS WILLING TO PUT TOGETHER SOME SORT OF MENU DRIVEN RULES AND POLICIES FOR WHOEVER WANTS TO COME ALONG AND DO WHATEVER THEY WANT TO DO IN THE COUNTY. LYFT AND UBER ARE NOT IN AGREEMENT ON EVERYTHING, WE ARE NOT IN AGREEMENT WITH EVERYTHING, WE DON'T HAVE AN AGREEMENT. AS MR. HIGGINBOTHAM MENTIONED, WE WILL GET CLARITY WEEK AFTER NEXT. I THINK WE HAVE -- YOU KNOW, WE'VE ALREADY SPENT ALL THE LEGAL MONEY WE'RE GOING TO SPEND TO FIND OUT WHAT THAT CLARITY IS ONE WAY OR THE OTHER I THINK IS OUR RESPONSIBILITY. AND IT'S JUST JUDICIOUS USE OF THE FUNDS WE COLLECT. NEXT, THE FREE MARKET IS GOING TO FILL THE VOID AS MR. HIGGINBOTHAM ALSO MENTIONED. WE'VE GOT TWO COMPANIES, WINGS AND DRIVE SOCIETY THAT WANT TO COME DO BUSINESS IN HILLSBOROUGH COUNTY. DRIVE SOCIETY I THINK HAS PROPOSED RULES IN FRONT OF US TONIGHT BUT HAVE GENERALLY AGREED TO OPERATE WITHIN THE RULES AND PARAMETERS THAT ARE ALREADY IN PLACE. I DON'T THINK WE SHOULD BE PUTTING TOGETHER EVEN OUR TEMPORARY BASIS SPECIAL RULES FOR INDIVIDUAL COMPANY. WHETHER THEY'RE LARGE OR SMALL. WE DON'T HAVE A SPECIAL RULE FOR YELLOW CAB VERSUS SOME SMALLER CAB COMPANY. I DON'T THINK WE SHOULD BE PUTTING TOGETHER CUSTOMIZED RULES FOR WHOEVER COMES ALONG JUST BECAUSE THEY DON'T WANT TO PLAY BY OURS. I THINK IT'S INCUMBENT THEY FOLLOW THE RULES CURRENTLY IN PLACE FOR 15 MONTHS. LET'S SEE HOW THAT WORKS OUT. SEEMS TO ME THAT WE GOT THE COURT IN FRONT OF THE HORSE AND EVEN IF WE DON'T AS WAS DISCUSSED HERE TODAY THERE IS NO AGREEMENT. SO THERE IS REALLY NOTHING FOR US TO APPROVE OR DISAPPROVE BECAUSE WE DO NOT HAVE AN AGREEMENT. WE HAVE DIFFERENCES BETWEEN LYFT AND UBER, WE HAVE DIFFERENCES IN OPINION SITTING IN FRONT OF US HERE TODAY SO I AM NOT SURE WHAT WE ARE EVEN

GOING TO BE VOTING ON BUT IN MY MIND WE DON'T -- THERE IS NO AGREEMENT, AND FOR US TO GO DOWN THE LIST AND SAY I LIKE THAT I DON'T LIKE THAT WE NEED TO APPROVE IF WE ARE GOING TO APPROVE SOMETHING WE NEED TO APPROVE A DOCUMENT. NOT SOMETHING WE APPROVE PIECEMEAL AND COBBLE TOGETHER AND APPROVE BEFORE WE CAN READ IT. SO THAT'S ALL I HAVE TO SAY.

>> MR. CHAIR?

>> VICTOR CRIST: COUNCILMAN REDDICK.

>> LET ME FIRST SAY I AGREE WITH BOTH OF MY COLLEAGUES WHO'VE JUST SPOKEN. AS I STATED EARLIER, MY FIRST COMMENT THAT IF I HAD TO VOTE TODAY I WOULD NOT VOTE TO SUPPORT THIS. I THINK WHAT'S IMPORTANT IS THE RULING WE ARE SUPPOSED TO RECEIVE FROM THE COURT IS JUNE 27th, IS THAT THE DATE I HEARD?

>> COUNCILMAN, THE HEARING IS SCHEDULED FOR JUNE 22nd. IT'S UNCLEAR WHEN WE WILL RECEIVE A RULING FROM THE COURT. IT DOES NOT HAPPEN THE DAY OF THE HEARING. IT COULD BE AS SHORT AS A WEEK DEPENDING ON THE ACTION THEY TAKE OR IT COULD BE AS LONG AS SEVERAL MONTHS.

>> OKAY. I THINK IT'S IMPORTANT THAT, AND SINCE THERE HAS BEEN A LOT OF DISAGREEMENT EVEN YOU DISAGREED WITH THE LAST PAGE ON THIS ITEM, FOR US TO MOVE FORWARD TODAY AND TO TRY TO VOTE ON THIS, I THINK IF ANYTHING NEEDS TO BE DONE, IT'S PROBABLY MORE DISCUSSION NEED TO TAKE PLACE BETWEEN THE PARTIES INVOLVED AND SEE IF THEY CAN COME TO SOME BETTER RESOLUTION. BUT I WOULD LIKE TO MAKE A MOTION AT THIS TIME, AND I AM MOVE THAT WE SUSPEND THIS DISCUSSION UNTIL WE HEAR BACK FROM THE COURT.

>> SECOND.

>> MR. CHAIR, IF I MAY AS A POINT OF PROCEDURE, I'M SORRY, I DIDN'T MEAN TO INTERRUPT, BUT THERE WERE A COUPLE OF MEMBERS OF THE PUBLIC THAT HAD WAIVED THEIR PUBLIC COMMENT PERIOD FOR THIS DISCUSSION, AND I DON'T WANT TO ABROGATE THEIR RIGHT TO MAKE A PUBLIC COMMENT SO AT SOME POINT IN THIS DISCUSSION, I RECOMMEND WE RECEIVE WHAT THEY HAVE SAID.

>> I WAS GOING TO BRING THAT UP.

>> VICTOR CRIST: I WAS JUST GOING TO MAKE THAT POINT. YOU KNOW, ACCORDING TO ROBERT'S RULES THE CHAIR CAN ENTERTAIN OR CEASE TO ENTERTAIN A MOTION. I WILL ENTERTAIN YOUR MOTION, BUT AFTER FULL DISCUSSION BECAUSE EACH MEMBER OF THIS BOARD DESERVES THE RESPECT AND THE ABILITY TO STATE AN OPINION ON THIS. I DON'T THINK YOU WOULD WANT TO DENY ANY OF US THAT OPPORTUNITY.

>> NO, AND --

>> VICTOR CRIST: IT'S CLEAR THE VOTES AREN'T HERE TO MOVE THIS, AND I HONESTLY DIDN'T EXPECT THE VOTES TO BE HERE TODAY. THE PEOPLE THAT ARE ABSENT, I KIND OF KNEW WOULD BE ABSENT AND THE PEOPLE THAT ARE HERE, I REALLY, WE'RE NOT ALLOWED TO TALK TO EACH OTHER SO I'M NOT SURE WHERE YOUR HEADS ARE AT BUT HISTORICALLY ON THIS ISSUE, I REALLY DIDN'T THINK WE WERE GOING TO CHANGE ANY OPINIONS. BUT FOR ME I'LL HAVE A CLEAR CONSCIENCE TODAY THAT I HAVE DONE EVERYTHING POSSIBLE TO TRY TO ADDRESS THE ISSUE AND FIX THE PROBLEM. AND AT THIS POINT WHY DON'T WE GO AHEAD AND HEAR FROM THE PUBLIC AND COUNCIL MANSE CALL CO, WHY --

>> LET ME MAKE CLEAR ON THE MOTION BECAUSE UNDER ROBERT'S RULES OF ORDER IF YOU MAKE THE MOTION AND YOU GOT A SECOND, YOU STILL COME BACK FOR DISCUSSION. SO IF YOU HAD NOT HAD A CHANCE TO SPEAK, YOU STILL HAD THE OPPORTUNITY UNDER DISCUSSION.

>> VICTOR CRIST: BUT THE WAY YOU WORDED YOUR MOTION, YOU WOULD'VE ENDED DISCUSSION.

>> NO, NO, NO, NO. ALL I DID WAS MAKE A MOTION, IT WAS SECONDED BY VICE CHAIR, ALL YOU HAD -- AND THEN IT'S OPEN FOR DISCUSSION. A VOTE WOULD NOT TAKE PLACE UNTIL A DISCUSSION WAS DONE. AND EACH MEMBER COULD SPEAK.

>> VICTOR CRIST: THEN WE'RE ON THE SAME PAGE.

>> EXCUSE ME, MR. CHAIR, DUE TO THE HOUR WOULD YOU PREFER TO STAY AT THE THREE-MINUTE PER PERSON OR ADJUST THAT TIME ACCORDINGLY OR WHAT?

>> VICTOR CRIST: LET'S SEE HOW MANY PEOPLE WANT TO SPEAK AND LET'S GO AHEAD AND ALLOCATE 15 MINUTES AND LET'S DIVIDE IT BETWEEN THE NUMBER OF PEOPLE THAT WANT TO SPEAK.

>> YES, SIR.

>> VICTOR CRIST: ALL RIGHT. I'VE GOT CARDS HERE. I'M GOING TO READ OFF THE NAMES TO SEE IF YOU STILL INTEND TO SPEAK. TOM? OKAY.

>> [INAUDIBLE]

>> VICTOR CRIST: BROOK?

>> [INAUDIBLE]

>> VICTOR CRIST: I'LL ASK THEM ANYWAY IF THEY DIDN'T SAY THEY WANTED TO. STEPHANIE SMITH?

>> I'LL BE BRIEF. STEPHANIE SMITH WITH UBER TECHNOLOGIES. I JUST WANT TO GO AHEAD AND STATE FOR THE RECORD THAT FIRST OF ALL, THAT WE HAVE WORKED COUNTLESS HOURS WITH KYLE AND CINDY WEEK AFTER WEEK TO TRY TO REACH AN AGREEMENT. I THINK THAT WE GOT EXTREMELY CLOSE. I KNOW OBVIOUSLY AFTER THIS MUCH SPIRITED DISCUSSION THERE ARE A LOT OF, THERE ARE A FEW, EXCUSE ME, PIECES THAT WE NEED TO GO BACK AND TO WORK THROUGH WITH THEM, SO WE WOULD BE WILLING AND HOPEFUL THAT THIS COMMISSION WOULD ALLOW US TO CONTINUE TO NEGOTIATE WITH THE PTC STAFF SO THAT WE CAN BRING YOU BACK AN AGREEMENT THAT EVERYONE CAN OF COURSE AGREE ON. SO WITH THAT I WANT TO AT LEAST LET EVERYONE KNOW WE APPRECIATE THE PTC STAFF FOR THE TIME THEY HAVE PUT IN WORKING WITH US AND WE ARE HOPEFUL WE CAN CONTINUE HAVING THESE DISCUSSIONS.

>> VICTOR CRIST: STEPHANIE, THANK YOU FOR THOSE COMMENTS, BUT LIKE I SAID YESTERDAY.

>> YES, SIR.

>> VICTOR CRIST: THAT WAS IT, AND YOUR BEST DEAL HAD TO COME ACROSS YESTERDAY.

>> I UNDERSTAND.

>> VICTOR CRIST: BECAUSE I KNEW THAT THIS BOARD HAD HIGH STANDARDS, AND THAT WE COULD POSSIBLY HIT A WALL TODAY IF WE COULDN'T COME TO TERMS ON SOME OF THE THINGS THAT WE DIDN'T.

>> YES, SIR.

>> VICTOR CRIST: SO THE LIKELIHOOD OF THAT HAPPENING IS SLIM, BUT IT'S A GOOD ASK AND ONE I WOULD HOPE THAT THIS BOARD WOULD CONSIDER. BUT IT DOES SHOW THAT THERE IS STILL A LITTLE JUICE TO BE SQUEEZED, SO INTERESTING. [LAUGHTER] ALL RIGHT. SETH.

>> THANK YOU MR. CHAIRMAN MEMBERS OF THE COMMISSION. SETH MILLS, 100 NORTH TAMPA STREET IN THE 1 MINUTE I HAVE I WILL NOT ADDRESSED THE PROPOSED AGREEMENT TENTATIVELY. I DO WANT TO ECHO SOME OF THE COMMENTS THAT THE COMMISSION MEMBERS HAVE ALREADY MADE HERE THIS MORNING. THAT IS, WE HAVE A SET OF RULES WHICH YOU

HAVE ALREADY PASSED THAT WOULD ALLOW FOR WINGS AND OTHERS LIKE WINGS, DRIVE SOCIETY, UBER, LYFT, TO COME IN AND OPERATE WITH LEVEL TWO BACKGROUND CHECKS WITH INSURANCE THAT'S REQUIRE BIDE STATE LAW AS EITHER A TAXICAB OR AS A LIMOUSINE AT THEIR CHOICE AND ELECTION. FOR WHATEVER REASON, AFTER THOSE RULES HAVE BEEN PASSED BY THIS COMMISSION THEY'RE NOT BEING FORWARDED AND SENT ON. THE REASON IT TAKES 18 MONTHS IS BECAUSE THE RULES KEEP GETTING STOPPED. THEY WERE PASSED OVER 18 MONTHS AGO. THEY WERE RENEWED BY YOU AFTER THE LEGISLATIVE SESSION TOLD TO MOVE FORWARD BUT THEY'RE NOT GOING FORWARD. I CAN'T TELL WHY. ONLY YOU CAN ANSWER THAT QUESTION. BUT PLEASE, IF YOU WILL JUST DO THOSE, WE'LL HAVE A SET OF RULES FOR EVERYONE TO BE INCLUDED, INCLUDING THE TNCs TO OPERATE LAWFULLY AND TO COME INTO COMPLIANCE AS MANY OF YOU HAVE REQUESTED. THANK YOU.

>> VICTOR CRIST: LOU MINARDI.

>> LOUIE MINARDI WITH THE YELLOW CAB COMPANY. I JUST WANT TO REITERATE ON SOME OF THE THINGS THAT WERE TALKED ABOUT TODAY AS FAR AS THE INSURANCE AND SOME OF THE QUESTIONS ABOUT IT. THE UBER INSURANCE, THEY ARE STILL REQUIRED OR THEY ARE STILL REQUIRED A AS FOR HIRE VEHICLE AS WE STAND TODAY AND I SAT IN THE PROCEEDINGS IN TALLAHASSEE, AND THEY ARE REQUIRED TO HAVE AN ADMITTED CARRIER. INSURANCE THEY ARE USING NOW IS NOT PERMITTED IN FLORIDA. THE LEVEL TWO BACKGROUND CHECKS, WE'VE DISCUSSED THAT MANY, MANY TIMES AND HE'S BROUGHT UP THERE HAVE ONLY BEEN A FEW TIMES. THEY DON'T EVEN COME HERE SO YOU WOULD NOT HERE HEAR THEM BEFORE YOU BECAUSE THEY ARE NOT GOING TO COME HERE. MOST PEOPLE DRIVE IN PINELLAS AND PASCO, THEY ARE DRIVING IN THE COUNTIES AROUND US AND THEN THEY COME HERE. THAT NUMBER IS REDACTED BECAUSE OF THAT. THE FEE THAT THEY ARE GOING TO PAY. THEY SAY 15, IT'S RELATIVE WE DON'T KNOW IT. WORKSHOP SAID IT WAS ALMOST 3,000 VEHICLES. THEY'RE PAYING \$83 A CAR WHEN WE ARE PAYING \$550 A CAR. A LITTLE UNEQUAL AS FAR AS WHAT THEY ARE PAYING HERE. THE LEVEL TWO BACKGROUND CHECKS DO TWO OTHER THINGS MOST PEOPLE MISS. ONE, THEY CREATE THE DATABASE, WHICH IS THE MOST IMPORTANT THING SO THAT YOU GOT THE PEOPLE COMING IN AND YOU KNOW WHAT THE DATABASE IS, BUT IT ALSO PINGS THE PEOPLE OF INTEREST. A LEVEL TWO -- SO A LOT OF PEOPLE HAVEN'T COMMITTED ANYTHING BUT INTERNATIONALLY THEY'RE KEEPING AN EYE ON THEM SO THEY WANT TO KNOW SO LEVEL TWO HAVE ANOTHER IMPORTANCE. THIS CONTRACT WHICH I HOPE YOU FOLLOW MR. REDDICK'S MOTION I GUESS TO SUSPEND THIS UNTIL THE COURT RULES, I THINK WOULD BE VERY IMPORTANT AS FAR AS SEEING WHAT THE COURTS HAVE TO SAY AND WE GO FROM THERE AND WE WOULD KNOW ONE WAY OR THE OTHER AND ADMITTEDLY, THE ANSWER MAY NOT COME THAT DAY BUT WE WOULD KNOW BEFORE WE STARTED GOING FORWARD WITH MORE INDIRECT WAYS OF TRYING TO GET TNCs IN HERE. WE NEED TO SET UP A COMPREHENSIVE PLAN, A COMPREHENSIVE RULES THAT EVERYBODY CAN FOLLOW, AND EVERYBODY WOULD KNOW WHAT THEY'RE EXPECTED TO. THIS IS NOT A 15-MONTH CONTRACT. COMMISSIONER CRIST STARTED THE THING OFF BY WHAT HE KNOWS IN TALLAHASSEE. THE FIRST THING HE SAID IS TALLAHASSEE IS NOT GOING TO PASS A BILL THIS YEAR. SO WE ALREADY KNOW. HE ALREADY KNOWS THE ANSWER. SO IT'S NOT A 15-MONTH CONTRACT. HE KNOWS THERE IS NOT GOING TO BE ANYTHING IN TALLAHASSEE SO THIS IS GOING TO BE A TWO-YEAR AGREEMENT, AND BASICALLY THIS AGREEMENT WHICH WE DIDN'T DISCUSS TODAY IS THE POWERS THAT IT TAKES AWAY FROM YOU. YOU HAVE NO AUTHORITY UNDER THIS CONTRACT TO DO ANYTHING AFTER YOU SIGN IT. YOU'VE TALKED ABOUT WHAT YOU PUT IN THERE BUT YOU HAVEN'T TALKED ABOUT WHAT YOU'RE TAKING OUT OF IT AND THIS COMMISSION, THE LAST THING YOU DO IS GIVE YOUR

POWERS AWAY. THANK YOU VERY MUCH.

>> VICTOR CRIST: TOM SMITH.

>> HI, TOM SMITH, CLICK A RIDE, TAMPA BAY AIRPORT LIMO AND ON TIME TAXI. I THINK I'M THE ONLY PERSON AROUND HERE THAT HAS ALL THREE, AND I WASN'T MENTIONED WHEN WE WERE TALKING ABOUT THE FOUR TNCs. WHAT ABOUT CLICK A RIDE. I'VE BEEN UP HERE EVERY DAY, WE'VE BEEN HERE AND EVERYBODY ALWAYS FORGETS ME. BUT ANYWAY, WE'RE TALKING ABOUT A LEVEL PLAYING FIELD HERE, AND I JUST WANT TO BRING UP SOME COMMENTS TO ALL THIS WE'VE NEVER TALKED ABOUT THE PERMIT. YOU SEE, RIGHT NOW MY COMPANY CAN BE ALMOST LEGAL AND WE WANT TO BE LEGAL. WE'VE GOT THE CORRECT INSURANCE, I'VE GOT DRIVERS WITH UBER, LYFT, CLICK A RIDE ON THEIR PHONE THAT DO ALL THREE THAT ARE ON MY INSURANCE WHICH IS FICO. CAR SERVICE INSURANCE IS WHAT IT'S CALLED IN THE INSURANCE COMPANY. I'VE GOT EVERYTHING I CAN DO AND IF ONE OF MY DRIVERS THAT IS AN UBER AND LYFT DRIVER AND IS NOT AN ACTUAL LIMO DRIVER WITH A LIMO PERMIT AND A TAXI DRIVER DOES GET CAUGHT BY THE PTC, KYLE HAS ALREADY TOLD ME HE CAN STILL GET ONE \$100 TICKET FOR IMPROPER CAR. SO IT IS NOT POSSIBLE FOR UBER, LYFT, OR ME OR ANYBODY ELSE TO BECOME TOTALLY LEGAL IN HILLSBOROUGH COUNTY UNLESS WE CREATE THOSE PERMITS NONLUXURY LIMO OR I'VE ALWAYS CALLED THEM CAR SERVICE. IN OTHER COUNTIES THAT'S WHAT IT'S CALLED, CAR SERVICE INSURANCE. NOBODY SAID ANYTHING ABOUT THOSE PERMITS. I HAVE A SUGGESTION ON HOW TO DO. I'M GOING TO WRITE IT UP AND GIVE IT TO KYLE. BUT THAT'S ALL I GOT TO SAY. AND ALSO, THE LEVEL PLAYING FIELD IF YOU MAKE THOSE PERMITS GOOD FOR SLOW MOVING CARS DOWNTOWN, TNCs, A TNC CERTIFICATE CAN GET THOSE SAME PERMITS, AND ALSO THE EXISTING LIMO COMPANIES, YELLOW CAB HAS A LIMO LICENSE, BROOK HAS A LIMO LICENSE AND AS A LIMO COMPANY WE CAN ALSO GET THE NONLUXURY LIMO PERMITS. THAT GIVES US A LEVEL PLAYING FIELD TO COMPETE AGAINST UBER AND LYFT BECAUSE NOW WE CAN PUT ON 500 CARS TO COMPETE WITH THEM WITH NONLUXURY LIMO PERMITS ON HIS LIMO CERTIFICATE. I COULD PUT 20 OR 30 ON. ROBERT COULD PUT 500 ON OR WHATEVER. DEPENDING ON YOUR SIDE, PUT THEM ON, WE CAN DO THEM COLLECTIVELY OR WE CAN DO THEM INDIVIDUALLY AND IT WOULD MAKE US COMPETITIVE WITH THEM. THANK YOU.

>> VICTOR CRIST: TIM.

>> MR. CHAIRMAN, COMMISSIONERS, THANK YOU SO MUCH. I WOULD ALSO LIKE TO HAVE STEVE ANDERSON COME UP AND MAKE A FEW BRIEF COMMENTS. BUT ONE BRIEF POINT I WANTED TO MENTION IS AND SOUNDS LIKE THERE ARE A NUMBER OF THINGS WE COULD CONTINUE TO TALK ABOUT BUT ON THE COMPLAINT PROCESS, THE FACT THAT THE TNC NEED TO HAVE AN 800 NUMBER FOR COMPLAINTS OR FEEDBACK, I BELIEVE THERE IS ALSO AN ITEM IN THE DRAFT THAT WOULD CREATE A PTC HOTLINE. SO THANK YOU VERY MUCH.

>> MR. CHAIRMAN, MEMBERS OF THE COMMISSION, GOOD MORNING. STEVE ANDERSON, REPRESENTING LYFT INC. 101 EAST KENNEDY BOULEVARD HERE IN TAMPA. WHAT'S DONE APPEARS TO BE DONE, AND THAT'S SOMETHING THAT EVERYONE HERE WILL HAVE TO LIVE WITH ONE WAY OR ANOTHER WHETHER IT'S A GOOD OR A BAD DECISION. WHAT I WOULD LIKE TO DO, IN THE FEW MOMENTS I HAVE IS ADDRESS SOME OF THE MISCONCEPTIONS AND THE ERRORS THAT I'VE HEARD HERE TODAY. NOT SO MUCH FOR YOU BECAUSE I THINK THE DECISIONS HERE INDIVIDUALLY ARE MADE. FOR WHATEVER REASON, I AM NOT GOING TO CHANGE THAT. BUT I THINK THE VIEWING PUBLIC AND THE OTHERS WHO ARE HEARING THIS TODAY NEED TO UNDERSTAND SOME REALITIES. OR THE REALITIES. FIRST, FIRST THING I HEARD OR QUESTION I HEARD TODAY WAS WHO'S DONE THIS AGREEMENT. WHOSE AGREEMENT IS THIS. LET ME TELL YOU, LADIES AND GENTLEMEN, BEFORE I START THAT, I TRULY

WANT TO THANK STAFF, MR. COCKREAM, MS. OSTER, FOR THEIR WORK. WE HAVE ALL WORKED LONG AND HARD TO COME TO A MUTUAL AGREEMENT NOT SOMEBODY'S CONTRACT, BUT A MUTUAL AGREEMENT THAT HAS BEEN BUILT PARAGRAPH BY PARAGRAPH BY THE PROCESS OF NEGOTIATION AND CONSENSUS. COMPROMISE. COMPROMISE ON EVERYONE'S PART. BELIEVE ME, THE PRODUCT THAT YOU HAVE READ ABOUT OR HEARD ABOUT FROM LYFT IS A FAR CRY FROM WHAT LYFT DOES IN OTHER JURISDICTIONS, PARDON ME, AND FROM WHAT LYFT WOULD ULTIMATELY LOVE TO HAVE HERE, A LOT OF COMPROMISE BY ALL PARTIES BUT I WANT TO THANK STAFF FOR REALLY WORKING IN GOOD FAITH FOR WITH US FOR A VERY LONG TIME. THIS HAS NOT HAPPENED QUICKLY. THIS WAS NOT MY DOCUMENT. THIS WAS NOT THE STAFF'S DOCUMENT. IT IS NOT UBER'S DOCUMENT. IT IS A JOINT ENTERPRISE. THE OTHER THING I HEARD SEVERAL TIMES TODAY, WHICH I REALLY WOULD LIKE TO RESPOND TO IS THIS NOTION THAT OH, WELL, SO WE'LL HAVE TO SUE. WE'LL BE BACK IN COURT. THAT'S A RED HERRING, AND I THINK MOST PEOPLE HERE UNDERSTAND THAT'S A RED HERRING OR OH THIS IS A CONTRACT. IT'S JUST A CONTRACT. WELL, I THINK EVERYONE HERE UNDERSTANDS THAT THIS SOCIETY IS BUILT ON THE CONCEPT OF CONTRACT. THE MAGNA CARTA WAS THE FIRST CONTRACT BETWEEN GOVERNMENT AND THE PEOPLE, AND WE'VE HAD NOTHING BUT THOSE TYPES OF CONTRACTS THROUGHOUT. YOUR ENABLING ACT AND YOUR BYLAWS ARE A FORM OF CONTRACT. AND WHEN THE TAXI INDUSTRY OR THE AMBULANCE INDUSTRY OR TNCs, WHOMEVER, FILLS OUT THEIR APPLICATION WITH YOU, WHAT ARE THEY DOING? THEY'RE APPLYING TO ENTER INTO A CONTRACT. MAY I HAVE ADDITIONAL TIME, MR. CHAIR?

>> VICTOR CRIST: I DON'T HAVE A PROBLEM WITH THAT. WE HAVE THREE MINUTES LEFT.
 >> WELL, WE DIDN'T GIVE EVERYBODY ELSE THAT OPPORTUNITY. I KNOW YOU SAID YOU ARE GOING TO FILL THE TIME. BUT IF YOU MAKE IT SHORT, I DON'T HAVE A PROBLEM.
 >> OKAY, THANK YOU. WHAT WE HAVE, WHAT YOU HAVE WITH ANYBODY IS A CONTRACT AND BUT FOR THE ABILITY TO GO TO THE COURTS YOUR CONTRACT WITH ANYONE IS UNENFORCEABLE. LYFT, UBER, I CAN'T SPEAK FOR UBER, I THINK YOU CAN SEE THAT ALL AROUND THE NATION IN THE MANY, MANY JURISDICTIONS WHERE THEY HAVE ENTERED INTO THESE CONTRACTS, THEY ABIDE BY THEM. WHY? THEY DON'T WANT TO END UP IN LITIGATION. IT'S EXPENSIVE. YOU'RE GOING TO FIND OUT ITS EXPENSIVE. IT'S NOT DONE YET. ON THE QUESTION OF WHAT IS THE DATE, THE 15th OR THE 22ND, THAT'S NOT ME. THAT'S NOTHING MORE THAN PUBLIC ORAL ARGUMENT FROM UBER TO THE 2nd DISTRICT IT MAY BE MONTHS UNTIL THE 2nd DISTRICT RULES ON THAT AND THEN WHOEVER LOSES HAS A RIGHT TO APPEAL TO THE SUPREME COURT. HOW LONG WILL THAT TAKE? YEARS. I'M NOT EVEN THERE YET BECAUSE WE'VE BEEN TRYING TO WORK AN AGREEMENT OUT WITH YOU I HAVEN'T EVEN YET FILED MY BRIEF WITH THE 2nd DISTRICT SO WE HAVE THAT TO GO THROUGH BEFORE YOU HAVE ANYTHING THAT COMES CLOSE TO FINITE DECISION ON LYFT. WE HAVE TO GO THERE YET. THE WHOLE PURPOSE WAS WE FELT, I SAY WE, THE PTCs AND TNCs THOUGHT THERE WAS. ULTIMATELY THE LEGISLATURE IS GOING TO FIX ALL THIS. SO LET'S ARRIVE AT THE IDEA IS LET'S ARRIVE AT SOMETHING THAT WORKS IN THE MEANTIME. NOT ONLY FOR US BUT FOR ANY OTHER TNCs THAT COME ON BOARD. SO DON'T FEEL LIKE UBER AND LYFT ARE UP HERE SAYING PLEASE GIVE US MORE TIME OR ANYTHING. WE'RE HERE BECAUSE WE THOUGHT IT WAS MUTUALLY DESIRABLE AND THAT THE CHANCES OF COURT ACTION ACTUALLY RESOLVING THIS WERE MINIMAL. DOWN THE ROAD. SO AGAIN I WANT TO THANK YOU, MR. HIGGINBOTHAM, I KNOW YOU'VE BEEN GONE FOR A WHILE. I HOPE YOUR TRAVELS WERE WELL, AND IT'S GOOD TO HAVE YOU BACK. I HAVEN'T SPOKEN, TRIED TO LOBBY HARD WITH THE INDIVIDUALS, BUT I THINK

YOU KNOW ME FROM THE LAST YEAR AND A HALF THAT I WILL SPEAK TO YOU WHAT I BELIEVE TO BE THE TRUTH. I THINK YOU'RE MAKING A MISTAKE TODAY. SO BE IT. WE ALL MAKE MISTAKES, BUT I WOULD SAY TO YOU THAT THIS ISSUE IS NOT GOING TO BE RESOLVED QUICKLY. I WISH THAT WE COULD RESUME OR FINALIZE THESE DISCUSSIONS. THANK YOU SO MUCH.

>> VICTOR CRIST: OKAY. THANK YOU. IS THERE ANYONE ELSE OUT THERE WHO WE HAVEN'T CALLED UPON THAT WANTED TO COMMENT ON THIS? BECAUSE I HAVE A COUPLE OF CARDS HERE BUT THEY, THIS WAS NOT THE ISSUE THAT THEY HAD LISTED THAT THEY WANT TO TALK ABOUT. OKAY. SEEING NONE, IS THERE A MOTION TO CLOSE THIS PORTION OF THE DISCUSSION?

>> SO MOVED.

>> VICTOR CRIST: ALL IN FAVOR, AYE. OKAY, COMING BACK TO THIS, BRING IT TO CLOSURE, IN FINAL DEBATE AND DISCUSSION, COUNCILMAN MANISCALCO, DID YOU HAVE COMMENTS? BEFORE I COMMENT, ARE THERE ANY OTHER COMMENTS?

>> I WOULD LIKE TO SAY ONE THING, AND YOU KNOW, THIS PTC COMMISSION WOULD LOVE TO HAVE AN AGREEMENT WITH UBER AND LYFT. BUT WHAT'S BEFORE US, THERE'S A LOT OF HOLES, AND UBER AND LYFT DON'T EVEN AGREE ON SOME OF THE ITEMS. SO WE DON'T -- THERE'S NO AGREEMENT TO VOTE ON BECAUSE THERE'S NO AGREEMENT AMONGST THE PARTIES. AND YOU KNOW MY POSITION HAS ALWAYS BEEN THAT OUR JOB, WHAT WE'VE BEEN APPOINTED TO DO IS TO ENSURE THE SAFETY OF THE TRAVELING PUBLIC, AND QUITE FRANKLY, THIS PROPOSED AGREEMENT, EVEN THOUGH NOBODY CAN AGREE AMONGST THEMSELVES, IT DOESN'T GET US THERE IN MY MIND, AND WHEN IT DOES, I'M ON BOARD. BUT UNTIL THEN, THERE'S NOTHING FOR ME TO AGREE TO.

>> I DON'T KNOW THAT I'LL HAVE ANY OTHER COMMENT, BUT IF THERE IS ANYTHING IN YOUR REMARKS THAT I WANT TO RESPOND TO, I RESERVE MY RIGHT TO RESPOND TO THEM.

>> VICTOR CRIST: CERTAINLY.

>> BUT I TOO WILL SAY I HAVE A CLEAR CONSCIENCE TODAY.

>> VICTOR CRIST: OKAY.

FIRST I WOULD LIKE TO THANK ALL THE PARTIES INVOLVED FOR THEIR INPUT IN THIS PROCESS. I KNOW THE EXISTING INDUSTRIES THAT WE REGULATE THAT HAVE BEEN FOLLOWING OUR RULES HERE AT THE END DURING THE LAST FEW MONTHS HAVE SCREAMED FOUL. THEY HAVEN'T HAD A CHANCE AT THE TABLE. ALL OF YOU HAVE BEEN THE ONES AT THE TABLE FOR THE LAST THREE YEARS. YOU KNOW, FOR LAST THREE YEARS, WE'VE DISCUSSED THIS TO AD NAUSEAM SO WE'VE ALREADY UNDERSTOOD WHAT YOUR CONCERNS WERE AND WHAT YOUR NEEDS WERE AND WHAT YOUR THOUGHTS WERE. WHAT WAS MISSING IN THE EQUATION WERE THE RIDE SHARE COMPANIES. THEY WEREN'T COMING TO THE TABLE. FINALLY WHEN WE GOT TO THE POINT WHERE THEY WERE COMING TO THE TABLE, YOU GUYS STOPPED COMING TO THE TABLE. SO YOU KNOW, YOU DID HAVE INPUT. YOU HAD EARLY ON INPUT. WE UNDERSTOOD YOUR POSITION. YOU MORE THAN HAMMERED IT INTO OUR HEADS. STAFF HAS PERFORMED VERY OBJECTIVELY. I DON'T KNOW WHAT KYLE HAS INDICATED TO EACH OF YOU ON A PERSONAL BASIS, BUT TO ME, ALL THE WAY THROUGH THIS PROCESS, I HAD NO REASON TO BELIEVE ANYTHING OTHER THAN HE WAS 100% ON BOARD BECAUSE THAT'S THE IMPRESSION HE GAVE ME. HE GAVE ME THE IMPRESSION HE WAS 100% OKAY WITH ALL THE COMPONENTS OF THIS. CINDY, I DON'T EVER REALLY KNOW WHERE HER HEAD IS AT BECAUSE SHE'S SO RESERVED. SHE'S A TYPICAL LAWYER WHERE SHE LISTENS AND RENDERS AN OPINION. BUT SHE HAS WORKED A LOT OF LATE NIGHTS AND WEEKENDS ON THIS. AND TO THAT END, BOTH OF YOU I AM VERY GRATEFUL. FOR ME, NO, I HAVE NOT SWITCHED

MY POSITION. I AM STILL VERY FOCUSED ON WHAT I WAS FOCUSED ON WHEN I CAME TO THIS BOARD. AND THAT WAS MAKING SURE THAT THIS WAS AN INDEPENDENT BODY SEPARATE FROM THE ENTITIES WE REGULATE MAKING INDEPENDENT DECISIONS ON BEHALF OF THE PEOPLE WE SERVE. AND THAT'S THE RIDING PUBLIC. AND TAKING THAT ALL THE WAY TO THE POINT THAT THE PROBLEM IS WE'VE GOT THOUSANDS OF CARS ON THE STREET DRIVING WITHOUT A SAFETY MEASURES IN PLACE. UBER AND LYFT AND ANY OF THE OTHER TNC COMPANIES ARE OUT THERE DRIVING RIGHT NOW. THEY WILL CONTINUE TO KEEP DRIVING NO MATTER WHAT THIS BOARD DOES. AND UNDERSTANDING THAT THE RIDING PUBLIC IS AT RISK EVERY MINUTE OF EVERY DAY BECAUSE WE HAVE NOTHING IN PLACE THAT THEY'VE AGREED TO FOLLOW, TO ME IS UNACCEPTABLE. THE LEGISLATURE HAS SAID THAT THEY'RE GOING TO ADDRESS THIS ISSUE. THEY JUST HAVEN'T SAID WHEN. INDIVIDUAL MEMBERS IN KEY LEADERSHIP ROLES THAT ARE OLD FRIENDS OF MINE THAT SPEAK FREELY TO ME ON A ONE TO ONE BASIS HAVE MADE IT VERY CLEAR TO ME IT'S GOING TO BE LATER THAN EARLIER. BUT THE ONE THING THAT STOOD CLEAR IS THEIR CONCERN ABOUT THIS AGENCY. AND BEING A BLOCK IN THE ROAD FOR WHAT THEY SAW AS PROGRESS. AND UNDERSTANDING THOSE CONCERNS AND THOSE FEELINGS AND TAKING THEIR THREATS TO HEART, I BEGAN TO MOVE FORWARD WORKING WITH STAFF AND WORKING WITH THE RIDE SHARE COMPANIES TO TRY TO CRAFT AN AGREEMENT THEY WOULD FOLLOW, THEY COULD FOLLOW, AND THAT WOULD PUSH UP THE BAR OF SAFETY AS HIGH AS WE COULD GET IT, WHICH IS FAR MORE THAN WHAT WE HAVE NOW, WHICH IS NOTHING. WHAT BEFORE YOU HAS BEEN CALLED PIECEMEAL, BALONEY, EVERY ISSUE WAS ADDRESSED, AND EVERY REGULATORY POINT WAS ADDRESSED. AND ALL THE COMPONENTS OF THIS WERE ADDRESSED. IT IS A COMPREHENSIVE LEGAL DOCUMENT. IT IS NOT WHAT WAS DONE IN OTHER JURISDICTIONS LIKE MIAMI OR FORT LAUDERDALE OR PALM BEACH OR JACKSONVILLE OR TALLAHASSEE, WHERE THEY ONLY DID SMALL PIECES. THIS IS A COMPREHENSIVE HOLISTIC POLICY THAT PROTECTS THE CONSUMER. DOES IT GO AS FAR AS MOST OF YOU UP HERE WANT IT TO GO? OBVIOUSLY NOT. BUT IT GOES 100% FURTHER THAN WHAT WE'VE GOT NOW, WHICH IS NOTHING. THERE ARE THREE PRIMARY REASONS WHY WE NEED TO DO THIS NOW AND NOT LATER. THE FIRST ONE IS THE RIDING PUBLIC IS EXPOSED TO THIS MINUTE, TONIGHT, TOMORROW, THIS WEEKEND. AND WITHOUT THIS, THEY'RE GOING TO CONTINUE TO BE EXPOSED. SO THE LONGER WE DRAG THIS OUT, THE MORE THEY'RE AT RISK AND THE LESS RESPONSIBLE I BELIEVE WE ARE. THE SECOND REASON IS TO PROTECT THE INTEGRITY OF THIS AGENCY AND OUR CONSUMERS IN THE OTHER DISCIPLINES THAT WE REGULATE BECAUSE I BELIEVE WHOLEHEARTEDLY THAT THE LEGISLATURE'S GOING TO SEE US AS OBSTRUCTIONIST AND THEY'RE GOING TO SHUT THIS AGENCY DOWN BECAUSE OF OUR FAILURE TO LISTEN AND TO ACT. AND IF THEY DO THAT, THAT BEGINS TO PUT OTHER PEOPLE IN OTHER SERVICES LIKE AMBULANCE SERVICES, TOW TRUCK SERVICES, LIMOUSINE SERVICES, AND OTHER THINGS THAT WE REGULATE IN JEOPARDY IF WE CEASE TO EXIST AND OUR RULES CEASE TO BE IN PLACE. FINALLY, IT RAISES THE BAR. CONSIDERABLY. WE'RE ARGUING WHETHER IT SHOULD BE A FINGERPRINT OR SHOULD IT FOUGHT BE A FINGERPRINT. OKAY, LET'S ARGUE OVER THE FACT THAT IT REQUIRES A BACKGROUND CHECK AND THAT IT REQUIRES A NATIONAL, INTERNATIONAL SEX OFFENDER DATABASE AND IT GOES BACK SEVEN YEARS MORE THAN WHAT THEY'RE DOING NOW. YOU KNOW, IT'S VERY EASY TO LOOK AT A GLASS AND SAY WELL, IT'S ONLY THREE-QUARTERS FULL. YOU KNOW? OR SHOULD I SAY A QUARTER EMPTY. YEAH, BUT IT'S THREE-QUARTERS FULL. LAWSUITS, YOU KNOW WHAT? WE'RE GOING TO HAVE MORE LAWSUITS, MORE EXPENSIVE LAWSUITS BY NOT ACTING TODAY. YOU HEARD FROM LYFT THEY HAVEN'T EVEN STARTED YET BECAUSE THEY WERE IN HOPES THAT WE COULD COME TO

AN AGREEMENT. BECAUSE WE'RE NOT INTO AN AGREEMENT, THEIR NEXT STEPS ARE GOING TO FOLLOW WHAT UBER HAS DONE AND THAT'S TO FILE MULTIPLE EXPENSIVE LAWSUITS THAT WILL PROBABLY TAKE US TO THE SUPREME COURT. RIGHT NOW WITH THE COMPANIES WE REGULATE, IF THEY WANTED TO, THEY COULD SUE US FOR EVERY TICKET, EVERY ACTION. YOU KNOW? TO SAY THAT WE COULD BE SUED, WE CAN BE SUED ANYWAY. LET'S WAIT FOR THE COURT TO DECIDE. TO ME I LOOK AT THAT AND I THINK HOW RIDICULOUS IS THAT. WHAT IS THE COURT'S DECISION REALLY? THE COURT'S DECISION'S GOING TO BASICALLY BE YES, WE HAVE THE RIGHT TO WRITE A TICKET. OKAY, WHAT DOES THAT FIX? DOESN'T FIX ANYTHING. BECAUSE HOW DO WE ENFORCE PAYMENT OF THE TICKET? WE HAVE TO SUE. WE'LL HAVE TO SUE EVERY SINGLE PERSON WE WRITE A TICKET TO EVEN IF THE COURT SAYS WE HAVE A RIGHT TO WRITE A TICKET. WE PAID A LOT OF MONEY TO GET THE RECOMMENDATIONS FROM NOT ONE BUT TWO PRIVATE SECTOR LAW FIRMS. ONE OF THEM WAS A TOP RATED FIRM IN TALLAHASSEE THAT SPECIALIZES IN ADMINISTRATIVE LAW. THE OTHER ONE IS ONE OF THE LARGEST MOST PRESTIGIOUS LAW FIRMS IN THE CITY OF TAMPA. BOTH OF THEM SAID WE HAVE A 50/50 CHANCE OF WINNING OR LOSING THAT HEARING. YEAH. 50/50 CHANCE. THERE ARE PEOPLE UP HERE THAT SAID THEY WEREN'T GAMBLERS. WELL YOU KNOW WHAT? YOU'RE GAMBLING. IF WE LOSE WE'LL NEVER GET UBER AND LYFT BACK TO THE TABLE TO NEGOTIATE. IF WE WIN, I BELIEVE THAT THIS BOARD WILL BE COCKIER THAN WHAT THEY ARE TODAY AND WE'LL NEVER GET THE BOARD BACK TO THE TABLE TO NEGOTIATE. AND WHAT WILL HAPPEN? WE WILL GO INTO SESSION, HAVING DONE NOTHING AND THE LEGISLATURE KILLS US BECAUSE WE'RE OBSTRUCTIONISTS. NOW IS THE TIME TO MAKE THE DECISION, AND IT COULDN'T BE MORE IMPORTANT AND MORE VITAL TO PROTECT THE RIDING PUBLIC. WE'RE ALL ENTITLED TO OUR OPINIONS, AND WE DRAW OUR OPINIONS ON WHAT WE SEE, FEEL, KNOW, AND YOU KNOW, AND YOU'RE ENTITLED TO THAT AND I RESPECT EACH OF YOUR OPINIONS. FOR ME I GOT TO GO HOME AND SLEEP AT NIGHT AND I GOT TO KNOW THAT I DID EVERYTHING I COULD ON BEHALF OF THE PEOPLE WHO ELECTED ME AND ON BEHALF OF THE PEOPLE WHO TRUST ME TO DO THE RIGHT THING. AND I FIRMLY BELIEVE THAT THE RIGHT THING TO DO IS TO ACT NOW AND STOP PUTTING OUR RIDING PUBLIC AT RISK. TO GET THE STANDARDS RAISED AS HIGH AS WE CAN GET THEM, AS QUICKLY AS WE CAN GET THEM, STOP THE EXPENSIVE LAWSUITS, AND MOVE FORWARD WITH AN AGREEMENT THAT COVERS THE GAP BETWEEN NOW AND WHEN THE LEGISLATURE DECIDES. WHETHER IT'S A YEAR OR TWO YEARS, WHY NEEDLESSLY PUT THE PUBLIC AT RISK WHEN WE CAN IMMEDIATELY COME OUT WITH SOMETHING THAT WE CAN IMPROVE UPON ALONG THE WAY. THIS ISN'T AN END. THIS IS A BEGINNING. FINALLY, HAVING BEEN A FORMER LEGISLATOR, I KNOW THAT ON CONTROVERSIAL ISSUES HOW THEY GENERALLY REACT. THEY GENERALLY LIKE TO LOOK AT WHAT DEMONSTRATION MODEL HAS BEEN IN PLACE THROUGHOUT THE STATE AND THEN WORK WITH THAT AS A FOUNDATION FOR WHATEVER THEY ENACT AS A STATE POLICY THAT'S NEW. RIGHT NOW THEY WOULD PROBABLY PICK THE PALM BEACH MODEL, AND THE PALM BEACH MODEL DOESN'T COME ANYWHERE NEAR AS CLOSE AS PROTECTING THE PUBLIC AS THE ONE THAT WE HAVE BEFORE US. IF WE WERE TO ENACT THIS, I FEEL VERY CONFIDENTLY THAT THIS WOULD BECOME THE BASELINE THAT THEY WOULD WORK OFF OF. ASK THAT WE WOULD HAVE A MUCH HIGHER STANDARD OF PROTECTION BECAUSE OF THE GOOD WORK AND RESPONSIBILITY THAT WE TOOK FORWARD HERE. BUT NO, TODAY IF WE ACT, CHOOSE TO NOT ACT, WE'RE BASICALLY CHOOSING TO DO NOTHING. AND TO ME, THAT IS UNACCEPTABLE. I HAVE FOUGHT THE GOOD FIGHT, AND I WILL GO HOME TONIGHT, AND I WILL FEEL COMFORTABLE WITH THE FACT THAT I DID EVERYTHING I COULD. THE OTHER ISSUES, WELL, YOU KNOW, I'VE NEVER BEEN

CHALLENGED LIKE THAT BEFORE. IT'S A NEW EXPERIENCE. I LOVE NEW EXPERIENCES, AND I JUST WANT TO SAY THANK YOU FOR ALLOWING ME TO ENJOY THAT PART OF THE PROCESS. AND YOU KNOW, AS WE MOVE FORWARD, I'M SURE THAT THERE'LL BE NEW EXPERIENCES. AT THIS POINT, I THINK IF WE'RE NOT GOING TO VOTE TO ENACT THIS, THAT WE NOT VOTE ON IT AT ALL. I THINK THAT THE COMMENTS MADE BY THE RIDE SHARE COMPANIES THAT WE CONSIDER CONTINUING THE NEGOTIATION IS A SMART DECISION.

I THINK IF THERE ARE ANY ELEMENTS OF THIS THAT YOU THINK SHOULD BE APPROVED UPON THEN I WOULD LIKE TO SEE TODAY THIS BOARD COME TO A CONSENSUS ON WHAT PORTIONS OF THIS PROPOSAL THEY WOULD LIKE CHANGED. SET THAT BAR.

>> MR. CHAIR, WE GOT A MOTION ON THE FLOOR.

>> VICTOR CRIST: I UNDERSTAND THAT BUT I'M JUST SAYING, IF YOU WANT TO END A DISCUSSION, THAT'S FINE, BUT IF THERE ARE PARTS OF THIS THAT YOU WANT TO IMPROVE UPON, THEN LET'S COME TO A CONSENSUS OF WHAT THEY SHOULD BE, ESTABLISH THAT BASELINE, AND CONTINUE THE NEGOTIATIONS. RATHER THAN JUST KILL IT.

>> WELL, I DON'T HAVE -- NO INTENTION OF RESCINDING MY MOTION. I CALL THE QUESTION.

>> VICTOR CRIST: THE MOTION MAKER MAY NOT CALL THE QUESTION, NOR THE SECOND, SO IT WOULD HAVE TO BE SOMEONE ELSE. WE HAVE A THIRD PARTY WHO CALLED THE QUESTION. LET'S GO AHEAD AND DO A ROLL CALL VOTE.

>> [INAUDIBLE] [ROLL CALL VOTE]

>> VICTOR CRIST: SO THE MOTION IS ADOPTED 4-1. SHOW THAT WE HAVE TWO COMMISSIONERS WHO ARE ABSENT FOR THE VOTE. ALL RIGHT. FOR SOME IT WAS A VICTORY, FOR OTHERS IT WAS A LOSS. ALL RIGHT, MOVING FORWARD ON OUR AGENDA BEFORE WE MOVE ON, MAY I HAVE 30 SECONDS TO SAY SOMETHING?

>> VICTOR CRIST: CERTAINLY.

>> I JUST WANT TO CLARIFY SOMETHING. YOU SAID THE PTC IS PUTTING THE RIDING PUBLIC AT RISK. THAT'S WHOLLY UNTRUE. LYFT AND UBER ARE PUTTING THE RIDING PUBLIC AT RISK, NOT THE PTC. AND THERE IS NO AGREEMENT TO, THERE WAS NO AGREEMENT TO VOTE ON. NOBODY CAN AGREE AS TO WHAT THE INDIVIDUAL ITEMS OUGHT TO BE. AND I'M PERSONALLY, I DON'T THINK WE SHOULD BE PUTTING THE PTC'S NAME ON SOMETHING JUST TO SAY WELL, IT'S LESS CRAPPY THAN IT WAS BEFORE. TO ME THAT'S NOT COMPROMISE. THAT'S GIVING UP. I'M WHOLEHEARTEDLY IN AGREEMENT WITH LETTING THEM CONTINUE TO TRY TO WORK SOMETHING OUT. THEY KNOW AND HAVE KNOWN FOR THE LAST TWO YEARS WHAT THE ISSUES ARE, WHERE THIS PTC IS AT, AND AGAIN, I'LL SAY IT AGAIN, I'VE IT SAID A MILLION TIMES, THEY COULD BE LEGAL HERE TOMORROW IF THEY CHOSE TO. THEY CHOOSE NOT TO.

>> [INAUDIBLE]

>> VICTOR CRIST: DAVE, WE'RE ALL ENTITLED TO A OPINION, AND I RESPECT THAT THAT IS YOUR OPINION, AND I'M WOULD ASK THAT YOU RESPECTFULLY RESPECT THE FACT THAT I DIFFER FROM YOU ON THAT OPINION.

>> ABSOLUTELY.

>> VICTOR CRIST: ALL RIGHT, WE'RE GOING TO MOVE FORWARD.

>> I WOULD LIKE TO SAY SOMETHING.

>> [INAUDIBLE]

>> VICTOR CRIST: I CAN'T HEAR HIM.

>> HE WANTS TO KNOW IF THE VOTE WAS TO APPROVE CALLING THE QUESTION OR ACTUALLY ON THE MOTION ON THE TABLE. WAS THE YES VOTES TO APPROVE THE MOTION OR TO CALL

THE QUESTION.

>> VICTOR CRIST: IT WAS CALLING THE QUESTION.

>> [INAUDIBLE]

>> VICTOR CRIST: THAT'S CORRECT. ALL RIGHT, SO WE'LL MOVE FORWARD WITH A ROLL CALL VOTE ON THE MOTION.

[ROLL CALL]

>> VICTOR CRIST: SHOW THAT IT WAS 4-1, CRIST NO, WE HAVE TWO MEMBERS OF THE BOARD ABSENT.

>> AND I JUST WANTED TO MAKE AN EXCEPTION. I DON'T THINK THIS BOARD HAS ACTED IN A MANNER THAT'S COCKY. IT WOULDN'T BE APPROPRIATE FOR THE DIRECTOR TO CONVEY MESSAGES ON OUR POSITIONS ON AN ISSUE THAT YOU KNOW IS BEING DISCUSSED IN THE SUNSHINE. SO I KNOW THAT I HAVE GUARDED MY OPINIONS AS WELL, SO.

>> VICTOR CRIST: I DON'T UNDERSTAND WHAT YOU'RE SAYING.

>> YOU SAID THAT YOU HAD ASKED THE DIRECTOR FOR OUR OPINIONS.

>> VICTOR CRIST: NO, NO, I ASKED THE DIRECTOR FOR HIS OPINION. NO, I WOULD NEVER ASK HIM FOR YOURS, NOR WOULD HE SHARE THAT WITH ME.

>> ALL RIGHT.

>> VICTOR CRIST: AND LEGAL COUNSEL IS ALWAYS PRESENT, SO SHE WOULD'VE STOPPED ME ANYWAY. SO NO. I HAD NO IDEA WHAT YOUR OPINIONS WERE GOING TO BE OTHER THAN MY PREVIOUS DISCUSSIONS AT THIS DAIS AND KNOWING AND SEEING YOUR BEHAVIOR AND WHAT YOU WERE LOOKING FOR AND NOT LOOKING FOR HERE. AND I MADE IT CLEAR TO THE RIDE SHARING COMPANIES, I THOUGHT THEY NEEDED TO GO FURTHER ON SOME OF THESE AREAS THAN THEY DID, SO I WAS RIGHT. ALL RIGHT. MOVING FORWARD, I THINK IT'S IMPORTANT THAT WE MOVE UP ON THE AGENDA THE NEXT MOST IMPORTANT ITEM ON HERE, WHICH IS OLD BUSINESS.

>> MR. CHAIR, IF YOU DON'T MIND, FOR POINT OF ORDER WE WOULD NEED A MOTION TO ACCEPT THE ATTORNEY'S REPORT IN ITS ENTIRETY.

>> VICTOR CRIST: OKAY, DO WE HAVE A MOTION TO ACCEPT THE ATTORNEY'S REPORT IN ITS ENTIRETY? ALL IN FAVOR? I AM GOING TO GO AHEAD AND BYPASS THE DIRECTOR'S REPORT AT THIS TIME AND GO DIRECTLY INTO -- ACTUALLY, NO, YOU'VE GOT THE -- WE'RE GOING TO DO THE BUDGET IN YOUR PRESENTATION, CORRECT?

>> YES, SIR.

>> VICTOR CRIST: ALL RIGHT WE NEED TO DO THAT NEXT AND THEN AFTER THE BUDGET WE'VE GOT TO TALK ABOUT THE MOST TIMELY MATTER, AND THAT'S THE SEARCH.

>> ACTUALLY, WE CAN ADDRESS THE BUDGET AS SCHEDULED FOR OLD BUSINESS.

>> VICTOR CRIST: ALL RIGHT THEN LET'S GO AHEAD AND MOVE FORWARD WITH ASKING I GUESS.

>> WE COULD JUST MOVE THE OLD BUSINESS AND FOLLOW THEM IN THE ORDER PRESENTED IN THE AGENDA.

>> VICTOR CRIST: YEAH, WE COULD. ALL RIGHT, WE CAN DO THAT BECAUSE WE'VE GOT TWO MAIN THINGS WE'VE GOT TO GET DONE BEFORE WE MOVE A QUORUM UP HERE.

ONE OF THEM IS THE BUDGET SO KYLE, WHY DON'T YOU GO AHEAD AND GO INTO THE BUDGET.

>> BEAR WITH ME JUST ONE MOMENT.

EVERY YEAR THE PTC BYLAWS STATE THAT THE UPCOMING YEAR'S BUDGET MUST BE APPROVED NO LATTER THAN THE JUNE MEETING. THE BUDGET AVAILABLE ONLINE ONCE APPROVED IS AN ALMOST MIRROR COPY OF THE EXISTING BUDGET WITH A FEW MINOR CHANGES THAT ARE LESS THAN \$1,000 ADJUSTMENTS JUST HERE AND THERE, BUT THE OVERALL BUDGET IS

ALMOST A MIRROR OF THIS CURRENT YEAR'S BUDGET THAT WE ARE IN SO I WOULD NOTE THAT THERE ARE VERY, VERY MINOR CHANGES AND I WOULD CERTAINLY BE OPEN TO DISCUSSION NOW OR IN THE FUTURE WITH ANY ISSUES ON THE BUDGET. IT WOULD REQUIRE A MOTION TO ACCEPT THE BUDGET AS PRESENTED TO YOU.

>> VICTOR CRIST: IS THERE ANYTHING IN THE BUDGET THAT ISN'T SOMETHING WE WERE AWARE OF IN THE PAST?

>> NO, SIR, NOTHING, ABSOLUTELY NOTHING.

>> VICTOR CRIST: ARE THERE ANY AREA OF THE BUDGET THAT YOU FINE TUNED AND DID CLEAN CUTTING?

>> THERE WERE A FEW AREAS WHERE I DID CUT SOME FUNDS THAT I SAW, EMBRACED SOME COST CUTTING MEASURES. JUST CONTINUOUSLY TRYING TO TRIM THE FAT IF YOU WOULD NOT THAT THERE'S MUCH THERE BUT JUST TRYING TO MAKE IT MORE AND MORE COST -->> CAN YOU GIVE US AN IDEA OF THOSE TWO OR THREE OR WHATEVER.

>> YES, SIR, JUST PROFESSIONAL EXPENDITURES, I CUT THAT A LITTLE BIT AND THAT WOULD BE JUST KIND OF A BROAD BRUSH LINE ITEM THAT'S UTILIZED TO ADDRESS PROFESSIONAL SERVICES THAT WE GET. I DON'T FORESEE US USING THE AMOUNT OF MONEY WE USED LAST YEAR.

>> LET ME ASK YOU KIND OF A DIRECT QUESTION THEN. ONE OF THE ITEMS IS APPROVAL OF THE CORCORAN AND JOHNSON AGREEMENT. IS THE MONEY BUDGETED FOR THAT?

>> YES, SIR, BUT THAT'S ON THE AGENDA ITEM AS WELL. THAT'S SEPARATE AGENDA ITEM.

>> I KNOW BUT I WANT TO MAKE SURE IF WE VOTE IN FAVOR OF IT, THE AMOUNT IN THE AGREEMENT IS IN THE BUDGET.

>> YES, SIR, IT IS.

>> VICTOR CRIST: FOR RECOGNITION OF THE BOARD THEY HAVE AGREED TO PROVIDE SERVICES TO US FOR THE NEXT COMING YEAR AT A REDUCTION, A REDUCED RATE.

>> YES, THAT IS CORRECTS SO THAT WOULD BE REFLECTED.

>> VICTOR CRIST: WE DON'T HAVE A BILL.

LAST YEAR WE HAD A BILL THAT WE WERE WORKING THROUGH THE LEGISLATIVE PROCESS, SO THEY CHARGED ACCORDINGLY. THIS YEAR WE DON'T HAVE A BILL. SO THEY WERE ABLE TO REDUCE THEIR COST TO \$96,000.

>> WELL, THE AGREEMENT I HAVE SHOWS \$120.

>> I BUDGETED MONEY FOR THE CURRENT CONTRACT PRICE BECAUSE WHEN I PUT THIS BUDGET TOGETHER, I HAD NO IDEA WHAT THE PROPOSAL WOULD BE FOR THE CONTRACT.

>> VICTOR CRIST: THEIR NEW CONTRACT PROPOSAL IS \$96,000.

>> THAT IS A PROPOSAL INITIATED BY THEM OR WAS IT THEY WANT 120 STILL AND SOMEHOW WE NEGOTIATED IT DOWN?

>> THEY WANTED 120, WE NEGOTIATED IT DOWN.

>> AND THEY'RE IN AGREEMENT WITH THAT AMOUNT?

>> YES, SIR, VERBAL AGREEMENT.

>> WHAT'S THE DIFFERENCE BETWEEN THE 120 AND THE 96. WHAT AREN'T THEY GOING TO DO.

>> LAST YEAR WE HAD A BILL REPRESENTED BY REPRESENTATIVE RAULERSON.

IT'S OUR ANTICIPATION THAT THERE WILL BE A LOT LESS WORK NEEDED BECAUSE THERE ARE NO BILLS.

>> OKAY, SO WE ARE OF THE UNDERSTANDING AND ASSURED THAT THEIR SERVICES TO US IS NOT A REDUCTION IN THE LEVEL OF SERVICE.

IT'S A REDUCTION IN THE SCOPE BECAUSE WE DON'T SIMPLY, WE SIMPLY DON'T HAVE A

BILL THAT'S BEING SPONSORED THIS YEAR.

>> YES, SIR, THAT IS CORRECT. I AM IN FIRM BELIEF THAT CORCORAN AND JOHNSTON AND OUR REPRESENTATIVE MR. BLAIR WILL REPRESENT US IN A FINE MANNER UP THERE. HE ALWAYS HAS AND I HAVE NO REASON --

>> IF SOMETHING UNFORESEEN WERE TO COME UP.

>> VICTOR CRIST: WE WOULD READDRESS IT.

>> IS THERE A METHODOLOGY IN THE CURRENT CONTRACT TO ADDRESS IT AND GIVE THEM A CHANGE ORDER FOR A LACK OF A BETTER TERM.

>> YES, SIR.

WE HAVE DONE THAT ONCE BEFORE AND WHEN WE SOLICITED SOME ADDITIONAL LOBBYISTS FROM A DIFFERENT FIRM BUT YES, SIR, THERE IS THAT PROVISION.

>> AND WE HAVE ENOUGH RESERVES THAT WE WOULD BE ABLE TO HANDLE THAT.

>> YES, SIR.

>> THANK YOU.

>> VICTOR CRIST: THEY ARE QUITE COMFORTABLE WITH THE \$96,000.

THEY WEREN'T SURE IF WHETHER OR NOT WE WERE GOING TO DO NEW LEGISLATION THIS YEAR OR NOT, AND JUST PUSHED LAST YEAR'S CONTRACT FORWARD. BUT WHEN WE MADE IT CLEAR THAT WE WEREN'T PLANNING ON FILING ANY LEGISLATION AND THE AMOUNT OF WORK AND THE SCOPE WOULD BE LESS, WE ASKED FOR THEM TO COME BACK WITH WHAT THEY WOULD RECOMMEND AND THEY CAME BACK WITH THE NUMBER 96, NOT US.

>> OKAY, THANK YOU.

>> ONE THING OF NOTE WITH THE HELP OF OUR NEW EMPLOYEE THAT WE HAVE WHO HAS A BACKGROUND IN ACCOUNTING, WE WORKED DILIGENTLY TO CUT SIGNIFICANT AREAS AND I WOULD LIKE TO MENTION THAT RIGHT NOW WE'RE LOOKING AT A POTENTIAL 82% INCREASE IN HEALTH CARE COSTS. 82%. THAT IS HUGE TO US. HUGE. THAT'S WHAT WE'VE BEEN TOLD BY THE COUNTY AND I DON'T KNOW HOW THE BOARD OF COUNTY COMMISSIONERS ARE GOING TO HANDLE THAT ISSUE ON THE LARGER SCALE BUT INTERNEE THAT'S GOING TO BE A SIGNIFICANT IMPACT. THIS BUDGET INCLUDES AND ACTUALLY TAKES IN THAT, ABSORBS THAT SO WE HAVE CUT ENOUGH MONEY IN DIFFERENT AREAS AND THINGS TO ABSORB THAT SHOULD THAT BE THE WORST CASE SCENARIO.

>> AND YOU ARE COMFORTABLE THAT YOU WOULD STILL BE ABLE TO PROVIDE THE SAME LEVEL OF SERVICE WITH THE CUTS AND?

>> YES, SIR.

>> I WOULD MOVE THAT WE ACCEPT THE BUDGET.

>> VICTOR CRIST: ANY DISCUSSION? ANY DEBATE? SEEING NONE, ALL IN FAVOR, AYE. THOSE OPPOSED? SHOW IT UNANIMOUS. OKAY. NEXT IS THE INTERLOCAL AGREEMENT WITH THE -- ACTUALLY, NO, NEXT WOULD BE THE LOBBYIST AGREEMENT WITH CORCORAN AND JOHNSTON. PRETTY MUCH DISCUSSED THAT ALONG WITH THE BUDGET. SAME AGREEMENT AS LAST YEAR JUST A LESSER DOLLAR AMOUNT. THEY CAME BACK WITH THE \$96,000 IS WHAT THEY THOUGHT WOULD BE APPROPRIATE WITH THE WORKLOAD. CERTAINLY IF SOMETHING CROPS UP ALONG THE WAY, THAT WE NEED TO GO BACK TO THE TABLE. THE MECHANISM FOR THAT IS IN THERE. BUT WE'RE TRYING TO CUT CORNERS WHERE WE CAN IN ORDER TO COVER NEW COSTS SO WE HAVE A BALANCED BUDGET.

>> QUICK QUESTION. THE AGREEMENT THAT WE HAVE IN OUR BACKUP SHOWS \$120,000. IS IT URGENT THAT WE APPROVE IT TODAY?

>> YES.

>> I'M JUST NOT COMFORTABLE NORMALLY APPROVING A CONTRACT WHEN WE KNOW THERE'S

SOMETHING DIFFERENT. I'D LIKE TO SEE THE FULL CONTRACT WITH THE RIGHT DOLLAR AMOUNT.

>> IT'S THE EXACT SAME CONTRACT WITH A DIFFERENT DOLLAR AMOUNT.

>> TO CLARIFY FROM A PROCEDURAL STANDPOINT, THIS COMMISSION WOULD HAVE TO RENEW THE AGREEMENT. THAT THE DROP DEAD DEADLINE WE HAVE TO ACCOMPLISH TODAY BECAUSE OF A DEADLINE IN THE AGREEMENT, AND THEN THERE WOULD BE A SUBSEQUENT MODIFICATION OF THE AGREEMENT TO REFLECT A REDUCED COMPENSATION AMOUNT.

>> OKAY.

>> VICTOR CRIST: DAVE, THEY ARE PERFECTLY COMFORTABLE WITH THAT. YOU CAN TAKE THAT TO THINK BANK.

>> OKAY, JUST LIKE I SAID I DON'T THINK LIKE TO AGREE TO SOMETHING I HAVEN'T READ.

>> WE CAN GIVE YOU A COPY OF THAT.

>> I WOULD BE IN FAVOR OF APPROVING IT, UNDER THE ASSUMPTION IT'S EXACTLY THE SAME AS THE OLD ONE.

>> THANK YOU.

>> VICTOR CRIST: OKAY, ANY FURTHER DISCUSSION? CAN WE HAVE A MOTION TO APPROVE. A SECOND. ALL IN FAVOR? THOSE OPPOSED? SHOW IT UNANIMOUS. INTERLOCAL AGREEMENT, BOCC/PTC, KYLE.

>> YES, EARLIER THIS YEAR, STAFF WAS CONTACTED BY HUMAN RESOURCE DEPARTMENT WITHIN THE COUNTY CONCERNING THE COMPLETION OF A FEDERAL GOVERNMENT I-9 FORM. THE I-9 FORM IS REQUIRED BY THE FEDERAL GOVERNMENT FOR ANYONE EMPLOYED IN THE U.S. THE SUMMARY IS THE HR DEPARTMENT AGREED TO INCLUDE COMPLETION OF THE I9 FORM DURING THE ON BOARDING PROCESS FOR PTC APPLICANTS. THIS WOULD REQUIRE AN INTERLOCAL AGREEMENT, WHICH IS INCLUDED IN YOUR BACKUP AND I WOULD DEFER TO MRS. OSTER FOR COMMENTS ON THIS BECAUSE SHE HAS A SPECIALTY IN HUMAN RESOURCES.

>> OKAY I THINK WHAT THIS AGREEMENT DOES IS BASICALLY SOLIDIFY THAT THE HUMAN RESOURCES DEPARTMENT WILL BE PROCESSING THE FORM I-9s FOR THE PTC AS WELL AS UTILIZING A COMPUTERIZED PROGRAM CALLED E VERIFY TO VERIFY THE EMPLOYMENT AUTHORIZATION FOR THOSE INDIVIDUALS. SO IT'S BASICALLY AN UNDERSTANDING BETWEEN THE PARTIES THAT HUMAN RESOURCES WOULD BE TAKING OVER THAT FUNCTION.

>> VICTOR CRIST: OKAY. ANY DISCUSSION? IS THERE A MOTION?

>> SO MOVED.

>> SECOND.

>> VICTOR CRIST: ALL IN FAVOR, AYE. THOSE OPPOSED? SHOW IT UNANIMOUS.

I KNOW WE SKIPPED OVER A, WHICH IS THE AUDIT PRESENTATION. I'D LIKE TO MOVE THAT TO THE END, AND IF WE DON'T HAVE TIME, TO THE NEXT AGENDA BECAUSE THAT'S NOT TIME SENSITIVE. IS THERE ANY OBJECTION TO THAT? OKAY. SEEING NONE. EXECUTIVE CAR SERVICES?

>> THIS IS THE CASE WHERE EXECUTIVE CAR SERVICES DID NOT PAY THEIR DELINQUENT FEES. WE NOTICED THEM ACCORDINGLY. HEARING OFFICER SUSAN MOORE HELD A HEARING AND RECOMMENDATION WAS APPROVED BY THIS COMMISSION DURING THE MARCH MEETING, AND THAT RECOMMENDATION WAS TO REVOKE OR CLOSE IF YOU WOULD THE CERTIFICATES AVAILABLE FOR ALL THOSE PEOPLE WHO HAD NOT PAID OR HAD GONE OUT OF BUSINESS, ET CETERA. THIS IS AN ANNUAL EVENT THAT IS DONE HERE AT THE PTC AND A FORMAL WAY TO CLOSE THOSE CERTIFICATES. WE WERE NOTICED BY EXECUTIVE CAR SERVICE THEY ARE REQUESTING THAT THEIR CERTIFICATE BE REINSTATED PROVIDING THAT THEY PAY ALL

THE DELINQUENT FEES, WHICH ARE \$2,081.20. HE IS ASKING HIS CERTIFICATE BE INSTATED IN LIEU OF SUBMITTING A NEW APPLICATION ASK GOING THROUGH THE NEW APPLICATION PROCESS FOR A NEW LIMO COMPANY. IS HE HERE? IF YOU WOULD STEP FORWARD TO THE DAIS HERE FOR A MOMENT. COMMISSION MAY WANT TO ASK YOU ANY QUESTIONS. SO HE IS ASKING TO BE REINSTATED VERSUS HAVING TO REAPPLY GO THROUGH THE REAPPLICATION PROCESS.

>> VICTOR CRIST: WHAT IS YOUR RECOMMENDATION?

>> MY RECOMMENDATION IS TO GO AHEAD AND TAKE THE DELINQUENT FEE WITH A, THE 25% PENALTY FEE THAT THIS COMMISSION HAS THE AUTHORITY TO LEVY AGAINST LATE PAYMENT.

>> VICTOR CRIST: OKAY.

>> WHAT'S THE DIFFERENCE I GUESS MAYBE ASK YOU, WHY DO YOU WANT TO REINSTATE VERSUS GO THROUGH THE PROCESS ALL OVER AGAIN.

>> I WOULD BE WORKING ON BUILDING MY BUSINESS AND I WOULD LIKE TO DO EVERYTHING BY THE BOOK. CONTINUE GROWING MY BUSINESS. DON'T HAVE INCONVENIENCE. IMPORTANT FOR ME TO CONTINUE.

>> KYLE S THERE A TIME DIFFERENTIAL GOING THROUGH ONE PROCESS VERSUS THE OTHER.

>> AS IT IS RIGHT NOW IF HE HAD TO GO THROUGH THE APPLICATION PROCESS HE WOULD BE OUT OF BUSINESS ANYWHERE FROM TWO TO FOUR MONTHS.

>> OKAY.

>> VICTOR CRIST: DO WE HAVE A MOTION TO ACCEPT THE RECOMMENDATION?

>> SECOND.

>> VICTOR CRIST: ANY DISCUSSION? SEEING NONE. ALL IN FAVOR? THOSE OPPOSED? SHOW IT UNANIMOUS.

>> YOU'LL SEE ME AFTER THE MEETING. WE'LL TAKE CARE OF THE PROCEDURES.

>> VICTOR CRIST: BANK OF AMERICA.

>> LAST YEAR THERE WAS DISCUSSION ABOUT THE PTC PULLING THEIR FUNDS OUT OF THE CLERK'S OFFICE, PLACING THOSE FUNDS WITH BANK OF AMERICA OR ANOTHER FINANCIAL INSTITUTION. OVER THE PAST YEARS, THERE HAVE BEEN SOME PROBLEMS WITH PAYMENT OF OUR BILLS. DEBITING THE WRONG LINE ITEMS ON EXPENDITURES, A LIST OF OTHER ISSUES THAT APPEAR TO BE PROBLEMATIC IN OTHER AREAS OF THE COUNTY AS WELL. I'D LIKE TO CONSIDER PLACING THE PTC FUNDS WITH THE BANK OF AMERICA OR ANY OTHER FINANCIAL INSTITUTION WHICH THE COUNTY OR STATE ALREADY HAS A RELATIONSHIP WITH. AT THE JULY MEETING, I'D LIKE TO BRING A PROPOSAL TO YOU OUTLINING THE COSTS, THE PROCESS, AND THE OVERALL BENEFITS ASSOCIATED WITH THIS MOVE.

>> VICTOR CRIST: OKAY. I THINK THAT'S A WISE THING TO DO. OR JUST BASICALLY DIRECTING YOU TO BRING US BACK A PROPOSAL.

>> YES, SIR, A PROPOSAL AS TO WHAT ALL THE ELEMENTS ASSOCIATED WITH DOING SUCH. THERE WOULD BE NO DECISION TO DO SUCH AT THIS MOMENT, JUST FOR ME TO EXPLORE THAT AND BRING THAT BACK TO YOU IN JULY.

>> VICTOR CRIST: OKAY, IS THERE DISCUSSION? IS THERE A MOTION?

>> SO MOVED.

>> VICTOR CRIST: WE HAVE A SECOND. ALL THOSE IN FAVOR, AYE. OPPOSED? SHOW THAT UNANIMOUS. WE ARE SKIPPING OVER THE FINANCIAL AUDIT. CORCORAN-JOHNSTON AGREEMENT. DIDN'T WE ALREADY VOTE ON THAT.

>> YEAH, WE APPROVED IT.

>> VICTOR CRIST: NOW WE'RE ON SOMETHING THAT IS VERY IMPORTANT AND TIME SENSITIVE. KYLE HAD MENTIONED TO ME BACK IN JANUARY THAT HE WAS LOOKING TO RETIRE

FOR PERSONAL FAMILY REASONS, AND MAKE SOME CHANGES IN HIS LIFE, AND I RESPECTFULLY ASKED HIM TO WAIT UNTIL 30 DAYS AFTER SESSION TO GIVE HIS NOTICE AND HE SAID HE WOULD AND HE DID. AND WE GOT HIS NOTICE, AND I ASKS KYLE IF HE WOULD BE WILLING TO RECONSIDER THE 90 DAYS IN HIS LETTER, AND STAY ON THROUGH THE END OF HIS CONTRACT WHICH WOULD BE THROUGH THE END OF OCTOBER, AND HE SAID HE WOULD CONSIDER THAT DEPENDING ON YOU KNOW FAMILY MATTERS. TO DATE HE SEEMS TO BE OKAY WITH THAT, AND BUT WE NEED TO MOVE FORWARD KNOWING THAT HE'S LEAVING AND FINDING A SUITABLE REPLACEMENT WHICH I'M SURE WE ARE NOT GOING TO BE ABLE TO DO, BUT SOMEBODY THAT COULD COME CLOSE. WE HAD A GOOD PROCESS LAST TIME ASK I WANTED TO TRY TO FOLLOW THAT PROCESS THIS TIME, AND IMPROVE ON IT. I HAD JUST GONE THROUGH THIS WITH THE REGIONAL PLANNING COUNCIL. THE ENTITY THAT HANDLED THE SEARCH FOR THE REGIONAL PLANNING COUNCIL IS PINELLAS COUNTY'S HR DEPARTMENT, AND I WAS AMAZED BY SOME OF THE NEW TECHNIQUES AND STATE-OF-THE-ART PROCESSES THAT THEY PUT IN PLACE AND THE RESULTS IT RENDERED WERE EXCELLENT. I MET SOME PEOPLE IN THAT THE PROCESS I NEVER KNEW BEFORE, AND AT THIS JUNCTURE BY NO INFLUENCE OF MINE AT ALL, BOTH OF THEM GOT HIRED ON BY HILLSBOROUGH COUNTY AS THE DIRECTOR AND I'M NOT SURE WHAT YOUR TITLE IS, ASSISTANT DIRECTOR OF HR. BUT DAVE YOU'RE AN EXPERT AT THIS, YOU'RE CONSULTANT AND I WOULD HOPE THAT YOU WOULD QUESTION HER TO THE NTH DEGREE BUT I THINK WE WILL END THIS MEETING TODAY WITH YOU AND I IN A KUMBAYA THAT THIS IS THE WAY TO GO.

>> WE MAY, HOWEVER, THIS PTC COMMISSION I BELIEVE VOTED ALREADY TO UTILIZE CIVIL SERVICE TO DO THIS SEARCH AND IT'S MY UNDERSTANDING THAT CIVIL SERVICE WOULD DO IT. THEY'VE AGREED TO DO IT, AND THEY'VE AGREED TO DO IT WITHOUT ANY COST OR CHARGES TO THE PTC.

>> WELL THE COST OR CHARGES TO THE PTC WOULD BE THE SAME AS USING HR. IT WOULD BE THE EXPENSE OF RUNNING THE ADS.

>> WELL, .

>> MY POINT IS WE'VE ALREADY DECIDED.

>> I UNDERSTAND THAT BUT WE NEED TO TAKE A LOOK AT THE PLAN, THE TIMELINE AND THE EXPECTATIONS OF THIS BOARD AND THERE NEEDS TO BE AN APPOINTMENT OF A SEARCH COMMITTEE SO WHETHER WE USE CIVIL SERVICE OR HR, THAT'S A SEPARATE VOTE BUT WE NEED TO TAKE A LOOK AT THE PLAN SO AT THIS POINT, I'D LIKE TO CALL THE REPRESENTATIVE HERE UP FROM HUMAN RESOURCES TO PRESENT US A PLAN.

>> I MAY SAVE YOU SOME TIME. I ALSO STATED AT THE SAME MEETING THAT IT WAS GOING TO BE MY JOB, MY PERSONAL JOB IN THIS TO TRY TO CONVINCED KYLE TO STAY YOU KNOW AT LEAST THROUGH THE END OF THE YEAR, AND IF HE WERE TO DO THAT, I THINK THAT MAYBE YOUR PRESENTATION IS WHILE WE WANT TO HEAR IT, WE WOULD WANT TO HEAR IT CLOSER TO MAYBE THE TIME WE NEED TO GET SOMEBODY NEW SO IF HE STAYS THROUGH THE END OF THE YEAR, OF COURSE IT'S HIS CHOICE, I THINK MAYBE THIS PRESENTATION MIGHT BE PREMATURE AND IF I NEED TO DO IT THROUGH A MOTION, I WILL. IN FACT, I WILL. WELL, I HAVEN'T MADE IT YET. I WOULD REQUEST KYLE STAY THROUGH AT LEAST THE END OF DECEMBER 2016. IT'S MY MOTION.

>> THANK YOU VERY MUCH. I APPRECIATE THOSE KIND WORDS, AND FROM ALL OF YOU I'M VERY HUMBLD BY THOSE KIND WORDS AND THE FACT THAT WE ARE EVEN HAVING THIS CONVERSATION, SO THANK YOU VERY MUCH. I GOT TO TELL YOU THAT I FIRMLY BELIEVE THAT WE CAN DO SOMETHING WITH THESE TNCs. I FIRMLY BELIEVE THAT THESE NEGOTIATIONS AND DISCUSSIONS, COMMITMENT THAT WE'VE ALL HAD IS NOT FOR NOTHING

AND I WANTED TO SEE THIS THROUGH BEFORE I LEFT. I'D BE HONORED TO STAY ON BOARD THROUGH THE END OF THE YEAR TO TRY TO GET THING DONE.

>> SO WE HAVE A MOTION AND A SECOND.

>> VICTOR CRIST: SO YOU ARE WILLING TO STAY?

>> YES, SIR.

>> VICTOR CRIST: OKAY.

>> THIS IS A BIG ISSUE THAT IMPACTS OUR COMMUNITY.

>> VICTOR CRIST: I'M NOT SURE WE EVEN NEED A MOTION. WE JUST ASKED YOU IF YOU ARE WILLING TO STAY, AND YOU SAID YOU ARE, SO CAN WE GET A FORMAL LETTER FROM YOU TO ME AND I WILL CIRCUMVENT THE ORIGINAL LETTER WITH THAT AND WE WILL I GUESS POSTPONE ANY EFFORTS TO DO A SEARCH. I MEAN, AT SOME POINT, WE'RE GOING TO HAVE TO DO THIS. WE CAN'T WAIT TILL DECEMBER TO DO THE SEARCH BECAUSE THE SEARCH IS GOING TO TAKE PROBABLY FOUR MONTHS.

>> I WILL DEFER TO MRS. OSTER ON THE PROCEDURAL PART OF THAT.

>> THERE ARE A COUPLE PROCEDURAL ISSUES HERE. MR. COCKREAM DID SUBMIT A LETTER OF RESIGNATION ACCEPTED BY THIS COMMISSION SO I DO ASK A MOTION BE MADE TO ENTER INTO A SEPARATE ARRANGEMENT WITH MR. COCKREAM. ADDITIONALLY, IT WOULD REQUIRE MODIFICATION OF HIS EXISTING CONTRACT. THE CURRENT TERM OF HIS AGREEMENT IS THROUGH SEPTEMBER 30th, 2016, SO IT WOULD SIMPLY REQUIRE A MODIFICATION OF THE AGREEMENT THROUGH THE END OF THE YEAR.

>> I WILL MAKE THE MOTION YOU REQUESTED, WHICH WAS TO I GUESS, TO, TWO MOTIONS OR ONE?

>> I WOULD ASK FOR TWO.

>> OKAY SO THE FIRST MOTION IS TO EXTEND THIS CONTRACT.

>> THERE WAS A RESIGNATION LETTER OF JULY 11th. AND SO IT WOULD BE AN EXTENSION OF THE ARRANGEMENT THROUGH THE END OF THE YEAR AND A MODIFICATION TO REFLECT THAT.

>> FIRST MOTION TO MODIFY THE EXISTING AGREEMENT TO BE THROUGH THE END OF THE YEAR, CORRECT? OKAY. SO MOVED.

>> SECOND.

>> VICTOR CRIST: WHILE WE'RE ON THE TRAIN, KYLE, COULD WE EXTEND IT TO NEXT YEAR.

>> THANK YOU, MR. CHAIR, BUT MAYBE WE CAN HAVE THAT DISCUSSION A LITTLE BIT LATER. RIGHT NOW THE END OF THE 2016 IS -- THAT'S PRETTY GOOD RIGHT NOW.

>> VICTOR CRIST: ALL RIGHT.

THIS BOARD HAS BEEN SUCCESSFUL IN STRETCHING SOMETHING TODAY TO THE NTH DEGREE.

>> MR. CHAIR, IF I MAY, LOOK, WHAT YOU FOUR AND THE MISSING COMMISSIONERS HAVE COMMITTED TO DOING HERE I SEE AS A LIFE LONG RESIDENT IN THIS COUNTY IS VITALLY IMPORTANT. AND I'M HONORED TO BE A PART OF IT, AND I DO THINK IT'S PARAMOUNT IN MOVING FORWARD AS HILLSBOROUGH COUNTY IN MANY WAYS. MANY GROUPS AND AREAS I GO TO AND SPEAK AND I THINK IT'S DARN IMPORTANT SO I APPRECIATE JUST BEING ABLE TO BE A PART OF MOVING IT FORWARD.

>> VICTOR CRIST: ALL RIGHT. WE HAVE A MOTION ON THE FLOOR.

IF THE ATTORNEY COULD STATE THE MOTION THAT WE'RE VOTING ON.

>> THE FIRST MOTION WOULD BE TO EXTEND MR. COCKREAM'S TIME PERIOD FOR EMPLOYMENT WITH THE COMMISSION THROUGH THE END OF THE 2016.

>> VICTOR CRIST: OKAY WE HAVE A MOTION AND SECOND. NO DISCUSSION. ALL IN FAVOR, AYE. THOSE OPPOSED? UNANIMOUS.

>> SECOND MOTION IS TO MODIFY HIS CONTRACT REFLECTING THE NEW TIME FRAME.

>> SO MOVED.

>> SECOND.

>> VICTOR CRIST: OKAY, WE HAVE A MOTION, WE HAVE A DISCUSSION. ANY DISCUSSION? ANY DEBATE? ALL IN FAVOR, AYE. SHOW IT ADOPTED. NOW, I BELIEVE A THIRD MOTION IN THIS PARTICULAR INSTANCE WOULD BE APPROPRIATE. KNOWING THAT HE IS INTENDING TO LEAVE AT THE END OF THE YEAR, AND THAT THIS COULD BE A SIX-MONTH PROCESS, WE NEED TO ESTABLISH AT THIS POINT A DATE BY WHICH WE BEGIN THE PROCESS OF LOOKING FOR A NEW DIRECTOR. NOW WORKING WITH -- HAVING CHAIRED THIS LAST TIME AROUND AND WORKING WITH CIVIL SERVICE, AND HAVING CHAIRED THIS RECENTLY WITH THE REGIONAL PLANNING COUNCIL, THE ONE THING BOTH HAD IN COMMON DEPENDING ON IF WE USE COUNTY HR OR CIVIL SERVICE IS THAT THIS COULD BE A MINIMUM OF FOUR MONTHS TO A SIX-MONTH PROCESS. SO WE CAN'T WAIT UNTIL THE DAY HE LEAVES TO START THIS PROCESS. SO WE NEED TO HAVE A DATE WHERE WE READDRESS THIS AND BEGIN THE PROCESS IF IT KNOWING THAT IT'S GOING TO BE NECESSARY.

>> I WHOLEHEARTEDLY AGREE WITH YOU, BUT MY SUGGESTION WOULD BE THAT AT THE AUGUST PTC MEETING, WE HAVE HR AND CIVIL SERVICE COME IN TO MAKE PRESENTATIONS. THAT WAY THE PTC CAN HEAR FROM BOTH OF THEM AND MAKE AN INTELLIGENT CHOICE.

>> VICTOR CRIST: I'M GOING TO ASK THE REPRESENTATIVE FROM HR TO STEP UP TO THE MICROPHONE AND ASK YOUR THOUGHTS ON THAT KNOWING THE WORK VOLUME THAT'S INVOLVED REGARDLESS IF YOU DO IT OR SOMEBODY ELSE DOES IT.

I THINK AUGUST IS TOO LATE TO MAKE THAT DECISION, BUT I WANT TO HEAR FROM YOU YOUR THOUGHTS. YOU COULD INTRODUCE YOURSELF AND TELL US WHO YOU ARE.

>> GOOD MORNING, MY NAME IS BEVERLY WALDDREN. I AM MANAGING DIRECTOR OF THE HR DEPARTMENT FOR THE BOCC. I SPENT 31 YEARS IN PINELLAS COUNTY, BUT I'M A RESIDENT OF HILLSBOROUGH COUNTY AND GOT THE OPPORTUNITY TO QUIT DRIVING THE BRIDGES AND TOOK IT. I HAVE SPENT THE LAST 35 YEARS DOING SELECTION, LOT OF EXECUTIVE SELECTION, AND HAVE WORKED WITH A NUMBER OF BOARDS. THE MPO, PTC, PINELLAS COUNTY, THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS, THE TOURIST DEVELOPMENT COMMISSION. IT WILL TAKE FOUR TO SIX MONTHS TO DO THE SELECTION BECAUSE ALL OF THIS MUST BE DONE IN THE SUNSHINE, WHICH WILL MEAN GETTING YOU AND YOUR SCHEDULES TOGETHER SO WE CAN HAVE THE PUBLIC MEETINGS REQUIRED. THE EXTENSION TO THE DIRECTOR STAYING TILL THE END OF THE YEAR MEANS IT'S NOT AS BIG A RUSH, BUT I WOULD URGE YOU AT LEAST IN JULY TO MAKE A DECISION AND START THE PROCESS. IF YOU WANT TO DO A LOCAL SEARCH, THAT REDUCES THE TIME. IF YOU WANT TO DO A NATIONAL SEARCH, YOU'RE LOOKING AT PROBABLY A MONTH OF RECRUITMENT. I GAVE OUT INFORMATION HOW WE WOULD CONDUCT THIS SEARCH. DELAYING THIS DISCUSSION GIVES YOU TIME TO REVIEW THAT INFORMATION AND I'D BE HAPPY TO COME BACK AND DISCUSS IT. I KNOW DANE AND HE DOES THINGS WELL. WE JUST DO DIFFERENT THINGS.

>> VICTOR CRIST: WHAT I WOULD RECOMMEND AT THIS POINT IS WE TABLE THIS DISCUSSION TO OUR NEXT MEETING. YOU TAKE HOME THE RECOMMENDED PLAN, LOOK AT IT, COME BACK WITH YOUR THOUGHTS, AND WE ONE, MAKE THE DECISION ON WHAT AGENCY IS GOING TO CONDUCT OUR SEARCH, AND TWO, ADOPT A PLAN OR ANY CHANGES TO A PLAN AND KNOW THAT WE'RE MOVING THROUGH THE PROCESS BUT WE CAN MOVE THROUGH IT AT A SLOWER PACE BECAUSE BASICALLY ALL WE DID TODAY BY EXTENDING KYLE TO THE END OF THE YEAR IS ADDING 30 DAYS ON WHAT WE ALREADY KNEW BECAUSE UNDER THE PLAN THAT YOU PUT

TOGETHER, WE HAD HIM LEAVING AT THE END OF NOVEMBER. UNDER THE PLAN TODAY, WE NOW HAVE HIM LEAVING AT THE END OF DECEMBER. AND FRANKLY, I LIKE HAVING THOSE EXTRA 30 DAYS BECAUSE WE WERE KIND OF CRUNCHED IN YOUR PLAN.

>> AN AGGRESSIVE TIMELINE FOR A NATIONAL SEARCH WOULD PROBABLY HAVE SOMEONE REPORTING TO WORK THE MIDDLE OF OCTOBER. IF WE STARTED TOMORROW.

>> VICTOR CRIST: WE HAD TO GIVE THE DIRECTOR LAST TIME WHEN WE HIRED KYLE 30 DAYS, AND WE HAD TO GIVE THE GUY WE HIRED FOR THE REGIONAL PLANNING COUNCIL SIX WEEKS. SO EVEN IF WE MAKE AN OFFER IN NOVEMBER, THEY MAY NOT START UNTIL JANUARY.

>> WELL, ALSO, THIS COUNCIL WILL HAVE TO MAKE A DECISION, AND THEN THERE WILL HAVE TO BE -- WHICH WILL HAVE TO BE RATIFIED BY THE FULL COMMISSION. THEN YOU ARE GOING TO HAVE TO DO CONTRACT NEGOTIATIONS, AND THAT CORRECT WILL HAVE TO COME BACK TO THIS COMMISSION.

>> VICTOR CRIST: IT'S GOING TO TAKE SIX MONTHS.

>> SO THAT'S TWO MONTHS ALREADY, AND THEN YOU ADD ANOTHER 30 DAYS FOR RELOCATION OR NOTICE, POLITE NOTICE TO YOUR CURRENT EMPLOYER. SO THAT'S THREE MONTHS OF TIME RIGHT THERE.

>> HOW ABOUT NEXT MEETING BUT I WOULD STILL THINK WE WOULD HAVE CIVIL SERVICE HERE AS WELL.

>> VICTOR CRIST: THAT'D BE FINE.

>> JUST HEAR FROM BOTH OF THEM.

>> VICTOR CRIST: LET'S GO AHEAD AND INVITE BOTH TO PRESENT, AND THEN CHOOSE WHO YOU'RE MOST COMFORTABLE WITH.

>> OR A THIRD OPTION COULD BE THAT DANE AND I WORK TOGETHER.

>> VICTOR CRIST: OKAY. TO ME IT DON'T REALLY MATTER. I WAS IMPRESSED WITH WHAT YOU PRESENTED IN THE WORK THAT YOU DID FOR THE REGIONAL PLANNING COUNCIL.

>> THANK YOU.

>> VICTOR CRIST: YOU KNOW ONE OF THE THINGS THAT THEY DID THAT YOU GUYS ARE GOING TO LOVE IS SHE'S GOT A PROCESS BY SHE WILL SQUEEZE OUT OF EACH OF US WHAT WE WANT TO SEE IN THE DIRECTOR AND THEN MOLD IT INTO AN IDEAL PERSON THAT IS WHO WE SEARCH FOR. SO SHE REALLY DOES AN EXCELLENT JOB OF ENGAGING THIS BOARD IN THE PROCESS, WHICH I'VE NEVER SEEN IT QUITE DONE THAT WAY BEFORE.

>> WE USE LEADERSHIP ARCHITECT, WHICH IS A KERN/FERRY TOOL. WE WOULD ASK THE PTC FOR WHAT IS MOST IMPORTANT TO THEM AND THE DIRECTOR.

>> VICTOR CRIST: FOR THE PEOPLE SITTING IN THE AUDIENCE IN HER PLAN WOULD BE BASICALLY THREE SEARCH COMMITTEES. THERE WOULD BE THE SEARCH COMMITTEE APPOINTED FROM THIS BOARD, AND I WOULD BE APPOINTING DAVE AND GUIDO TO SERVE ON IT SO THAT WE'D HAVE THE TWO LARGEST CITIES AND THE COUNTY REPRESENTED. AND THEN WE WOULD HAVE A TASK FORCE MADE UP OF THE INDUSTRIES WE REGULATE, AND A TASK FORCE MADE UP OF OUR STAFF, AND EACH WOULD BE ABLE TO INTERVIEW AND COMMENT ON THEIR FAVORITES.

>> NOT ON THEIR FAVORITES, ON THE PROS AND CONS.

>> VICTOR CRIST: ON THE PROS AND CONS OF THE FINALISTS.

>> I HAVE A LAWYER SITTING THERE, SO I'M --

>> VICTOR CRIST: SO IT WOULD BE A PROCESS FAR MORE INCLUSIVE THAN WE'VE EVER SEEN BEFORE, AND FOR THE INDUSTRIES IT WOULD ALLOW YOU TO WEIGH INTO THE SELECTION PROCESS.

>> IT WOULD ALSO ALLOW STAFF.

>> VICTOR CRIST: AND WE ALSO ALLOW STAFF TO WEIGH INTO IT.
SO FOR OUR STAFF SITTING AROUND THE TABLE, YOU TOO WILL BE PART OF THE SELECTION
PROCESS UNDER THE PLAN THAT YOU'VE PUT TOGETHER.

>> SEE YOU IN JULY.

>> I WOULD LIKE TO SAY THERE NEEDS TO BE AN AMENDMENT TO THE MOTION.
THE INITIAL PROPOSED MOTION HAD AUGUST. WE NEED TO AMEND THAT TO JULY.

>> THAT'S FINE, I'LL SO AMEND IT.

>> VICTOR CRIST: WE COME BACK IN JULY TO READDRESS THIS. WE HAVE YOU AND CIVIL
SERVICE BACK TO PRESENT TWO PLANS AND IT COULD BE WE PICK ONE OF THE TWO OF YOU
OR SQUEEZE YOU TOGETHER IN A HOMOGENOUS WAY FOR BOTH. BEFORE ENDING THIS ISSUE
FOR THE SAKE OF THE AUDIENCE, SPEAKING FOR MYSELF, I WANTED TO HAVE AN INCLUSIVE
PROCESS THAT INCLUDED ALL OF THE COMPONENTS IN THIS SEARCH. I THINK IT'S
IMPORTANT THAT WHOEVER REPLACES KYLE BE SOMEONE THAT MEETS THE HIGH STANDARD
THAT HE HAS MET AND THAT HAS THE CAPACITY TO DO THE JOB AND THAT THERE'S AN
UNDERSTANDING FROM ALL PARTIES INVOLVED ON WHAT IT TAKES TO DO THAT.
OKAY. NEXT UP ON THE AGENDA --

>> THERE IS AN OUTSTANDING MOTION I BELIEVE THAT NEEDS TO BE VOTED ON.

>> VICTOR CRIST: WHAT IS THAT ONE?

>> TO BRING IT IN JULY.

>> VICTOR CRIST: I THOUGHT WE DID. SORRY.

>> WE AMENDED IT BUT WE NEVER VOTED.

>> VICTOR CRIST: ALL RIGHT, IS THERE DISCUSSION? IS THERE DEBATE?
ALL IN FAVOR, AYE. ANY OPPOSED? SHOW IT'S UNANIMOUS. WE HAVE A LOT LEFT HERE.
IF YOU WERE TO HAND PICK THE TOP THREE, WHAT WOULD THEY BE?

>> I WOULD START OUT WITH OWL TRANSPORT.

>> VICTOR CRIST: OKAY.

>> BEAR WITH ME JUST A MOMENT.

>> VICTOR CRIST: I AM GOING TO CUT THE AUDIT PEOPLE LOOSE. IT DOESN'T LOOK LIKE
WE ARE GOING TO GET TO YOU TODAY.

>> OWL, INC., HAS APPLIED FOR A HANDICAB CERTIFICATE AND 50 HANDICAP PERMITS.
IT WAS RECOMMENDED THAT THEY RECEIVE THE CERTIFICATES AND PERMITS AND THE PTC
STAFF CONCURS.

>> VICTOR CRIST: OKAY, ANY DEBATE? ANY DISCUSSION? IS THERE A MOTION?

>> MR. CHAIR, SINCE THIS IS IN THE NATURE OF A PUBLIC HEARING, I WOULD SUGGEST
THAT IF THERE IS ANY PUBLIC COMMENT, THEY BE ALLOWED TO SPEAK.

>> VICTOR CRIST: DOES ANYBODY WANT TO SPEAK?

>> THE SPEAKERS DEFERRED.

>> VICTOR CRIST: MY SUGGESTION IS IF IT LIKES LIKE A FAVORABLE BOARD, WHY?
DO THERE SEEM TO BE ANY OBJECTIONS UP HERE AT THIS POINT? YOU HAVE A FAVORABLE
BOARD, DO YOU WANT TO WAIVE?

>> [INAUDIBLE]

>> VICTOR CRIST: OKAY, ALL RIGHT.

>> DO I HAVE A TIME LIMIT?

>> VICTOR CRIST: THREE MINUTES.

>> GOOD AFTERNOON, COMMISSION. MY NAME IS JORDAN MILLER. I REPRESENT EXPRESS
MEDICAL TRANSPORTERS. IT'S AN EXISTING HANDICAB PROVIDER. THIS SPECIAL ACT AS
YOU ALL KNOW REQUIRES THE COMMISSION TO CONSIDER FIVE FACTORS. REALLY IN MY

LIMITED TIME I AM ONLY GOING TO BE ABLE TO ADDRESS THE EVIDENCE THAT WAS IN THE HEARING OFFICER'S REPORT FOR A FEW. THIS MARKET IS SET UP AS A REGULATED MARKET. IN THE PAST YEAR, THERE HAVE BEEN 50 NEW HANDICAB PERMITS PUT ON THE MARKET, PUTTING IT AT CURRENTLY 121 PERMITS. THAT'S A 70% INCREASE IN ONE YEAR. AND THAT'S NOT EVEN COUNTING THE 50 PERMITS THAT ARE BEING PROPOSED TO BE ADDED TODAY. THAT WOULD BE 140% INCREASE IN ONE YEAR'S TIME IN HANDICAB PERMITS AND THE SPECIAL ACT REQUIRES THE COMMISSION TO CONSIDER THE ADEQUACY OF EXISTING SERVICE. NOW THIS EXPLOSION IN THE AMOUNT OF PERMITS IS COMPLETELY IGNORING THAT MANDATE TO THE COMMISSION TO CONSIDER THE ADEQUACY OF THE EXISTING SERVICE. IF YOU LOOK THROUGH THE REPORT AND RECOMMENDATION, ONE OF THE MAJOR REASONS GIVEN FOR PUBLIC NEED IN THIS APPLICATION WAS SERVICE TO THE VA. WELL, THERE'S ALREADY AN EXISTING PROVIDER PROVIDING SERVICE TO THE VA. WHEELCHAIR TRANSPORT SERVICE WHICH I BELIEVE THEY ARE GOING TO ASK FOR ADDITIONAL PERMITS. SO MY CLIENT WAS PROVIDING SERVICE TO ANOTHER WHO WAS PROVIDING SERVICE TO VA. SO THERE IS PLENTY OF OUTSTANDING CAPACITY IN THE SYSTEM RIGHT NOW. THAT TESTIMONY WAS GIVEN AT THE HEARING. IT WAS UNCONTROVERTED, UNDISPUTED THAT THIS CAPACITY EXISTS IN THE MARKET, AND ALSO GOING TO THE, TO OTHER TWO FACTORS THAT MUST BE CONSIDERED BY THE COMMISSION PURSUANT TO THE SPECIAL ACT, THE PROBABLE PERMANENCE AND FINANCIAL STATUS OF THE APPLICANT. IT APPEARS IN THE REPORT BY THE HEARING OFFICER THAT THERE WAS SOME INFORMATION, PARTICULARLY A CREDIT HISTORY THAT WAS NOT PROVIDED PRIOR TO THE HEARING, NOR IN THE APPLICATION. SO THE SPECIAL ACT REQUIRES IN SECTION 7.4 THAT THE COMMISSION SHALL CONSIDER ALL THE EVIDENCE PROPERLY ADDUCED AT THE HEARING. NOW, THIS GOES EXACTLY TO TWO OF THE FIVE FACTORS. PROBABLE PERMANENCE AND FINANCIAL STATUS OF THE APPLICANT. WE HAD NO ABILITY TO CROSS-EXAMINE THE APPLICANT ON THESE MATERIALS PROVIDED. THEY WERE NOT PROVIDED AT THE HEARING. THIS IS NOT A -- FLORIDA'S ADMINISTRATIVE PROCESS IS ALSO REQUIRED BY THE SPECIAL ACT SO BECAUSE THREE OF THE FIVE FACTORS HAVE NOT BEEN MET, I WOULD REQUEST THAT THE BOARD DENY THIS APPLICATION, OR AT THE VERY LEAST, REMAND IT TO THE HEARING OFFICER SO THAT WE CAN HAVE A CHANCE TO CROSS-EXAMINE ON THIS ADDITIONAL EVIDENCE. THANK YOU.

>> VICTOR CRIST: VERY GOOD AT GETTING THAT POINT ACROSS VERY QUICKLY.
MR. MICHELINI.

>> I'M HERE ON BEHALF OF AMR. THEY ALSO WERE AN INTERVENER. THE APPLICANT DID NOT HAVE ANY CONTRACTS WHICH WERE REQUIRED AS PROOF THAT THERE WAS PUBLIC NEED AND NECESSITY. THEY HAVE NOT DEMONSTRATED ACCORDING TO THEIR OWN TESTIMONY THEY HAVE NOT DEMONSTRATED THAT THERE WAS AN UNMET NEED. THERE WAS A CURRENT SURPLUS OF HANDICABS PERMITTED BY THE PTC. THERE ARE 21 BY AMR THAT ARE NOT BEING USED CURRENTLY. THERE ARE ALSO TAXI HANDICABS THAT WERE NEVER INDICATED IN THEIR APPLICATION THAT COULD PROVIDE THE SERVICE. AND THE TRICOUNTY PROJECTION THEY USED A PLANNING STUDY INSTEAD OF EXACT AND DIRECTED CONTRACTS BY ANY OTHER FACILITY REQUIRING SERVICE. THEY CURRENTLY HAVE THE RIGHT TO TRANSPORT INTO AND OUT OF HILLSBOROUGH COUNTY. THERE ARE APPROXIMATELY 12,000 UNFUNDED PROJECTED NEEDS, BUT THOSE ARE UNFUNDED. BY THEIR OWN TESTIMONY AND THE TESTIMONY OF THE INTERVENERS, ALL OF THE NEEDS WERE BEING MET, AND THERE WAS NO DEMONSTRATED NEED WHATSOEVER IN HILLSBOROUGH COUNTY. THEY DID NOT PROVE THAT THERE WAS AN ADEQUACY -- AN INADEQUACY OF EXISTING SERVICE IN HILLSBOROUGH COUNTY. THEY DID NOT PROVE THAT THEY HAD A PERMANENT LOCATION. THEIR INDICATION WAS IN

THEIR APPLICATION THEY INTENDED TO USE A FUTURE CONTRACT WITH THE VA AS A POSSIBLE USE FOR THEIR PERMITS, AND THEN THEY WERE GOING TO USE THEIR PERMITS TO GO AROUND AND SHOP WITH THE EXISTING FACILITIES WHERE NO NEED WAS DEMONSTRATED. IN TERMS OF OTHER FACTS, THEY DIDN'T PROVIDE ANY FACTS. THEY PROVIDED NO LOCATION, AND THEY IN FACT SAID IF THEY DON'T GET THE PERMIT WITH THE VA THEY ARE GOING TO GO AROUND SHOPPING. YOUR RULES INDICATE THAT THERE HAS TO BE A PREPONDERANCE OF EVIDENCE TO ESTABLISH THE PUBLIC NEED AND NECESSITY THAT IS REQUIRED TO OPERATE. THEY DIDN'T DO ANY OF THAT. SO WITH RESPECT TO 50 PERMITS BEING REQUESTED, THEY DEMONSTRATED NO NEED, NO CONTRACTS, AND THEY WERE SIMPLY ASKING TO SHOP THE MARKET, AND AS I SAID, THERE ARE ALREADY 21 EXISTING PERMITS THAT RUN USED RIGHT NOW BECAUSE THE VA CONTRACT HAS ALREADY BEEN ISSUED. THEY WILL GO OUT FOR ANOTHER BID IN ANOTHER YEAR, BUT RIGHT NOW THERE IS NO PUBLIC NEED AND NECESSITY, AND THEY PROVED NONE. I RESPECTFULLY REQUEST YOU EITHER REMAND THIS BACK TO THE HEARING OFFICER, OR DENY THE REQUEST. THANK YOU.

>> VICTOR CRIST: IS THERE ANYONE HERE TO SPEAK ON THE OTHER SIDE? OKAY. IS THERE ANYBODY ELSE WITH YOU? [CAPTIONER TRANSITION]

>> VICTOR CRIST: ARE THERE ANY AREAS OF THE BUDGET WHERE YOU FIND TUNED AND DID CLEAN CUTTING?

>> THERE WERE A FEW AREAS WHERE I DID CUT FUNDS THAT I SAW. IT SHOWED ON A DAILY BASIS THERE IS AN UNMET NEED OF OVER 1500 RIDES FOR THE SEVERELY DISABLED, THAT'S 1500 RIDES. OUR CLIENT, MY CLIENT IS PROPOSING TO ONLY FILL A VERY SMALL PORTION OF THAT UNMET NEED WHICH IS BETWEEN 120 AND 150 RIDES A DAY WITH THE PERMITS THEY ARE GOING TO UTILIZE. THE STUDIES ALSO SHOW THAT THERE IS A NEED FOR A REGIONAL TRANSPORTATION PROVIDER AND REALLY THAT'S WHAT THEY ARE TRYING TO DO HERE. THEY ARE TRYING TO HAVE ENOUGH VEHICLES IN THE MARKETPLACE TO BE REGIONALLY BASED SO THEIR VEHICLES WILL PROBABLY NORMALLY ONLY DO TWO TO THREE TRIPS A DAY TRAVELING OUTSIDE OF THE COUNTY AND BRINGING THE PEOPLE BACK AND THE SECOND STUDY, THE REGIONAL TRANSPORTATION STUDY THAT WE ADMITTED INTO EVIDENCE SHOWS THAT THERE IS A NEED FOR THAT PARTICULAR SERVICE. THAT PEOPLE NEED RIDES ON THE WEEKEND, REGIONAL RIDES ON THE WEEKEND. THEY NEED REGIONAL RIDES AFTER HOURS AND THAT THOSE NEEDS ARE PRESENTLY BEING UNMET. BOTH OF THE INTERVENORS, AMR AND EMT HAVE BEEN OPERATING IN THE MARKETPLACE WHEN THESE STUDIES WERE PERFORMED SO EVEN CONSIDERING THEM IN YOUR ANALYSIS AT PRESENT IN YOUR COMMUNITY, THE NEEDS OF THE PUBLIC ARE BEING UNMET, AND IF THE COMMISSION GOES BACK AND LOOKS AT ITS DECISION IN THE WHEELCHAIR TRANSPORT CASE THE ADEQUACY OF THE EXISTING SERVICE GOES JUST TO WHETHER OR NOT THE PUBLIC'S NEEDS ARE BEING MET NOT WHETHER OR NOT AN EXISTING TRANSPORTATION PROVIDER WOULD BE NEGATIVELY IMPACTED BY OUR ENTERING THE MARKET. TO ADDRESS SEVERAL OF THE OTHER POINTS THAT WERE BROUGHT UP, AMR SAYS WE'VE GOT 21 EXISTING VEHICLES THAT AREN'T BEING USED THE REASON THAT IS IS BECAUSE THE DAY BEFORE THE HEARING THEY LOST THE VA CONTRACT SO THE EVIDENCE THAT WAS PRESENTED WAS THOSE 21 VEHICLES HAD BEEN OUT OF SERVICE FOR A DAY AND BEFORE THAT THEIR WHEELS WERE RUNNING OFF OF THE RAILS AND I BELIEVE IT WAS THE TESTIMONY AT THE HEARING. AS FAR AS OUR PROBABLE PERMANENT IN THE MARKETPLACE WE PRESENTED TESTIMONY AND A PROFIT AND LOSS STATEMENT SHOWING THAT THE NET REVENUE OF OWL, INC., WAS \$3 MILLION SO WE'VE GOT THE FINANCIAL CAPABILITY TO RUN THIS TYPE OF TRANSPORTATION COMPANY AND

AFTER THE HEARING OFFICER ASKED US TO SUBMIT ADDITIONAL INFORMATION WE DID. WE DID SO AND WE SHOWED TWO CREDIT LETTERS FROM TWO VEHICLE, I BELIEVE ONE BANK AND ONE VEHICLE DISTRIBUTOR SHOWING WE HAD A \$1.5 MILLION CREDIT LINE WITH ONE OF THEM AND A ONE MILLION CREDIT LINE WITH ANOTHER. WE'VE GOT OVER 500 EMPLOYEES. WE'RE LOCATED THROUGHOUT SEVERAL STATES. VIRGINIA, FLORIDA, GEORGIA AND SO WE ARE CERTAINLY HERE TO BE HERE TO COMPETE AND HERE TO STAY. THANK YOU, COMMISSIONERS.

>> VICTOR CRIST: OKAY. MEMBERS, WE HAVE BEFORE US A RECOMMENDATION FROM THE HEARING MASTER. IS THERE A MOTION?

>> BEFORE THE MOTION IS MADE I'D LIKE IF WE HAVE IT I CAN'T FIND IT IN MY BACK-UP. DO WE HAVE THE RECOMMENDATION, THE EXACT RECOMMENDATION FROM THE HEARING MASTER? HEARING OFFICER?

>> YES, THE RECOMMENDATION SHOULD BE INCLUDED IN YOUR MATERIAL.

>> I'M SURE IT IS I JUST CAN'T FIND IT.

>> IT IS PAGE 11 IN THAT TAB.

>> OKAY. AT THIS POINT MY WATCH IS SHOWING ME THAT OUR TIME HAS RUN OUT, AS IT WAS NOTICED, SO I'M GOING TO HAVE TO ASK FOR A MOTION TO EXTEND ABOUT ANOTHER 15 MINUTES SO THAT WE CAN GET AT LEAST THE PRIORITY BUSINESS OF THIS BOARD DONE. LEGALLY I'M REQUIRED TO DO THIS, WE ARE REQUIRED TO DO THIS SO IS THERE A MOTION TO EXTEND FOR 15 MINUTES?

>> MOTION.

>> SECOND.

>> VICTOR CRIST: ANY DISCUSSION AND ANY DEBATE? SEEING NONE, ALL IN FAVOR AYE. IT IS UNANIMOUS AND WE WILL EXTEND UNTIL A QUARTER AFTER.

>> THANK YOU FOR THE HARD COPY. I WOULD -- IT SEEMS TO ME THAT THE ISSUE OF ADEQUACY AT LEAST WAS CONSIDERED BY THE HEARING OFFICER. SO I WOULD MOVE THAT WE ACCEPT THE RECOMMENDATION OF STAFF.

>> SECOND.

>> VICTOR CRIST: OKAY. WE HAVE A MOTION AND A SECOND. ANY DISCUSSION? IS THERE DEBATE? SEEING NONE, ALL IN FAVOR AYE. THOSE OPPOSED? SHOW IT UNANIMOUS. OKAY. KYLE?

>> NEXT UP WHEELCHAIR TRANSPORT SERVICES. THEY ARE REQUESTING ORIGINALLY IT WAS A WAIVER BUT WE'RE GOING TO AMEND THE VERBIAGE IN THE AGENDA A WAIVER IS NOT NEEDED MERELY THE APPROVAL OF THIS COMMISSION VIA RULE 1-3. THE TEMPORARY PERMITS MAY BE REISSUED BUT SHALL NOT BE REISSUED FOR MORE THAN FOUR CONSECUTIVE SEVEN-DAY PERIODS WITHOUT COMMISSION APPROVAL. STAFF RECOMMENDATIONS THE ISSUANCE OF TEMPORARY PERMITS FOR HANDICAP VEHICLES. THEY CURRENTLY HAVE A CERTIFICATE AND HAVE PERMITTED VEHICLES. THEY ARE ASKING FOR TEMPORARY PERMITS AND WE DO HAVE AN APPLICATION ON FILE. WE ARE SCHEDULING A HEARING FOR INTERVENORS TO INTERVENE AND PUBLIC COMMENT SO THEY ARE ASKING FOR THE TEMPORARY PERMITS UNTIL WE CAN HAVE THAT HEARING WHICH SHOULD BE WITHIN THE NEXT 30 TO 60 DAYS.

>> VICTOR CRIST: OKAY. IS THERE A MOTION?

>> MR. CHAIR, WE HAVE LOST OUR QUORUM.

>> VICTOR CRIST: I HEAR HIM IN THE BACK.

>> I DON'T THINK THAT COUNTS.

>> HE WILL BE BACK. HE HAD SOMETHING HE HAD TO TAKE CARE OF QUICKLY.

>> I DON'T KNOW IF WTS WOULD LIKE TO MAKE ANY COMMENTS IN BRIEF OR NOT.
>> MR. CHAIRMAN --
>> HE CAN HEAR YOU BECAUSE THERE ARE SPEAKERS IN THE REST ROOM.
>> GEORGE B. WILLIAMS, ONE OF THE OWNERS, PARTNERS OF WHEELCHAIR TRANSPORT SERVICE. WE CURRENTLY OPERATE 15 HANDICAP PERMITS IN HILLSBOROUGH COUNTY. WE DID GO THROUGH THE PROPER PROCESS TO HAVE TEN TEMPORARY PERMITS IN ORDER TO FULFILL OUR OBLIGATIONS WITH THE HALEY HOSPITAL AND RECIPIENTS OF HILLSBOROUGH COUNTY AND SOME OF OUR PRIVATE PAY CUSTOMERS. THAT HAS EXPIRED AND WE'RE LOGISTICALLY HAMPERED A BIT THERE TO COVER OUR NEEDS AND WE'RE ASKING FOR THE TEMPORARY PERMITS TO BE APPROVED UP THROUGH OUR APPLICATION BEING BROUGHT TO YOU HOPEFULLY BY JULY 19TH.
>> VICTOR CRIST: OKAY. DISCUSSION?
>> WOULD YOU MIND REPEATING YOUR RECOMMENDATION?
>> YES, SIR. WHEELCHAIR TRANSPORT SERVICES CURRENTLY HAS A CERTIFICATE AND IS OPERATING HERE IN HILLSBOROUGH COUNTY. THEY ARE ASKING FOR AN EXTENSION ON SOME TEMPORARY PERMITS FOR VEHICLES IN ORDER TO FULFILL THEIR CONTRACT WITH JAMES A. HALEY HOSPITAL. THEY HAVE SUBMITTED AN APPLICATION FOR PERMANENT PERMITS FOR THESE VEHICLES. WE ARE IN THE PROCESS OF SCHEDULING THEIR HEARING WHICH WILL ALLOW THE INTERVENORS AND THE PUBLIC TO WEIGH IN ON THIS ISSUE. SO THIS IS A TEMPORARY ISSUE TO ALLOW THEM TO MAINTAIN THEIR BUSINESS UNTIL THAT CAN BE SCHEDULED AND WE ARE HOPING TO HAVE THAT IN THE NEXT 30 TO 60 DAYS.
>> MOVE TO APPROVE STAFF RECOMMENDATIONS.
>> VICTOR CRIST: WE HAVE A MOTION. IS THERE A SECOND? A SECOND. ALL IN FAVOR? THOSE OPPOSED? SHOW IT UNANIMOUS.
>> THANK YOU, SIR.
>> VICTOR CRIST: OKAY. KYLE?
>> A COUPLE OF QUICK ONES WE CAN GET THROUGH.
>> VICTOR CRIST: GO FOR IT.
>> A VAN CERTIFICATE, THE ENTOURAGES HAVE APPLIED FOR A VAN CERTIFICATE AND THEY RECOMMEND GRANTING THE VAN CERTIFICATES AND PTC STAFF CONCURS.
>> VICTOR CRIST: IS THERE ANY DISCUSSION? IS THERE ANY DEBATE? PEOPLE HERE FOR THE VAN CERTIFICATES? LOOKS LIKE YOU'VE GOT A BOARD THAT'S FAIRLY AGREEABLE. ARE YOU OKAY WITH WAIVING YOUR TIME TO SPEAK? I SEE HEADS NODDING. OKAY. ALL IN FAVOR? IS THERE A MOTION?
>> SO MOVED.
>> VICTOR CRIST: IS THERE A SECOND? ALL IN FAVOR SAY YEA. ANY NAYS? UNANIMOUS.
>> TAMPA BAY LIMO HAS APPLIED FOR TWO LIMO PERMITS AND THEY RECOMMEND GRANTING THE LIMO CERTIFICATE ALONG WITH PERMITS AND PTC STAFF CONCURS.
>> MOVE TO APPROVE.
>> SECOND.
>> VICTOR CRIST: OKAY. ANY DEBATE? SEEING NONE, ANY DISCUSSION? SEEING NONE, ALL IN FAVOR AYE. THOSE OPPOSED? SHOW IT UNANIMOUS. MOVING ON.
>> THE NEXT ISSUE I WOULD ASK IS DRIVE SOCIETY.
DRIVE SOCIETY IS A START-UP TMC THAT IS PLANNING ON OPENING HERE IN TAMPA BAY AREA. THEY HAVE A UNIQUE BUSINESS MODEL THAT EMBRACES THE VAST MAJORITY OF THE REGULATIONS CURRENTLY IN PLACE HERE IN HILLSBOROUGH COUNTY BY THE PTC AS WELL

AS OTHER CITIES THROUGHOUT THE COUNTRY. THERE SEEMS TO BE A GROUND SWELL OF THESE COMPANIES APPEARING ACROSS THE COUNTRY AS COUNCILMAN ALLUDED TO EARLIER WINGS IS MAKING A BIG DEBUT HERE IN FLORIDA AND PERHAPS THE MOST RECENTLY PUBLICIZED EVENT WAS THE CITY OF AUSTIN WHERE ENTREPRENEURS PLAN TO LAUNCH A NONPROFIT RIDE SHARING RIDE HAILING SERVICE TO HELP FILL THE GAP FROM THE DEPART YOU'RE OF UBER AND LYFT AND HERE TODAY IS MARCUS CARTER, CEO OF DRIVE SOCIETY TO DO A BRIEF PRESENTATION TO THE COMMISSION AND ANSWER ANY QUESTIONS.

>> GOOD AFTERNOON, ACTUALLY MY PRESENTATION HAS TURNED INTO A LITTLE BIT MORE AND I THINK WE HAD A LITTLE BIT OF A GAP IN BETWEEN THE DEBATE THAT WAS HAPPENING WITH TMC'S TO NOW BUT I STILL HAVE THAT SAME FIRE THAT IS GOING ON. THERE IS A LOT OF PEOPLE HERE THAT ARE FIGHTING FOR A LOT OF THINGS AND I THINK THAT WE SHOULD RESPECT THE PTC FOR WHAT THEY ARE AND FOR THE LAWS THAT THEY PUT INTO PLACE. OKAY? SO I HAVE THREE MAIN PRIMARY OBJECTIVES TO COMING HERE TODAY. THE FIRST IS TO REQUEST THAT THE COMMISSION CONSIDER IMPOSING OR ENACTING 16 EMERGENCY LAWS THAT WOULD EFFECTIVELY CREATE A SUBLIMOUSINE CATEGORY AND ALLOW TNC'S TO OPERATE UNDER THAT CATEGORY. THE SECOND THING THAT I WOULD HOPE THAT WE CAN DO IS REQUEST THAT THE RULES AND POLICIES COMMITTEE ASSEMBLE AS SOON AS POSSIBLE TO SOLIDIFY THESE RULES, OPEN THEM UP TO PUBLIC COMMENT AND DEBATE AND ALLOW US TO ACTUALLY MOVE FORWARD. YOU KNOW, ONE OF THE THINGS, MR. CHAIRMAN, THAT YOU WERE DISCUSSING ABOUT IS HOW LONG THIS HAS GONE BY. HOW MUCH TIME HAS GONE BY. WHEN I STARTED LOOKING AT THE -- MY THOUGHT PROCESS OF WHAT WE WERE GOING TO DO AND HOW WE WERE GOING TO BE ABLE TO OPERATE HERE LEGALLY AND WITH RESPECT TO THE PTC IT BECAME CLEAR WE COULDN'T BE A TAXI WITH THE WAY THE LAWS EXIST WITH THE TAXI METERS AND THE METERS A LOT OF REASONS WHY WE COULDN'T BE A CATEGORY. THE SPECIAL ACT CLEARLY STATES THAT WE CAN'T CREATE A THIRD CATEGORY SO WE ARE STUCK WITH TAXIS AND LIMOS AND WITH THE BY LAWS I LEARNED HOW YOU HAVE THE POWER TO ESTABLISH RULES AND CHANGE RULES AND IF YOU LOOK AT THE LIMOUSINE CATEGORIES TODAY THERE ARE FOUR INSTALLING A FIFTH ONE IN MY OPINION, IN MY PERSONAL OPINION WOULD NOT ONLY BE SOMETHING THAT WOULD BE APPROPRIATE IT WOULD ACTUALLY PROVIDE WHAT EVERYBODY IS LOOKING FOR WHETHER YOU ARE A LIMO DRIVER OR TMC, A TAXICAB, A CREATES THAT LEVEL PLAYING FIELD. AND THAT'S REALLY WHAT WE ARE INTENDING ON DOING AND THEN MY THIRD OBJECTIVE HERE IS TO REQUEST SOME SORT OF OPERATING AGREEMENT. I DON'T KNOW IF IT HAS TO BE A TEMPORARY OPERATING AGREEMENT PERHAPS WE CAN APPLY FOR A LIMOUSINE CERTIFICATION OR A LIMOUSINE CERTIFICATE THROUGH THE NORMAL CHANNELS BUT AT LEAST ESTABLISH THE GROUND WORKS THAT WOULD ALLOW DRIVE SOCIETY TO APPLY AND TO BECOME A LEGAL OPERATING RIDE SHARE COMPANY HERE IN THE COUNTY. SO WHAT I REALLY -- I MEAN THERE ARE A LOT OF THINGS HERE BUT WHAT THIS BOILS DOWN TO FOR ME IS THIS. THIS HAS GONE ON FOR TOO LONG. THERE ARE PEOPLE PICKING UP PEOPLE IN THIS COUNTY AND WHEN YOU REALLY THINK ABOUT IT YOU HAVE NO IDEA WHO THEY ARE. THERE IS NO IDEA WHO THEY ARE. YOU BROUGHT UP A LOT OF POINTS ABOUT THE FINGERPRINTS AND ABOUT THE LEVEL ONE PLUS PLUS. IT STILL DOES NOT ALLOW YOU THE OPPORTUNITY TO ACTUALLY IDENTIFY THAT THE PERSON WHO IS APPLYING FOR THAT BACKGROUND CHECK OR THAT CERTIFICATION IS ACTUALLY THE PERSON THAT EXISTS BEHIND THE WHEEL OF A CAR AND THAT'S SOMETHING THAT IT WOULD BE DANGEROUS FOR ANYBODY TO ALLOW -- I WAS TOLD I WOULD HAVE FIVE MINUTES SO YOU KNOW. I APOLOGIZE.

I HAD PREPARED A LOT HERE IN ORDER TO ACTUALLY SEE IF WE CAN GET ACTION GOING

AND MAKE PROGRESS TOWARD THIS. I THINK IT IS IMPORTANT AND I THINK IT IS AN EMERGENCY AND I JUST WANTED TO POINT OUT A COUPLE OF THINGS TO YOU THAT ON MAY 8TH.

>> VICTOR CRIST: AT THIS POINT WE DID AN EXTENSION FOR 15 MINUTES AND WE HAVE GOT TWO MINUTES LEFT.

>> I'M REQUESTING THAT THE COMMISSION DOES SUBMIT A MOTION TO ENACT THESE EMERGENCY RULES AS WELL. I APOLOGIZE THAT I'M THE LAST PERSON HERE TODAY HOWEVER I DO FEEL THIS IS IMPORTANT.

>> VICTOR CRIST: WE GOT THAT POINT BUT WE'VE GOT OTHER FOLKS OUT THERE THAT MAY BE ON ANOTHER SIDE OF THIS ISSUE I DON'T KNOW BUT WE'VE GOT TO BE FAIR. THE OTHER FOLKS THAT ARE STANDING THAT WANT TO ADDRESS THIS.

ARE YOU HERE TO SUPPORT IT OR --

>> [INAUDIBLE].

>> VICTOR CRIST: THEN WHY DON'T WE GO AHEAD AND TEMPORARILY POSTPONE THIS TO OUR NEXT MEETING FOR FUTURE DISCUSSION BECAUSE WE'RE OUT OF TIME.

>> WE'RE TRYING TO OPERATE IN THE NEXT 60 DAYS AND WE'RE TRYING TO DO THIS LEGALLY.

>> HAVE YOU MET WITH STAFF?

>> YES, I HAVE.

>> OKAY. WHERE ARE WE IN THE PROCESS NOW OF ADDRESSING THESE RULES?

>> THE LONG AND SHORT OF IT OF THE CATEGORY OF NONLUXURY LIMOUSINES BY WHICH TO OPERATE. THERE IS NO SUCH CATEGORY NOW SO IT WOULD REQUIRE A MOTION BY THIS BOARD TO ASSEMBLE THE POLICY COMMITTEE, THE RULES AND POLICY COMMITTEE TO CONSIDER FORMING THE NONLUXURY LIMOUSINE.

>> WE'RE NOW OUT OF TIME. IT IS 12:16 SO UNLESS THERE IS A MOTION TO EXTEND AGAIN.

>> WE ARE GOING TO HAVE TO MAKE THE MOTION TO EXTEND.

>> I WAS WITHIN 15 MINUTES.

>> SO MOVED.

>> OKAY. SO WE'RE MOVING TO EXTEND TO 12:30, CORRECT?

>> YES, WE HAVE A MOTION ON THE FLOOR. ALL IN FAVOR. THOSE OPPOSED? OKAY. SORRY, IT IS TECHNICALITIES. WE'VE GOT TO KEEP IT LEGAL.

>> HERE'S THE THING. WE'VE GOT YOUR PACKAGE OF PROPOSED RULE CHANGES.

AS WAS MENTIONED PREVIOUSLY IN OUR MEETING THERE IS A NUMBER OF RULES ALREADY OUT THERE THAT WE PUT IN ABEYANCE. MY SUGGESTION TO THE MEMBERS THAT ARE SITTING HERE TODAY IS THAT IN JULY WE TAKE UP THOSE RULES AGAIN AND IN THE INTERIM HAVE STAFF LOOK AT THE PROPOSED RULES AND SEE IF THEY FIT WITHIN THE RULES WE ALREADY APPROVED IN ABEYANCE OR IF THEY ARE DRASTICALLY DIFFERENT AND IF THEY ARE DRASTICALLY DIFFERENT THEN WE WOULD PUT TOGETHER THE RULES AND POLICY COMMITTEE MEETING TO DISCUSS THESE AND WE START THE PROCESS.

>> OKAY. I HAVE LOOKED AT THOSE EARLIER THIS WEEK AND THEY DO NOT FIT WITHIN THE PARAMETERS OF THE NEWLY PROPOSED RULES.

THEY WOULD REQUIRE THE RULES AND POLICIES COMMITTEE COMING TOGETHER AND TO THAT END THEY WOULD ALSO -- IT WOULD ALSO REQUIRE PUBLIC COMMENT.

SO WE WOULD REQUIRE THAT REGARDLESS OF --

>> MY HOPE WAS THAT IF THEY WERE VERY SIMILAR THAT WE WOULD TAKE THEM UP, WE COULD FOLD THEM OR SOMEHOW KEEP EVERYBODY HAPPY BY TAKING UP THE RULES THAT

WE PUT INTO ABEYANCE. EITHER WAY I THINK WE NEED TO BRING THOSE RULES THAT WE PUT IN ABEYANCE BACK IN JULY TO DISCUSS THEM AND THEN DETERMINE, YOU KNOW, HOW WE START THE PROCESS FOR THESE PROPOSED RULES AND, YOU KNOW, HAVE PUBLIC COMMENT AND LET THE INTERVENORS AND EVERYBODY OPPOSED TO IT HAVE THEIR SAY AND DO WHAT WE ALWAYS DO WITH THE RULES.

>> WOULD IT BE THE PLEASURE OF THIS COMMISSION FOR US TO SCHEDULE RULES AND POLICY COMMITTEES TO HEAR THESE PROPOSED RULES?

>> I THINK THAT'S WHAT WE ARE HEARING TODAY.

>> BUT EITHER WAY I THINK --

>> ALONG WITH THE OTHER RULES THAT HAVE BEEN TABLED UP TO THIS POINT THAT THE TAXICAB INDUSTRY HAS BEEN PUSHING.

>> RIGHT. YES, SIR.

>> OKAY.

>> PUT TOGETHER DATES AND LET ME KNOW.

>> YES, SIR.

>> SO THAT TAKES CARE OF YOUR ISSUE. THERE IS A PROCESS WE NEED TO GO BY FOR ANY RULE CHANGES. WE'VE JUST STARTED THAT PROCESS.

>> VICTOR CRIST: ALL RIGHT.

SO EVERYBODY IS CLEAR, THE CAB INDUSTRY THE RULES THAT ARE TABLED UP TO THIS POINT THEY ARE COMING BACK. THERE ARE NEW PROPOSED RULES ON THE TABLE RIGHT NOW THAT ARE GOING TO BE ADDED TO THE DISCUSSION AND WE'RE GOING TO CONTINUE THE DEBATE AND THE DISCUSSION ABOUT HOW WE HANDLE RIDE SHARING.

IS THAT WHAT I'M HEARING HERE?

>> YES.

>> VICTOR CRIST: OKAY. THERE IS A MOTION. IS THERE A SECOND? WELL, THERE IS BREATH STILL IN THIS. GOOD. ALL RIGHT. ALL -- ANY DEBATE? ANY DISCUSSION? ALL IN FAVOR AYE. THOSE OPPOSED? WOW, UNANIMOUS.

>> I DID HAVE A THIRD ISSUE IS --

>> VICTOR CRIST: SORRY, DONE. WE'VE GOT TO MOVE ON. IN ALL SINCERITY YOU ARE GOING TO HAVE TO COME BACK NEXT TIME. WE'VE GOT TO MOVE ON.

>> THE LAST THING ON THE AGENDA TO BE ADDRESSED, COMMISSIONER, WOULD BE LUXURY -- MR. THOMAS SMITH SUBMITTED A REQUEST TO ADD TWO VEHICLES TO THE LIST OF ACCEPTED VEHICLES, LIMOUSINE CATEGORY AND THE TWO VEHICLES PROPOSED ARE THE TOYOTA HIGHLANDER LIMITED EDITION AND PRIUS 4 AND 5.

>> VICTOR CRIST: WHAT?

>> MY UNDERSTANDING IS THAT THE PRIUS 4 AND 5 COMES STANDARD WITH UPGRADED INTERIOR THAT DOES INCLUDE LEATHER. THERE ARE A FEW MARKETS AROUND THE COUNTRY THAT DO ACCEPT THE PRIUS AS A LIMOUSINE BUT A LIMOUSINE DEFINITION IS DIFFERENT IN DIFFERENT PARTS OF THE COUNTRY.

>> DOES IT EVEN MEET THE CAPACITY REQUIREMENTS?

>> NO. THE PRIUS DOES NOT. IT CAN COME IN A LIMOUSINE, BELIEVE IT OR NOT THEY STRETCH IT TO A LIMOUSINE.

>> I SAW A STRETCH CAMARO THE OTHER DAY, TOO.

>> BUT NONETHELESS THE REQUEST WAS FILED AND THERE IS AN OBLIGATION BY MYSELF TO BRING IT TO YOUR ATTENTION.

>> VICTOR CRIST: AND DIDN'T THIS TOYOTA COME BEFORE US AS WELL?

>> IT HAS BEEN TALKED ABOUT IN THE GREEN CATEGORY AS BEING A GREEN VEHICLE.

>> VICTOR CRIST: OH, OKAY. TOM?

>> THE ULTIMATE QUESTION BEFORE YOU NOW IS THIS LIMOUSINE, DOES IT, THE PRIUS 4 AND 5 OR A TOYOTA HIGHLANDER LIMITED EDITION, DOES THAT FALL INTO WHAT YOU PERCEIVE AS THE CATEGORY OF LIMOUSINE?

>> LUXURY LIMOUSINE.

>> LUXURY LIMOUSINE.

>> VICTOR CRIST: TOM, REAL QUICK.

>> WHEN WE HAD THIS DISCUSSION BACK IN '08 AND '07 AND SOMEONE WANTED TO PUT A PRIUS ON THERE WAS NO SUCH THING AS A V, THE V IS THE SAME HEAD AND LEG ROOM AS A LINCOLN TOWN CAR AND A BIGGER TRUNK. YOU HAVE A CONCEPTION OF A PRIUS BUT YOU DO NOT HAVE A CONCEPTION OF A PRIUS V. I WOULD LIKE TO OFFER EVERY ONE OF YOU A RIDE IN MINE IF YOU WOULD LIKE SOMETIME DURING THE NEXT MONTH AND WE PUT THIS OFF UNTIL I CAN DO THAT. I WILL SEND YOU ALL AN E-MAIL AND YOU CAN CALL ME ANY TIME AND I WILL GIVE YOU A RIDE IN IT AND LET YOU SEE. NOW, I DID TAKE IT DOWN FOR KYLE AND MARIO TWO YEARS AGO. THEY SAW THE HIGHLANDER LIMITED AND THE PRIUS V IN A SMOKED GRAY LIMO STYLE WHERE THEY INSPECTED THEM. IN FACT, MY ORIGINAL PAPERWORK FOR THE GREEN LIMO, LEGAL CHANGE FROM TWO YEARS AGO, IT HAS BEEN GOING ON AND ON AND ON, THOSE WERE THE TWO VEHICLES THAT ARE USED LIKE NEW YORK CONSIDERS THOSE THE STANDARD. THOSE TWO VEHICLES. THE V IS NOT A PRIUS AND I DON'T THINK YOU ALL UNDERSTAND THAT SO I'M OFFERING YOU ALL A RIDE.

>> VICTOR CRIST: WHICH MODEL IS IT?

>> I'VE GOT THE 5. I PUT IN FOR A 5. THE 4 AND 5 ARE BOTH LEATHER. THE 5 ALSO HAS, THE ONLY DIFFERENCE IS THE 5 HAS NAVIGATION. LIKE CENTRAL NAVIGATION WHERE THE 4 DOESN'T BUT THE 4 AND 5 PRIUS V 4 AND 5. IF YOU PUT THE TWO OF THEM TOGETHER IT IS AN OPTICAL ILLUSION WHEN YOU OPEN UP THE BACK DOOR AND LOOK INTO IT. THE BACK SEATS RECLINE AND THEY ARE SOLID LEATHER.

>> THE QUESTION AT HAND HERE AND I STAND CORRECTED IT DOES MEET THE VEHICLE CAPACITY BECAUSE IT IS 15 PASSENGERS OR LESS AS IT STANDS RIGHT NOW IN THE DEFINITION OF A LIMOUSINE. THE QUESTION IN HAND IS THE WORD LUXURY. WHICH IS INCLUDED IN OUR DEFINITION OF --

>> AND HERE IS MY CONCERN UNLESS SOMEBODY KNOWS THAT YOU ARE PICKING THEM UP IN A PRIUS V AND PAYING FOR A LUXURY LIMOUSINE THERE ARE GOING TO BE A LOT OF UPSET PEOPLE.

>> I'M LOOKING FOR GREEN VEHICLES. MY WEBSITE WOULD BE GREEN VEHICLES AND IT WOULD SHOW THE PRIUS V PACKAGE 5. NOW, THE HIGHLANDER IS ANOTHER STORY. IF YOU CAN HAVE AN ACADIA ON THERE IS NO REASON NOT TO HAVE A HIGHLANDER ON. IT IS SEVEN PASSENGERS, IT IS A BEAUTIFUL CAR. THAT'S A SEVEN-PASSENGER CAR A LOT OF PEOPLE ARE USING FOR THE LIMO.

>> VICTOR CRIST: FOLKS, WE HAVE TO MOVE ON AND WE'RE GETTING READY TO GO OUT OF TIME AGAIN. I WOULD LIKE TO OPEN THIS UP TO THE BOARD FOR DISCUSSION AND OR DEBATE. I JUST HAVE A HARD TIME ACKNOWLEDGING THAT EITHER CAR COULD BE QUOTA LUXURY LIMOUSINE.

>> WHY DON'T WE GIVE YOU A RIDE IN IT? HAVE YOU EVER BEEN IN A PRIUS V?

>> MY RECOMMENDATION WOULD BE TO ALLOW THE BOARD TO EITHER ON THEIR OWN OR AT THEIR WILL OR HOWEVER THEY CHOOSE TO BE EXPOSED TO THESE VEHICLES CONCEPTUALLY AS A VEHICLE WITHOUT SEEING THEM SO TO BRING THIS BACK AT THE JULY ONCE WE COULD

HAVE ONE BROUGHT TO YOU OR HOWEVER YOU CHOOSE TO INVESTIGATE THIS MATTER A LITTLE BIT.

>> I'LL TELL YOU THANK YOU I THINK THAT IS A GOOD MOVE WE'VE JUST POSTPONED AND I WILL TELL YOU WHY YOU MENTIONED THE ACADIA I WOULD LIKE TO LOOK AT THE SPECS BETWEEN THE TWO. AND THE HIGHLANDER EXTREMELY SIMILAR NO REASON NOT TO APPROVE THE HIGHLANDER. THE IDEA THAT ANY PRIUS COULD BE A LUXURY LIMO IS SOMETHING I HAVE TO GET MY HEAD WRAPPED AROUND FROM MY PERSONALLY.

>> I'M GOING TO SHARE MINE, GENERALLY IN RUNNING AN ADVERTISING COMPANY WORKING WITH CLIENTS YOU MAY HAVE MULTIPLE PRODUCTS PRODUCED BY A PARTICULAR COMPANY AND THE WAY THAT THAT PRODUCT IS BRANDED TO THE COMMUNITY IS THE IDENTITY OF THAT PRODUCT. PRIUS IS NOT THE FLAGSHIP OF TOYOTA. YOU KNOW, PRIUS MAY HAVE THE STRIPPED MODEL AND THEY MAY HAVE THE FULLY EQUIPPED LUXURY MODEL BUT IT IS STILL NOT RECOGNIZED OR BRANDED BY TOYOTA AS THEIR LUXURY FLAGSHIP JUST LIKE IN FORD I DRIVE A NAVIGATOR. THE EQUIVALENT TO IT WHICH LOOKS JUST LIKE IT IS THE FORD EXPEDITION AND WHILE THEY ARE BOTH VERY, VERY SIMILAR ONE IS MARKETED AS A LUXURY FLAGSHIP VEHICLE AND THE OTHER IS NOT. AND IN THIS PARTICULAR CASE WHEN WE SAY LIMOUSINE WE WANT TO BE THE FLAG SHIP RECOGNIZED BRAND LUXURY VEHICLE THAT THE COMPANY IS ACCUSTOMED TO. BOTH HAVE LEATHER AND RECLINING SEATS AND CHROME DOESN'T MEAN THAT'S THE WAY IT IS BRANDED AND RECOGNIZED IN THE COMMUNITY. FOR ME, I WOULD HAVE A REAL PROBLEM RECOGNIZING A PRIUS AT ANY LEVEL AS A FLAGSHIP LUXURY VEHICLE. NOW, THE HIGHLANDER IS A DIFFERENT CHOICE. TOYOTA DOES MARKET THE HIGHLANDER AS A LUXURY FLAGSHIP SUV. IF YOU WANT GREEN CADILLAC MAKES A VARIETY OF GREEN VEHICLES. SO DOES LINCOLN, SO DOES LEXUS, SO DOES INFINITI AND MERCEDES AND SO DOES BMW AND AUDI. THOSE ARE LUXURY BRANDS WHICH WOULD BE RECOGNIZED AS A LUXURY VEHICLE. SO I UNDERSTAND YOU WANT TO SAVE MONEY AND THE PRIUS IS LESS MONEY THAN THOSE OTHER BRANDS THAT I MENTIONED BUT FOR ME IT IS GOING TO BE A HARD SELL FOR ME TO RECOGNIZE A PRIUS AS A LIMOUSINE.

>> LET ME GIVE YOU A RIDE IN IT.

>> VICTOR CRIST: I WILL BE HAPPY TO HAVE A RIDE IN IT. IT IS NOT THE FEATURES IT IS THE PUBLIC PERCEPTION OF THE BRAND. AND YOU ARE NOT GOING TO BE ABLE TO CHANGE THAT.

>> THERE ARE A LOT OF CITIES THAT USE THAT AS THE TOP OF THE LINE PRIUS. THEY DIDN'T START MAKING THEM UNTIL THE 2012, THE V, ANOTHER ANIMAL.

>> VICTOR CRIST: TOM, WE ARE NOT VOTING TODAY. YOU WILL HAVE ANOTHER BITE AT THE APPLE.

>> I WILL SEND EVERYBODY AN E-MAIL WITH MY PHONE NUMBER AND ANY TIME YOU WANT TO TAKE A RIDE JUST GIVE ME A CALL. OR I WILL HAVE THE V HERE.

I'VE GOT IT HERE RIGHT NOW IN THE PARKING LOT.

>> SO WE CAN PUT THIS ON THE JULY AGENDA ONCE THE BOARD HAD AN OPPORTUNITY.

>> VICTOR CRIST: WE'VE GOT TWO MINUTES LEFT.

>> WE'VE GOT ONE THING LEFT. HAYWARD? BEEN HERE SINCE 9:00 THIS MORNING. WAITING PATIENTLY.

>> VICTOR CRIST: HE ALREADY HAS A YES VOTE THEN.

>> BASED ON HIS RECORD AND BASED ON THE FINDINGS OF MR. HAYWARD'S RECORD MR. HAYWARD IS REQUESTING TO DRIVE FOR EXPRESS MEDICAL TRANSPORT.

HE IS REQUESTING A PVDL AND IT IS GOING TO REQUIRE THE BOARD'S APPROVAL.

>> VICTOR CRIST: WHAT'S YOUR RECOMMENDATION?

>> MY RECOMMENDATION IS GOING TO BE --
>> VICTOR CRIST: CONSIDERING HE DID WAIT ALL DAY TO BE HERE.
>> MY RECOMMENDATION WILL BE THAT A MINIMUM OF SIX MONTHS PROBATION GRANTED.
2006 SINCE THE LAST ISSUE.
>> VICTOR CRIST: FOLKS, WE'VE GOT 60 SECONDS.
>> MAY I MAKE A MOTION TO APPROVE HIS APPLICATION WITH THE SIX-MONTH PROBATIONARY
PERIOD.
>> SECOND.
>> VICTOR CRIST: OKAY. ANY DISCUSSION? SEEING NO DISCUSSION OR DEBATE, SEEING
NO DEBATE ALL IN FAVOR AYE. THOSE OPPOSED? UNANIMOUS.
>> MR. HAYWARD, IF YOU WILL SEE MR. SAUNDERS HE WILL DIRECT YOU.
THANK YOU, BOARD, FOR BEING PATIENT TODAY.
>> VICTOR CRIST: OKAY. MR. HIGGINBOTHAM MOVES WE ADJOURN.