

**PUBLIC TRANSPORTATION COMMISSION
MEETING MINUTES**

Tuesday, July 19, 2016
County Commissioners Board Room
601 E. Kennedy Blvd., 2nd Floor

1. CALL TO ORDER

The meeting of the Public Transportation Commission was called to order by Chairman Victor Crist at 9:09 a.m. The following members were present:

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

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

2. INVOCATION, PLEDGE OF ALLEGIANCE & AGENDA

The invocation and pledge was given by Commissioner Crist, and the swearing in of witnesses was administered by Chief Inspector Brett Saunders. Councilman Maniscalco motioned to approve moving items up within the Agenda, it was seconded by Councilman Pogorilich, and unanimously approved.

3. IN THE NEWS

- A. Airport Advertisement*
- B. Article in the Tampa Bay Business Journal*

4. AUDIENCE PARTICIPATION

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

- A. Seth Mills*
- B. Louie Minardi*
- C. Dave Shaw*
- D. Tom Halsnik*
- E. Jordan Miller – Pass for Agenda Item*
- F. Brook Negusei - Pass*
- G. Stephanie Smith*
- H. Thomas Smith*
- I. Steve Anderson - Pass*
- J. Fassil Gabremariam - Pass*
- K. Dory Niven*

Councilman Maniscalco motioned to approve audience participation, it was seconded by Councilman Pogorilich, and unanimously approved. (closed)

5. CONSENT ITEMS

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

6. ATTORNEYS REPORT

A. Appeal of the Citations Issued to Uber

Mrs. Oster advised the Board she has not received an order from the courts in regards to the June 22nd case. Mrs. Oster indicated that the courts would most likely issue a written order that could take several months to receive.

B. Status on other Pending Litigation Involving Transportation Network Companies

Mrs. Oster briefed the Board on the TNC “case that remains open is the case that the PTC filed against Uber in the Circuit Court”. “That was the case that we had before Judge Huey”. The Declaratory Action piece remains open and the item that PTC appealed. “That piece was the denial of the PTC motion for temporary injunctive relief that Judge Huey denied”. PTC appealed to the Second District Court of Appeal. During the briefing of most Board members on this issue the recommendation is to focus efforts on other pieces of litigation and dismiss this particular appeal.

Commissioner Higginbotham motioned to retroactively approve dismissal of the appeal, it was seconded by Commissioner Hagan, and unanimously approved. (closed)

C. Status of the Petition for Expedited Writ of Prohibition – Dismissed

Mrs. Oster advised the Board the Second District Court of Appeals dismissed the case.

D. Revisit Discussion on a Possible Settlement Agreement

Commissioner Higginbotham motioned to approve reopening the discussions of a settle agreement and final draft to be brought before the commission, it was seconded by Councilman Maniscalco. Final vote, 5 ayes and 1 nay.

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

7. DIRECTORS REPORT

A. Cherry Bekaert – Financial Audit

Councilman Pogorilich motioned to approve Cherry Bekaert’s Financial Audit, it was seconded by Councilman Maniscalco, and unanimously approved. (closed)

B. Placement of Funds in a Private Institution

Mr. Timothy Jewesak gave a presentation on the cost saving analysis on the PTC if the funds are moved out of the County Clerk’s office and placed within a private institution, and assume the procurement process in house.

8. OLD BUSINESS

A. Proposal for the Executive Director Search

- 1. Civil Service*
- 2. Human Resources*

Commissioner Higginbotham motioned to approve Civil Service & Human Resources work collectively together in creating a proposal to bring to the Commission in August, it was seconded by Councilman Pogorilich, and unanimously approved. (open)

B. Finance & Audit Committee Follow-up – Ad Hock Committee Review – Procedural Inquiry
Commissioner Higginbotham motioned to accept the RFP Review Committee’s recommendation for B2 Communications as PTC’s Public Relations vendor, it was seconded by Councilman Maniscalco, and unanimously approved. (closed)

C. Rules & Policy Committee Meeting Status Update
Mr. Cockream briefed the Board during the Rules & Policy Committee Workshop held on July 6, 2016, the Slow Moving Vehicle proposal was approved to move forward by the committee, and advised the board of the upcoming Rules & Policy Committee meeting on August 2, 2016 discussion will be on the increase in fines, tabled Rules from 2015, and Drive Society proposals.

D. Executive Car Service – Revocation
Councilman Pogorilich motioned to revoke Executive Car Service Certificate and permits, it was seconded by Councilman Reddick, and unanimously approved. (closed)

9. NEW BUSINESS

A. Executive Director’s Performance Evaluation
Councilman Pogorilich motioned to approve the Executive Director’s Performance Evaluation of 4.70, is was seconded by Councilman Maniscalco, and unanimously approved. (closed)

Councilman Pogorilich motioned to increase Mr. Cockream’s Salary by 3 or 3.5% depending on which will fall in line with the Counties approved % increase, it was seconded by Councilman Reddick, and unanimously approved. (closed)

B. Public Hearings

1. Handicab Certificate

a. American Med. Trans., Inc.

Hearing Officer Jeffrey Fuller recommends granting American Med. Trans., Inc. a certificate along with the sixteen unrestricted handicab permits.

Councilman Pogorilich motioned to approve five minutes to speak, it was seconded by Councilman Maniscalco.

Audience Participation was given 5 minutes per individual:

- 1. Jordan Miller
- 2. Eric Nowak

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

b. Wheelchair Transport Services – Additional Permits

Hearing Officer Jeffrey Fuller recommends granting Wheelchair Transport Services thirty five additional handicab permits.

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

2. Limousine Certificate

a. Excellent Care Transportation, Inc.

Hearing Officer Troy Lovell recommends granting Excellent Care Transportation, Inc. a certificate along with two unrestricted limousine permits.

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

b. Ameristar Limo & Transportation

Hearing Officer Troy Lovell recommends granting Ameristar Limo & Transportation a certificate along with one unrestricted limousine permits.

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

3. Taxicab Certificate

a. Metro Taxi of Tampa, LLC.

Hearing Officer Troy Lovell recommends granting Metro Taxi of Tampa a certificate of Public Convenience and Necessity.

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

C. Request for Variance/Waiver - Appeal

1. Suncoast Limousine

Suncoast Limousine requested a reconsideration appeal of the denial during the June PTC Board meeting.

Councilman Maniscalco motioned to deny the appeal, it was seconded by Commissioner Higginbotham, and unanimously approved. (closed)

D. Luxury Limousine Listing

1. Toyota Highlander

Commissioner Higginbotham motion to approve adding the Toyota Highlander to the Approved Luxury Limousine List, it was seconded by Councilman Maniscalco, and one nay by Commissioner Crist. Motion passes. (closed)

2. Toyota Prius 4 & 5

Mr. Thomas Smith withdrew his request to add the Prius to the Luxury Limousine Vehicle List.

E. Public Vehicle Driver's License Denial Appeal

1. Marvin Fisher – Represented by Jeremy Brown, Blu Moon Transportation

Mr. Fisher was present for his appeal. Commissioner Higginbotham motioned to approve Mr. Fisher's PVDL, it was seconded by Councilman Pogorilich, and unanimously approved. (closed)

2. Austin Joseph – Represented by Markanthony Little, Skyline Limousine

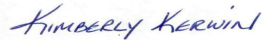
Mr. Joseph was present for his appeal. Councilman Maniscalco motioned to approve Mr. Joseph's PVDL with a six month probation, it was seconded by Commissioner Higginbotham, and unanimously approved. (closed)

3. Oscar Lopez-Dozal – Represented by Brook Negusei, LimoX

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

10. ADJOURNMENT

Commissioner Crist adjourned the meeting at 11:00 a.m.



Kimberly Kerwin
Public Transportation Commission

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

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

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