

CAPTIONING
AUGUST 10, 2016
HILLSBOROUGH COUNTY PUBLIC TRANSPORTATION COMMISSION

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>> VICTOR CRIST: GOOD MORNING.

WELCOME TO HILLSBOROUGH COUNTY PUBLIC TRANSPORTATION COMMITTEE MEETING, THIS BEAUTIFUL DAY OF AUGUST 10th, 2016.

IF WE COULD PLEASE RISE FOR THE PLEDGE OF ALLEGIANCE AND INVOCATION.

[PLEDGE OF ALLEGIANCE]O GREAT SUPREME BEING, FATHER OF ALL HEAVENS, WE COME TO YOU TODAY AND WE ASK THAT YOU GIVE US DIVINE GUIDANCE, DIVINE WISDOM, PEACE AND TRANQUILITY AND THE ABILITY TO GET THE JOB DONE, WHATEVER THAT JOB MAY BE.

WE ASK THIS IN THY NAME, AMEN. WELL, WE SHOULD HAVE A PRETTY GOOD AGENDA TODAY AND A GOOD, HEALTHY DISCUSSION. FIRST UP, BEFORE ANY ORDER OF BUSINESS, WE HAVE SOME INTRODUCTIONS. WE HAVE OUR NEW MEMBER HERE TODAY. HE'S SITTING TO MY LEFT. HE'LL BE REPRESENTING PLANT CITY HERE ON OUR BOARD. HE IS A CITY COUNCILMAN FOR THE BEAUTIFUL CITY OF PLANT CITY. HIS NAME IS NATE KILTON.

>> TELL US ABOUT YOURSELF.

>> I WANT TO APOLOGIZE TO THE GROUP FOR BEING MISSING IN ACTION THIS PAST MONTH BUT HAD SOME SCHEDULING CONFLICTS AFTER BEING ELECTED FIRST TIME SERVING AS AN ELECTED OFFICIAL, AND THIS STARTED MY TERM IN THE FIRST PART OF JUNE.

SO BORN AND RAISED IN VERMONT BUT I'VE LIVED IN PLANT CITY FOR ABOUT 16 YEARS. I OWN A COUPLEOF SMALL BUSINESSES. I'M A CPA AND FINANCIAL ADVISOR.

>> VERY GOOD. I GUESS YOU KNOW MY GOOD FRIEND DAN RAULERSON. DAN AND I GO WAY BACK. FRATERNITY BROTHER. ALL RIGHT. WELCOME ON BOARD. YOU ARE GOING TO FIND THIS A VERY INTERESTING ASSIGNMENT, AND IT WILL NOT BE BORING BY ANY MEANS. OUR FIRST ORDER OF BUSINESS, MEMBERS, WE HAVE BEFORE YOU THE AGENDA. IT WAS SENT OUT IN ADVANCE. ARE THERE ANY CHANGES, ANY CORRECTIONS, IS THERE A MOTION TO ACCEPT IT AS IT'S WRITTEN?

>> SO MOVED.

>> VICTOR CRIST: WE HAVE -- COMMISSIONER HIGGINBOTHAM?

>> KNOWING THAT WE MAY HAVE SOME LENGTHY DISCUSSION ON THE ITEMS THAT ARE BEFORE US, I WOULD LIKE AS A MATTER OF COURTESY TO MOVE UP THE ITEM 9A1, CIVIL SERVICE AND HUMAN RESOURCES SO THEY COULD GET ON WITH THEIR BUSINESS.

AND ALSO, THE NEW BUSINESS, THE HEARING THAT WE HAVE OR THE WAIVER, AND THE DRIVER LICENSE APPEALS SO WE COULD GET THOSE OUT OF THE WAY.

>> VICTOR CRIST: IS THERE AN OBJECTION? SEEING NO OBJECTION, SO ACCEPTED.

>> THANK YOU.

>> VICTOR CRIST: OKAY. ANY OTHER CHANGES? SEEING NONE, WE HAVE A MOTION. WE HAVE A SECOND. ALL IN FAVOR? THOSE OPPOSED? UNANIMOUS. OKAY. WE HAD THE SWEARING IN OF THE WITNESSES. [SWEARING IN]

>> VICTOR CRIST: FIRST PART OF OUR MEETING WE ALLOCATE UP TO 45 MINUTES FOR PUBLIC PARTICIPATION. WE PROVIDE FOR THREE MINUTES A PIECE. WE ASK THAT YOU PLEASE BE RESPECTFUL OF THIS BODY AND STAY FOCUSED ON THE ISSUES OF THE AGENDA OF THE DAY. YOU KNOW, IF YOU'RE UNABLE TO DO THAT, YOUR TIME AT THE PODIUM WILL BE CUT SHORT. I'M GOING TO CALL ON EACH PERSON AS I HAVE RECEIVED THE CARDS. IF THERE'S ANYONE WHO HASN'T FILLED OUT A CARD, WE ASK THAT YOU PLEASE DO SO, GIVE US YOUR NAME, ADDRESS UP FRONT AT THE PODIUM, AND THEN GO INTO YOUR PRESENTATION. FIRST UP TODAY IS MARCUS CARTER. MORNING.

>> GOOD MORNING, MR. CHAIRMAN AND MEMBERS OF THE BOARD. MY NAME IS MARCUS CARTER. I'M THE PRESIDENT OF DRIVE SOCIETY LOCATED AT 100 SOUTH ASHLEY DRIVE IN TAMPA. I'M HERE TODAY TO REQUEST THAT UPON THE COMPLETION OF THE PUBLIC COMMENT PORTION, THE BOARD FILE A MOTION TO DECLARE A TRANSPORTATION EMERGENCY BASED ON THE IMMINENT THREAT TO THE SAFETY AND WELFARE OF THE TRAVELING PUBLIC THAT EXISTS DUE TO THE ILLEGAL OPERATIONS OF TNCs OVER THE PAST TWO YEARS. NOW I UNDERSTAND THAT THIS REQUEST IS A VERY TALL ORDER, BUT I DO BELIEVE WHOLEHEARTEDLY THAT LEADERSHIP AND GUIDANCE FROM THIS BOARD IS NECESSARY FOR ANY ACTUAL RESULTS TO BE ACHIEVED IN THIS MATTER. I'M NOT GOING TO STAND UP HERE AND KEEP BEATING THE DRUM ON HOW DANGEROUS RIDE SHARING IS. I THINK EVERYBODY IN THIS ROOM KNOWS THE THINGS THAT HAVE HAPPENED IN RIDE SHARE VEHICLES ALL ACROSS THE COUNTRY. LAST MONTH MR. CHAIRMAN, YOU REFERRED TO THESE PEOPLE AS GYPSIES AND ROGUES. WELL, SIR, YOU HAVE MORE GYPSIES AND ROGUES OPERATING IN YOUR JURISDICTION THAN YOU DO PERMITTED VEHICLES, AND IF THAT'S NOT A TRANSPORTATION EMERGENCY TO YOU, I CHALLENGE YOU TO TELL ME WHAT IS. NOW A BOARD VOTE ON DECLARED EMERGENCY WILL MOST CERTAINLY PROVIDE A CLEAR AND CONCISE STANCE ON THE PTC'S LONG-STANDING DISAPPROVAL OF ILLEGALLY OPERATING FOR HIRE TRANSPORTATION VEHICLES. I ALSO BELIEVE THAT A BOARD VOTE WILL PROVIDE FURTHER GUIDANCE TO THE RULES AND POLICIES COMMITTEE WHEN THEY CONVENE AGAIN ON THE 16th. AND I WOULD ALSO LIKE TO POINT OUT THAT DRIVE SOCIETY IS READY TO BEGIN OPERATIONS BY FINGERPRINT BACKGROUND CHECKS WITH OUR OWN OR A NUMBER ISSUED BY THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT. WE HAVE VENDORS WHO ARE AVAILABLE TO US TO PERFORM THE VEHICLE INSPECTIONS, OUR INSURANCE REQUIREMENTS, YOU GUYS WILL BE HAPPY WITH. THE POINT I'M MAKING IS WE'RE PREPARED TO DO THIS THE RIGHT WAY WITH OR WITHOUT THE PTC. AND I WANT YOU GUYS TO KNOW THAT WE'RE STANDING HERE HOPING TO DO IT WITH YOU, AND I HOPE THAT BEARS SOME WEIGHT INTO YOUR CONSIDERATION AS WELL. SO NOW IT'S CLEAR THAT REGARDLESS OF WHAT DECISIONS YOU MAKE WITH THESE EMERGENCY RULES OR WITH THE MOTION FOR EMERGENCY OR WITH THE PROPOSED RULES THAT ARE COMING UP, YOU ARE PROBABLY GOING TO GET SUED FOR YOUR DECISION REGARDLESS. AND IN MY OPINION, THAT'S WHAT HAPPENS WITH TWO YEARS OF INACTION, IT LEAVES LITTLE OPTIONS ON THE TABLE OTHER THAN THAT. SO I JUST CHALLENGE YOU TO CONSIDER WHEN YOU DO GET SUED, WHEN YOU MAKE YOUR DECISION, YOU DO SO AND CONSIDER THAT YOU COULD DO SO AGAINST THE PEOPLE THAT ARE THE ROOT OF THE PROBLEM THAT HAVE CAUSED THIS TO BEGIN WITH, OR YOU COULD DO SO AGAINST THOSE THAT ARE ACTUALLY TRYING TO BRING SOLUTIONS AND HAVE BEEN FOLLOWING THE LAW THIS ENTIRE TIME. THANK YOU.

>> VICTOR CRIST: CHRIS LOTHTRIDGE. AND JOE MORGAN, YOU'LL BE NEXT.

>> 14138 -- SPRING HILL, FLORIDA. GOOD MORNING, MR. CHAIR AND MEMBERS OF THE BOARD. LIKE I SAID, MY NAME IS CHRISTOPHER A. LOTHTRIDGE AND I AM OPERATIONS MANAGER FOR DRIVE SOCIETY. MY JOB ULTIMATELY IS TO ENSURE THAT OUR DAY TO DAY WORK FLOW REMAINS CONSTANT ONCE WE START OUR ENGINES. NOW I KNOW ONE OF THE BIGGEST CHALLENGES THAT WE'RE GOING TO HAVE IS GOING TO BE IMMINENT LIABILITIES THAT ARE GOING TO TAKE PLACE ONCE WE START OPERATING. NOW, WHILE I WAS EXPLORING THIS REGION AND TRYING TO LEARN MORE ABOUT IT, I FOUND A COUPLE OF THINGS THAT WERE QUITE STARTLING TO ME AND I WANTED TO SHARE MY THOUGHTS ON THEM. I HAVE FIRSTHAND KNOWLEDGE BECAUSE I WAS AN UBER AND A LYFT DRIVER. THERE ARE THREATS TO THE PUBLIC THAT ARE TAKING PLACE THAT THE PASSENGERS UNKNOWINGLY PUT THEMSELVES IN THESE VEHICLES THAT ARE NOT DOCUMENTED, NO VEHICLE INSPECTIONS, AND THERE'S ALSO PEOPLE OUT THERE WITH NO DRIVER'S LICENSES. NOW, I WAS ABLE TO VERIFY DURING THE TIME THAT THE PTC ISSUED CITATIONS FOR UBER AND LYFT DRIVERS, THERE WERE A COUPLE DIFFERENT THINGS THAT THEY FOUND WHEN THEY RAN THEIR OWN BACKGROUND, AND THAT WAS ONLY FOR THE STATE OF FLORIDA. THEY FOUND SUCH THINGS AS DRUG OFFENSES, PROSTITUTION, ILLEGAL FIREARMS, FALSE IMPRISONMENT, DOMESTIC VIOLENCE, THEY ALSO FOUND DRIVERS WITHOUT A VALID DRIVER'S LICENSE, PEOPLE THAT HAVE HAD SUSPENDED LICENSES. THEY ALSO FOUND PEOPLE THAT HAVE HAD DRIVER'S LICENSES SUSPENDED OR REVOKED INDEFINITELY. AND I ASK YOU, HOW DOES THAT HAPPEN IF THEY ARE PRODUCING THESE BACKGROUND CHECKS? OBVIOUSLY SOMETHING'S NOT WORKING. AND LIKE I SAID, THAT'S ONLY IN THE STATE OF FLORIDA. KEEP IN MIND, FUN FACT, FLORIDA ONLY HAS ONE-THIRD PERCENT OF THE

POPULATION THAT IS NATIVE RESIDENTS. THAT MEANS 66% OF THE PEOPLE WHO LIVE IN FLORIDA COME FROM OTHER STATES, SO COULD YOU IMAGINE IF THEY RAN THE BACKGROUND CHECKS THROUGHOUT THE OTHER STATES NATIONWIDE? I PERSONALLY I DON'T SEE HOW A GOVERNMENT AGENCY DESIGNED TO REGULATE THIS MARKET AND ENSURE THE SAFETY OF THE TRAVELING PUBLIC HAS ALLOWED THIS TO HAPPEN FOR OVER TWO YEARS. NOW I THINK IT'S YOUR RESPONSIBILITY TO ENACT THESE MEASURES AS SWIFTLY AS POSSIBLE AS IT IS MY RESPONSIBILITY TO MAKE SURE 100% OF THE DRIVERS ARE ACCOUNTED FOR AND OPERATING SAFELY. I ASK YOU SET ASIDE YOUR POLITICAL AGENDAS AND PERSONAL EGOS AND PUT THE SAFETY THAT THE SOCIETY HAS ENTRUSTED YOU WITH. THE PASSENGERS DESERVE TO HAVE VEHICLES THAT HAVE BEEN INSPECTED. THEY DESERVE TO HAVE FAIR RATES WITHOUT SURGE. THEY DESERVE TO HAVE DRIVERS WITH DRIVER'S LICENSED. THE DRIVERS DESERVE TO GET FAIR RATES WHICH THEY HAVE NOT BEEN FROM THE TWO COMPANIES. THANK YOU FOR YOUR TIME.

>> VICTOR CRIST: OKAY, I NEED TO MAKE A CORRECTION TO THIS RECORD, THIS AGENCY AT NO TIME HAS ALLOWED ANYONE TO OPERATE ILLEGALLY IN HILLSBOROUGH COUNTY. WE HAVE AT ALL TIMES UTILIZED EVERY TOOL IN OUR TOOL BOX TO SHUT DOWN OPERATORS THAT WERE NOT LICENSED. SO WHEREVER YOU GOT YOUR INFORMATION YOU NEED TO GO BACK AND RERESEARCH IT BECAUSE YOU WERE WRONG. NEXT? JOE MORGAN.

>> HELLO, MY NAME IS JOE MORGAN. I'M LIAISON WITH DRIVE SOCIETY FOR CENTRAL FLORIDA, WHICH INCLUDES HILLSBOROUGH COUNTY. I LIKE MOST OF MY COLLEAGUES AT DRIVE SOCIETY WAS ONCE AN UBER DRIVER AND I TOO UNDERSTAND HOW INCREDIBLY DANGEROUS IT WAS FOR ME PERSONALLY, WHICH IS WHY I STOPPED. WHEN I WAS OFFERED AN OPPORTUNITY TO JOIN DRIVER SOCIETY, I DID SO BECAUSE OF THE EXACT REASON WE ARE HERE TODAY. I LIVED IN TAMPA MY ENTIRE LIFE, AND IT DISTURBS ME TO SEE THE WAY THAT THESE DRIVERS HAVE BEEN TREATED COLLATERALLY BECAUSE OF THE THINGS THAT HAVE BEEN ALLOWED TO HAPPEN. THIS IS A REAL OPPORTUNITY FOR YOU TO REGAIN THE LEADERSHIP THAT WAS STRIPPED AWAY FROM YOU WHEN THESE COMPANIES CAME IN AND DECIDED TO PLAY BY THEIR OWN RULES. I HOPE YOU TAKE IT AND RUN WITH IT. I'M PROUD TO REPRESENT A COMPANY THAT IS TRYING TO WORK WITH COMMUNITIES AND NOT AGAINST THEM. AND I'M HOPEFUL YOU WILL FOLLOW THROUGH ON THESE CLEAR EMERGENCY TO OUR COMMUNITIES SO WE CAN PROPERLY INTEGRATE HERE IN HILLSBOROUGH COUNTY. UBER AND LYFT LAWYERS MAY ARGUE THAT YOU DON'T HAVE ANY JURISDICTION OVER THEM, AND THAT MIGHT BE TRUE, BUT YOU DEFINITELY HAVE JURISDICTION OVER ANY DRIVER WHO IS TRANSPORTING A MEMBER OF THE PUBLIC IN EXCHANGE FOR MONEY AND IF WE ARE FACILITATING THESE DRIVERS TO DO THIS, THEN WE HAVE AN OBLIGATION TO ENSURE THEIR QUALIFICATIONS BEFORE WE ALLOW THAT TO TAKE PLACE. THAT SAID, WE AS ANY RESPONSIBLE COMPANY WOULD KNOW THAT REGARDLESS OF JURISDICTION, IT IS STILL OUR OBLIGATION TO ENSURE THE SAFE USE OF OUR APPLICATION. I'M HOPING TO WORK MORE WITH EACH OF YOU IN THE FUTURE ONCE WE HAVE BEEN PROVIDED A LEGAL WAY INTO THIS MARKET, AND I HOPE THAT STARTS SOON OVER THE EMERGENCY ACTION RATHER THAN LATER RISKING INTERVENTION AT THE STATE LEVEL BY LOBBYIST AND LAWYERS WITH AGENDAS. THANK YOU.

>> VICTOR CRIST: NEXT IS SETH MILLS.

>> GOOD MORNING, MY NAME IS SETH MILLS. I'M AT 100 NORTH TAMPA STREET.

MR. CHAIRMAN, MEMBERS OF THE COMMISSION, FIRST LET ME THANK YOU FOR GIVING ME THE OPPORTUNITY. I RISE TODAY TO ADDRESS YOU VERY BRIEFLY ABOUT THE PENDING RULES THAT HAVE BEEN VETTED THROUGH THE RULES AND POLICY COMMITTEE AND URGE YOU TO TAKE IMMEDIATE ACTION TO ADOPT BOTH ON A PERMANENT BASIS TODAY, AND ON AN EMERGENCY BASIS TODAY THOSE RULES. LET ME EXPLAIN WHY I DO SO. THIS PAST WEEKEND, THE TAMPA BAY BUSINESS JOURNAL PUBLISHED AN IN-DEPTH ARTICLE ABOUT THE TRANSPORTATION EMERGENCIES AND TRANSPORTATION NETWORK COMPANIES SERVING THE TAMPA BAY AREA. THEY NOTED THAT THERE WERE AT LEAST 11 NATIONAL TRANSPORTATION NETWORK COMPANIES OPERATING. THOSE INCLUDED SOME THAT WE HAVEN'T SEEN HERE YET, HIRE A CAR, BREEZE, DRIVE SOCIETY WHOM YOU'VE HEARD FROM THIS MORNING, WINGS, WHO YOU'VE ALSO HEARD FROM, AND MANY, MANY OTHERS. THIS IS NOT ABOUT UBER AND LYFT. THIS ABOUT THE TRANSPORTATION NETWORK COMPANY INDUSTRY AND THE TRANSPORTATION INDUSTRY AND THE TRAVELING PUBLIC OF HILLSBOROUGH COUNTY. IF YOU DON'T ACT NOW, WE ARE GOING TO BE IN A MUCH DEEPER HOLE A YEAR AND A HALF FROM NOW WHEN PERMANENT RULES FINALLY

TAKE EFFECT AFTER SOME LAWSUIT. I AGREE WITH ONE OF THE LAST SPEAKERS WHO SAID YOU'RE PROBABLY GOING TO BE IN A LAWSUIT IF YOU DO NOTHING FOR DENIAL OF EQUAL PROTECTION FOR THOSE WHO ARE FOLLOWING THE RULES AND AGAINST THOSE NOT FOLLOWING THE RULES, AND IF YOU DO SOMETHING, YOU ARE GOING TO HAVE YOUR RULES CHALLENGED. YOUR PROPOSED TEMPORARY OPERATING AGREEMENTS, WHICH I SAW FOR THE FIRST TIME YESTERDAY, WHICH I HAVE HIGHLIGHTED I WILL PASS OUT TO YOU IN A MINUTE WITH SOME OF MY COMMENTS DO NOT GO FAR ENOUGH AT ALL. THEY WOULD STRIP YOU OF YOUR REGULATORY AUTHORITY, THEY WOULD STRIP YOU OF YOUR ABILITY TO MAKE RULES GOING INTO THE FUTURE, THEY WOULD DISMISS WITH PREJUDICE YOUR EXISTING LAWSUITS SO YOU COULDN'T BRING IT AGAIN TO CHALLENGE JURISDICTION IN MY VIEW. IT'S HIGH TIME THAT AS HAPPENED IN AUSTIN, IF YOU'LL READ THE ARTICLE FROM THIS WEEKEND'S NEWSPAPER, YOU'LL SEE THAT WHEN UBER AND LYFT ROLLED OUT OF AUSTIN BECAUSE THEY DIDN'T WANT TO DO A LEVEL TWO BACKGROUND CHECK, THE VOID WAS FILLED IMMEDIATELY BY THOSE TNCs SUCH AS DRIVE SOCIETY, WINGS, AND OTHERS WHO WANT TO COMPLY, WHO WANT TO BE PROPERLY REGULATED, PROPERLY INSURED, AND DO THE FINGERPRINT CHECKS. SO THERE'S BEEN NO DROP-OFF IN SERVICE TO THE COMMUNITY. IN FACT, IT'S BEEN A BETTER SERVICE, A SAFER SERVICE. IT'S HIGH TIME THAT THOSE TNCs GET ON BOARD. WE NEED TO PROVIDE A PATHWAY FOR THEM TO DO SO. THAT PATHWAY MUST COME FROM THE RULES. IF IT IS YOUR JOB TO DETERMINE WHETHER, AND I CAN READ FROM YOUR SPECIAL ACT, WHETHER, THIS IS ALL YOU HAVE TO DECIDE TO DETERMINE THERE'S AN EMERGENCY. WHETHER IT'S NECESSARY TO ADDRESS ANY MATTER WITHIN THE JURISDICTION OF THE COMMISSION WHICH COULD SERIOUSLY AND ADVERSELY AFFECT THE HEALTH, SAFETY, AND WELFARE OF THE TRAVELING PUBLIC IF NOT IMMEDIATELY OPPRESSED. IT IS YOUR LAWYER'S JOB AS SHE AND I HAVE TALKED ABOUT TO DETERMINE WHAT THE LAW IS. IT IS YOUR JOB TO DETERMINE WHETHER THE FACTS THAT ARE PRESENT HERE TODAY IN HILLSBOROUGH COUNTY SET FORTH THAT EMERGENCY.

THAT IS WHETHER THEY ARE A SERIOUS AND IMMEDIATE THREAT TO THE SAFETY OF THE EMERGENCY PUBLIC. WITH THAT, IF I COULD PASS THIS OUT.

>> VICTOR CRIST: OKAY. THANK YOU, SETH. LOU WALLACE. LOU, ARE YOU HERE?
AND LOU MINARDI, YOU ARE NEXT.

>> MY NAME IS LOU LEWIS, I LIVE IN PINELLAS COUNTY, GULF BOULEVARD. I AM AN UBER DRIVER AND WHAT I WANT YOU TO DO IS GIVE ME A LEVEL TWO BACKGROUND CHECK SO I CAN GET A LICENSE SO THAT I CAN OPERATE LEGALLY IN HILLSBOROUGH COUNTY. I OPERATE MAINLY IN PINELLAS COUNTY. AND PINELLAS COUNTY HAVE OPENED THEIR ARMS TO UBER DRIVERS AND LYFT, AND WORKED TOGETHER WITH THEM TO EVEN HELP WITH THE TRANSPORTATION PROBLEM OVER THERE PICKING UP PEOPLE AT THE BUS STOPS. SO WHY IS IT A PINELLAS CAN DO THIS AND YOU GUYS CAN'T? WHY IS IT YOU CAN'T GIVE ME A LEVEL TWO BACKGROUND CHECK WHEN I WANT ONE, I'M WILLING TO PAY MY \$200 TO GO GET THIS LICENSE, YOU CAN INSPECT MY VEHICLE, I DON'T HAVE A PROBLEM WITH THAT. AND LET ME TELL YOU THAT MOST UBER DRIVERS THAT I KNOW WILL AGREE TO THIS. HAVE NO PROBLEM IN DOING THIS.

SO WHY CAN'T YOU CHANGE YOUR RULES TO ALLOW UBER DRIVERS TO COME TO YOU DIRECTLY TO HAVE A LEVEL TWO BACKGROUND CHECK TO HAVE THEIR VEHICLES CHECKED AND YOU GIVE THEM A LICENSE. THAT'S ALL WE ASK. THAT'S NOT HARD TO DO. I MEAN, ALL IT IS IS A CHANGE IN YOUR RULES, RIGHT? INSTEAD OF GOING THROUGH ALL THIS TROUBLE.

AND THEN AFTER YOU GIVE US A LICENSE, IF YOU FIND AN UBER DRIVER WORKING ILLEGALLY, ARREST HIM. TAKE HIM TO JAIL. DON'T JUST GIVE HIM A FINE. THAT'S HOW SERIOUS WE ARE. WE WANT TO WORK HILLSBOROUGH COUNTY. WE WANT TO HELP THE PEOPLE HERE.

CHECK YOUR DRUNK DRIVING RECORDS. YOU KNOW, THE D.U.I.s. HAVE THEY ALL GONE DOWN? HAS ANYBODY CHECKED THAT HERE? BECAUSE WE DO PICK UP A LOT OF DRUNK PEOPLE FROM THE BARS AND THE PUBLIC DO WANT UBER AND THEY DO WANT LYFT. SO IS THAT YOUR RESPONSIBILITY TO MAKE THAT WORK? THANK YOU.

>> VICTOR CRIST: SIR, I LIKE YOUR HAT.

>> OH, THANK YOU VERY MUCH.

>> VICTOR CRIST: I'M WILLING TO GIVE YOU ANOTHER THREE MINUTES JUST TO HEAR THE ACCENT. WHERE ARE YOU FROM ORIGINALLY?

>> LONDON, ENGLAND; WHERE UBER IS WORKING, ACTUALLY. THEY DID HAVE A PROBLEM WITH THE BLACK CARS BUT NOW THEY'VE JOINED TOGETHER AND THE BLACK CABS AND UBER ARE WORKING TOGETHER. SO THERE IS A WAY FORWARD, AND THERE IS A WAY TO WORK TOGETHER.

NO DOUBT ABOUT IT. THANK YOU FOR LISTENING TO ME.

>> VICTOR CRIST: AL USUALLY WEARS HATS LIKE THAT.

>> NOW THAT I KNOW THAT'S WHAT IT TAKES, I'LL HAVE ONE NEXT WEEK.

>> VICTOR CRIST: YOU'VE GOT TOO MUCH HAIR, MAN. 3413. I HATE TO BEAT A DEAD HORSE, BUT I ALSO WANT TO AGREE WITH THE OTHER GENTLEMEN IN HERE ABOUT MOVING THESE RULES FORWARD. HILLSBOROUGH HAS BEEN IN A UNIQUE POSITION BECAUSE ALTHOUGH WE'RE GETTING CRITICIZED ON THE CITATIONS AND STUFF YOU'RE ONE OF THE FEW PEOPLE, FEW PLACES THAT ARE DOING IT. AND EVEN IN YOUR STUDIES THAT YOU'VE DONE ALMOST 32% OF THE PEOPLE ARE GETTING TICKETED ARE EITHER IN THE WRONG CAR OR THE WRONG PERSON, SO I DO THINK THERE IS AN EMERGENCY OUT THERE. THERE IS AN ISSUE WITH GYPSY TAXIS AND ROGUE TAXIS AND ROGUE UBER DRIVERS, ROGUE TNC DRIVERS, ALSO MEDICAID CLIENTS ARE ALSO -- IT DIDN'T -- IT ISN'T JUST A TAXI, IT'S ALSO THE WHEELCHAIR INDUSTRY. IT'S ACROSS THE BOARD WITH WHAT'S GOING ON, AND THAT IMPLEMENTING THESE RULES WE ARE TRYING TO GET GOING WILL OPEN THE DOOR FOR ANY TNC TO BE ABLE TO OPERATE HERE IN HILLSBOROUGH COUNTY AND THE DRIVERS CAN PICK AND CHOOSE WHICH TNC THEY PREFER TO WORK WITH AND IT OPENS THE AVENUE. IF WE DON'T OPEN THE DOOR FOR THESE GUYS, AND I DO BELIEVE WE CAN WORK TOGETHER IN A LOT OF IN RESPECTS, AND AS A CROSSOVER BETWEEN THE TAXIS AND TNCs AND THEY WILL END UP WORKING TOGETHER. BUT WITHOUT IT OPENED UP AND WITHOUT THESE RULES PASSED AND GONE, WHETHER EMERGENCY RULE OR THE NORMAL THING I THINK THE EMERGENCY RULE IS THE WAY TO GO BECAUSE I THINK THERE IS AN EMERGENCY, AND LET'S GET THE PROCESS ROLLING AND WHO WANTS TO PARTICIPATE CAN AND WHO GOES TO THE STATE LEVEL GOES TO THE STATE LEVEL AND BY-PASSES YOU ANYWAY. THE WORKSHOPS THAT WE'VE HELD, WE'VE ALREADY SUBMITTED ALL THE RULES. ALL THE CHANGES AGREED TO IT AND STUFF. THE TNCs THAT HAVE COME HAVE OFFERED ABSOLUTELY NOT ONE WORD, NOT ONE SUGGESTION, NOTHING. SO I THINK WE'RE BEYOND THAT. I THINK THE RULES THAT WE HAVE IN PLACE ARE VERY GOOD, THEY'RE VERY SIMPLE. IT OPENS IT UP FOR EVERYBODY. WE CAN CERTAINLY GO BACK LATER ON AND TWEAK ANYTHING WE DID FIND THAT DIDN'T QUITE FIT WHATEVER BUT I THINK IT'S -- WE'VE REHEARSED THIS SO MUCH AND GONE OVER IT SO MANY TIMES THAT, YOU KNOW, YOU GOT TO START IT TO SEE WHAT THE ISSUES MAY BE IN THE FUTURE, BUT I THINK WE'RE AT A VERY GOOD START, AND IT'S BEEN ALMOST TWO YEARS IN THE MAKING. AND IT'S TIME TO MOVE. AND I APPRECIATE ALL THE HELP. I APPRECIATE IF WE CAN GET THAT DONE TODAY.

>> VICTOR CRIST: STEVE ANDERSON?

>> MEMBERS OF THE COMMISSION, I RISE SOLELY TO ADDRESS COMMENTS MADE TO YOU BY SPEAKERS PREVIOUSLY THIS MORNING. I RESERVE COMMENTS ON SOME OF THE TNC ISSUES FOR LATER IF POSSIBLE. DRIVE SOCIETY AND THE CAB INDUSTRY HAVE SPOKEN TO YOU. CHAPTER 122 FLORIDA STATUTES GOVERNS THE WAY YOU PROPOSE AND ADOPT RULES. THE CASE LAW IS CLEAR. THE HUGE BURDEN THAT THIS BOARD WOULD HAVE TO ACHIEVE IN ORDER TO PASS EMERGENCY RULES, THERE IS NO BASIS FOR EMERGENCY RULES. YOU HAD EXCELLENT LEGAL COUNSEL, AND I URGE YOU TO LISTEN TO YOUR LEGAL COUNSEL. FURTHERMORE, EACH ONE OF YOU SITS ON OTHER BOARDS WHERE YOU HAVE EXCELLENT COUNSEL. I KNOW THAT YOU HAVE THEM ALL AND I KNOW THAT IF YOU ASK THEM THEY WOULD TELL YOU THAT YOU ARE BEING URGED BY DRIVE SOCIETY AND THE CAB COMPANIES TO THE PATH OF ERROR. IT'S JUST NOT THERE. WE HAVE BEEN AT EVERY ONE OF YOUR COMMITTEE MEETINGS AND AT YOUR RULES COMMITTEE, EVEN LAST WEEK OR TWO WEEKS AGO. WE'RE WILLING TO ENGAGE IN THE DEBATE NOT ON AN EMERGENCY BASIS. IF YOU ADOPT RULES AS AN EMERGENCY, YOU'LL BE WRONG. YOU WILL FORCE ME, WHICH I DON'T WANT TO DO, YOU'LL FORCE ME TO TAKE YOU IMMEDIATELY TO THE SECOND DISTRICT WHERE YOU WILL BE REVERSED. AND YOU WILL LOSE THREE OR FOUR MONTHS. I'M TOTALLY WILLING TO DISCUSS AND DEBATE RULES ON THE SUBSTANCE BUT NOT ON THE SHAM OF ON EMERGENCY. THE FOLKS FROM DRIVE SOCIETY, I WAS MAKING NOTES, UNSUBSTANTIATED ACCUSATIONS, RUMOR, HEARSAY, THREATS NOT A SPECIFIC FACT, NOT A REAL FACT GIVEN TO YOU. I'M NOT HERE TO SPEAK FOR LYFT AND UBER. I'VE BEEN HERE FOR OVER TWO YEARS. HUNDREDS OF THOUSANDS OF RIDES. THERE IS NO EVIDENCE THAT THERE IS AN EMERGENCY FOR THE HEALTH, SAFETY, AND WELFARE OF THE PEOPLE HERE. LET'S GET ON, DO THINGS IN A NORMAL ROUTINE, AND WE'LL BE HAPPY TO WORK WITH YOU. THE GENTLEMAN FROM PINELLAS I WOULD JUST POINT OUT, UNLESS SOMETHING'S CHANGED VERY RECENTLY, PINELLAS COUNTY DOESN'T REQUIRE

FINGERPRINTING. NO ONE ELSE IN THE STATE REQUIRES FINGERPRINTING. 22 STATES, 33 STATES HAVE LEGISLATION, NO FINGERPRINTING. SO I DON'T KNOW WHERE THE GENTLEMAN IS AND BY THE WAY THE PROPOSAL THAT WE JUST SUBMITTED TO YOU, ALTHOUGH IT DOESN'T REQUIRE FINGERPRINTING, WE HAVE STIPULATED THAT WE, OUR DRIVERS HAVE THE OPTION IF THEY WANT TO BE FINGERPRINTED, THAT'S FINE WITH US AND WE'LL MAKE ARRANGEMENTS TO HAVE IT THERE. THANK YOU.

>> VICTOR CRIST: JOSEPH BARKER.

>> MR. CHAIRMAN, THE BOARD, I AM HERE REPRESENTING UBER, I'VE BEEN DRIVING UBER FOR ONE YEAR, AND I COME THIS MORNING TO GET A SENSE OF UNDERSTANDING WHAT IS GOING ON IN THE INDUSTRY. I LISTENED TO THE PREVIOUS SPEAKERS AND I HAVE GOTTEN A SENSE OF UNDERSTANDING WITH THE SITUATION. I HAVE DRIVEN ABOUT 1600 RIDERS, AND MOST OF THEM LOVE UBER, LYFT, AND WHAT I'M ASKING IS JUST TO BE FAIR. I DON'T KNOW THE OTHER SIDE OF UBER AND THEY'RE COMMITTING A CASE. HOWEVER, I DO THIS ON A FULL-TIME BASIS. I FEED A FAMILY. AND I JUST WANT TO BE COMFORTABLE TO GO ANYWHERE IN HILLSBOROUGH COUNTY AND NOT GET A CITATION AND GOING AGAINST MY INSURANCE. THIS IS A VERY, VERY SERIOUS MATTER, AND WHAT A REALLY BIG CONCERN ABOUT LISTENING TO OTHER RIDERS IN OTHER CITIES AND THEY ARE NOT HAVING THE PROBLEMS WE ARE HAVING HERE AND I UNDERSTAND THAT, YOU KNOW, COUNTY TO COUNTY, CITY TO CITY, LOOK AT THINGS DIFFERENTLY, BUT IT'S VERY, VERY CONFUSING WHEN SOME PEOPLE CAN DO AND GET AWAY OR HAVE NO PROBLEM, I AM NOT GOING TO SAY GET AWAY, HAVE NO PROBLEM OPERATING, AND WE HAVE PROBLEMS IN HILLSBOROUGH. IF POSSIBLE LOOK AT OTHER CITIES AND COUNTIES AND SEE WHAT THEY DO BECAUSE WE WANT TO BE ABLE TO PROVIDE A GREAT SERVICE. WE WANT TO COMPLY WITH ALL THE RULES AND REGULATIONS THAT EVERYBODY ELSE. WE'RE THOUGHT TRYING TO SNEAK AND DO THINGS THAT'S NOT, YOU KNOW, CORRECT. BUT WE NEED TO FEED OUR FAMILIES, AND YOU KNOW, WE'RE JUST CONCERNED ABOUT THE EMERGENCIES THAT'S BEEN PRESENTED. I FEEL THAT WHATEVER IT TAKES, WE WANT TO COMPLY AND TAKE A VERY, VERY SERIOUS LOOK AT WHAT WE ARE TRYING TO DO AND TO BE HONEST. SO THAT'S ALL I HAVE. THANK YOU.

>> VICTOR CRIST: THANK YOU. BROOK NEGUSEI.

>> GOOD MORNING, BROOK NEGUSEI, GOOD MORNING, CHAIRMAN, COMMISSIONER, AND STAFF, I REALLY TOTALLY AGREE SPECIFICALLY THOSE TWO UBER DRIVERS, GENTLEMEN THAT SPOKE ABOUT BASICALLY YOUR TNC, MOST TNC DRIVERS TELL YOU THE MAJORITY OF THEM THEY DO WANT TO FOLLOW THE RULES. THEY KNOW AND LIKE WHAT YOU DO. THEY ARE NOT PART OF THE OTHER SIDE THAT DOESN'T WANT ANYTHING TO DO WITH THE BACKGROUND CHECKS AND EVERYTHING ELSE THAT YOU DO SAFETY. AND I ALSO WANTED TO TELL YOU THAT WHEN ONE OF THE DRIVE SOCIETY GENTLEMEN TOLD YOU ABOUT THE CRIMINALS FOUND IN HILLSBOROUGH COUNTY, I MEAN, CRIMINAL BACKGROUND DRIVERS DRIVING IN HILLSBOROUGH COUNTY, HE IS TELLING THE TRUTH. HE DIDN'T GET IT OUT OF HIS HAT. ALL YOU HAVE TO DO IS ASK YOUR STAFF. IT'S DOCUMENTED. THOUGHT IS JUST SOMETHING THEY FOUND. THAT'S EMERGENCY. THAT'S REAL, REAL ISSUE. HOWEVER, YOU MIGHT BE GETTING SUED NO MATTER WHAT YOU DO. WE ALL KNOW THAT. THIS COMMISSION DON'T OPERATE BECAUSE SOMEBODY IS THREATENED. YOU DO YOUR DUTY AS YOU ALWAYS DO. IT'S ABOUT SAFETY. SAFETY OF THE PUBLIC. SO I WOULD URGE YOU TO PASS THOSE UNDER EMERGENCY, AND JUST REGULARLY, JUST PASS IT. NO MATTER WHAT HAPPENED AT LEAST YOU HAVE TIME. THIS HAS NOT JUST HAPPENED LAST TWO WEEKS. THOSE RULES WERE PASSED TWO YEARS AGO. GET IT? I MEAN PUBLIC HEARING AFTER PUBLIC HEARING. THAT'S WHAT'S IN FRONT OF YOU. JUST GET ON WITH YOU KNOW PUBLIC'S BUSINESS. THEY ARE TELLING YOU LET'S FOLLOW YOUR RULES. WHAT'S THE HOLD UP? I MEAN, I'M JUST ASKING THAT I AM WILLING TO FOLLOW THE RULES AND COME UP WITH THE TNC. I'M READY TO DO TODAY AS WELL AS EVERYBODY ELSE. SO THAT'S WHAT YOU HAVE. JUST PASS IT REGULARLY. DOESN'T HAVE TO BE EMERGENCY. BUT AT LEAST THE EMERGENCY, YOU CAN PULL IT OUT IN 30 DAYS FROM NOW BECAUSE YOU HAVE TO APPROVE IT EVERY 30 DAYS SO IT GIVES YOU LATITUDE TO APPROVE IT AND LOOK AT IT 30 DAYS FROM NOW. AT LEAST EVERYBODY'S WORKING. GIVE A CHANCE TO EVERYBODY. I MEAN, TNCs GOING TO BE HERE. THEY ARE NOT GOING TO GO ANYWHERE. BUT GIVE THEM THE PLATFORM TO WORK UNDER. YOU RULE. THANK YOU.

>> VICTOR CRIST: FASILL?

>> THANK YOU VERY MUCH FOR THE OPPORTUNITY. JUST TO FOLLOW UP, I THINK SOMETIMES

THE FUTURE DOES NOT OPEN UP SO QUICKLY. LAST YEAR WHAT WE WERE DEBATING ABOUT THIS ISSUE, WE ARE TALKING ABOUT TWO BIGGER COMPANIES, ACTUALLY THE BIG COMPANY UBER. TODAY WE ARE TALKING ABOUT A LOT OF OTHER COMPANIES COMING INTO THE SAME BUSINESS. THE TECHNOLOGY THAT IS USED BY UBER IS NOTHING MIND BLOWING. IT'S VERY EASY TO REPLICATE. THIS IS GOING TO BE SPREAD OUT. THERE ARE MORE COMPANIES UBER LIKE COMPANIES. THEY ARE WILLING TO PAY THE APPROPRIATE INSURANCE, TO CHARGE A FAIR RATE, TO HAVE SECOND LEVEL BACKGROUND CHECKS, AND COMPLY WITH THE RULES AND REGULATIONS AND WANT TO OPERATE IN THIS MARKET. THEY WANT THE RULES SO THEY CAN START OPERATING AND IF UBER AND LYFT WANT TO COMPLY, THEY CAN JUMP ON THE BANDWAGON, BUT HOLDING BACK THE RULES SORT OF SENDS THE WRONG MESSAGE. I ASK YOU TO SERIOUSLY CONSIDER THE RULES. WE HAVE BEEN TALKING ABOUT THE RULES FOR TWO YEARS AND I THINK WE HAVE BROUGHT IT TO WHERE IT IS, AND IT'S NOT CAST IN CONCRETE. WE CAN MODIFY IT INTO THE FUTURE BUT HOLDING AND STOPPING IS NOT A SOLUTION. THANK YOU VERY MUCH FOR THE OPPORTUNITY.

>> VICTOR CRIST: IS THERE ANYONE ELSE THAT WOULD LIKE TO SUBMIT A CARD AND SPEAK? THIS IS THE TIME TO DO IT. I DIDN'T SEE IT. COME ON UP. I'LL LOOK FOR IT. SOMETIMES THEY STICK TOGETHER.

>> CLICK A RIDE TAMPA BAY LIMO. I JUST WANT TO COMMENT ON THE RULES. THE RULES NEED TO BE PASSED THROUGH. THEY'RE GOING TO OBJECT TO THEM NO MATTER WHAT WE DO. THEY ARE GOING TO TAKE US TO THE SECOND DISTRICT NO MATTER WHAT WE DO BECAUSE THEY WANT TO GO BACK TO THE LEGISLATURE AND SAY HILLSBOROUGH COUNTY ACCOMPLISHED NOTHING. NOW IT'S BETTER IF THEY COME BACK AND SUE US AND WE CAN SAY WELL WE ACCOMPLISHED SOMETHING AND THEY'RE BLOCKING US IN COURT. SO WHATEVER YOU GOT TO DO, WHETHER IT'S AN EMERGENCY, EXPEDITE THEM, IT'S BEEN TWO YEARS. WHATEVER THE FASTEST ROUTE IS, THAT'S WHAT YOU OUGHT TO TAKE. THAT'S ALL I GOT TO SAY. THANK YOU. OKAY, WE ARE GOING TO NEED YOU TO BOTH FILL OUT CARDS, BUT COME ON UP. GIVE US YOUR NAME AND YOUR ADDRESS.

>> I'M SUZY COCHRAN, AND I LIVE AT MISTY LANE, AND I'M AN UBER DRIVER, AND I THINK THERE IS AN IMPORTANT ISSUE THAT WE SHOULD ADDRESS AND PART OF IT IS THAT I DON'T FEEL LIKE A BAD GUY. I FEEL LIKE I'M SAVING LIVES. AND WHEN PEOPLE CALL ME, AND I SEE THEY'RE DRUNK, I'VE ALSO HEARD THEM THAT IF I DIDN'T COME TO GET THEM A RIDE, THEY WOULD'VE PROBABLY TAKEN THE KEY AND RODE HOME THEMSELVES, AND AT THE SAME TIME, I HAVE ALSO HAD -- SO GREAT. THAT'S A POSITIVE CHANGE, SO I THINK THAT'S AN IMPORTANT ISSUE WHEN IT COMES TO SAVING LIVES. IF THERE WAS A NEED FOR US, WE COULDN'T COMPETE WITH CAB DRIVERS, WHOEVER IS OUT THERE. SO THAT'S AN ETHICAL CONCERN, AND I TAKE PRIDE IN SAVING LIVES. SO THAT BEING SAID, THANK YOU FOR YOUR TIME.

>> VICTOR CRIST: OKAY, WE NEED YOU TO STEP OVER HERE TO THE LEFT AND FILL OUT A CARD. ANYONE ELSE? OKAY. SEEING NO ONE ELSE, IS THERE A MOTION TO MOVE FORWARD WITH THE AGENDA? IS THERE A SECOND? WE HAVE A SECOND. ALL IN FAVOR, AYE. OKAY. SHOW IT ADOPTED UNANIMOUSLY. NEXT UP ON OUR AGENDA IS THE CONSENT ITEMS. KYLE, WHY DON'T YOU GO AHEAD AND TAKE US THROUGH THOSE.

>> ON THE CONSENT ITEMS, JULY MEETING MINUTES, APPROVAL OF PUBLIC VEHICLE DRIVER'S LICENSES FISCAL YEAR STATUS REPORT, COMMISSION REPORT, SUNCOAST LIMOUSINE SERVICE REQUESTED ONE ADDITIONAL LIMOUSINE PERMIT, NEXT LEVEL SERVICES CHANGED TO ALL AMERICAN HEALTH ALL OF WHICH HAVE ABIDED BY OUR INTERNAL RULES AND PROCESSES AND THESE ARE ALL JUST CONSENT ITEMS. REQUIRE A MOTION TO APPROVE CONSENT ITEMS.

>> VICTOR CRIST: OKAY, ARE THERE QUESTIONS? SEEING NONE, IS THERE A MOTION FOR APPROVAL OF THE CONSENT? SECOND. WE HAVE A SECOND. ANY DISCUSSION? SEEING NONE. ANY DEBATE? SEEING NONE, ALL IN FAVOR, AYE. THOSE OPPOSED? SHOW IT UNANIMOUS. OKAY, NOW WE ARE GOING TO GO AHEAD AND MOVE UP, WHY DON'T WE DO THE ATTORNEY'S REPORT AND THEN 9 AND 10 OR COMMISSIONER HIGGINBOTHAM, DID YOU WANT TO DO 9 AND 10 NOW?

>> THAT WAY THOSE FOLKS CAN GET ON WITH THEIR BUSINESS OF THE DAY.

>> VICTOR CRIST: WE WILL GO TO 9. LET'S MOVE TO NUMBER 9 ON HERE. KYLE?

>> YES, SIR, THANK YOU, MR. CHAIR. UNDER OLD BUSINESS, PAGE 2 OF THE AGENDA, EXECUTIVE DIRECTOR SEARCH. AT THE JULY MEETING YOU REQUESTED MEETINGS WITH CIVIL

SERVICE AND HILLSBOROUGH COUNTY HUMAN RESOURCE TO ATTEND THIS MEETING AND BRIEF YOU ON THEIR PROPOSALS TO ASSIST WITH THE SEARCH OF A NEW EXECUTIVE DIRECTOR. THANK YOU FOR BEING HERE THIS MORNING.

>> DIRECTOR OF HILLSBOROUGH COUNTY CIVIL SERVICE BOARD.

>> BEVERLY WALDRON, MANAGING DIRECTOR OF HILLSBOROUGH COUNTY HR.

>> GOOD MORNING, CHAIRMAN, BOARD MEMBERS. YOU HAVE IN THE BACK UP OF YOUR AGENDA, A PROPOSAL. IN THE SUBSEQUENT DISCUSSION WITH THE CHAIRMAN ABOUT DETAILS TO IRON OUT, AND WHAT WE'RE SEEKING FROM YOU TODAY IS APPROVAL FOR THE PROPOSED PLAN FOR THE EXECUTIVE DIRECTOR'S SEARCH. THE DETAILS OF THAT PLAN ARE IN THE PACKAGE THAT YOU HAVE, SPECIFICALLY WHAT WE NEED IS, YOU KNOW, THERE'S SOME MILESTONES AND DELIVERABLES, AND RESPONSIBLE PARTIES WE HAVE IDENTIFIED FOR THE STEPS IN THE PROJECT. THERE IS SEARCH COMMITTEE WHICH IS IDENTIFIED AT THE LAST MEETING JUST CONFIRMATION IF THAT'S THE RIGHT COMPOSITION OF THAT GROUP. TWO STAKEHOLDER GROUPS, BOTH TRANSPORTATION COMMISSION STAFF AS WELL AS INDUSTRY STAKEHOLDER GROUP. APPROVE THE OUTLETS WE HAVE ALREADY AND WE CAN ALSO ADD TO THE LIST FOR SOURCING CANDIDATES WHERE WE'VE ADVERTISED THE OPPORTUNITY AND THEN OF COURSE THE OPPORTUNITY ANNOUNCEMENT. I WILL POINT OUT BASED ON THE MEETING WITH THE CHAIRMAN AND THE DESIRE TO EXPEDITE THE PROCESS AND THE LOOMING HOLIDAY SEASON COMING UP, IN ORDER TO HAVE A REASONABLE EXPECTATION THAT WE WOULD HAVE SOMEONE SIGN ON THE DOTTED LINE PRIOR TO THE HOLIDAYS, WE WOULD REALLY NEED TO HAVE AN AGGRESSIVE APPROACH AND KEEP THIS PROCESS MOVING. SO WE WANTED TO START RECRUITMENT. WE KICKED OFF RECRUITMENT EFFECTIVE JUST A WEEK OR TWO AGO. IT WAS THE JULY 25TH. JULY 29th. SO THAT RECRUITMENT IS GOING ON. APPLICATIONS ARE COMING IN VERY WELL, AND YOU KNOW, WE'RE REVIEWING THOSE APPLICATIONS AS THEY COME IN. SO WITH THAT SAID AS INTRODUCTION, JUST LOOKING FOR YOUR APPROVAL OF OUR APPROACH WITH OR WITHOUT ANY MODIFICATIONS THAT YOU FEEL ARE APPROPRIATE.

>> I WOULD LIKE TO ADD TO HIS COMMENTS. I SAW THOSE VERY SUCCESSFULLY AND EFFECTIVELY DONE WITH THE REGIONAL PLANNING COUNCIL. IT INVOKED THE INPUT OF EVERYONE INVOLVED, ALL STAKEHOLDERS, AND PROVIDED FOR A MUCH BROADER MUCH MORE TRANSPARENT APPROACH. THESE THREE TASK FORCES, ONE IS THE SUBCOMMITTEE OF THIS BOARD MADE UP OF BOARD MEMBERS, AND THEY WILL BE SCREENING ALL THE RESUMES WORKING WITH STAFF TO NARROW IT DOWN TO THE FINALISTS, AND THEN THEY WILL INTERVIEW THE FINALISTS AND NARROW THEM DOWN TO THE FINAL FINALISTS. AND THEN THE FINAL FINALISTS WILL GO BEFORE TWO OTHER COMMITTEES, ONE MADE UP OF THE INDUSTRIES WE REGULATE, AND THEIR REPRESENTATIVES, AND THEY WILL ALSO GO BEFORE A COMMITTEE OF STAFF SO WE CAN GET THEIR INSIGHT AND NOT NECESSARILY THEIR RECOMMENDATIONS BUT THEIR INSIGHT BROUGHT BACK TO THIS BOARD SO THAT WHEN THIS BOARD MAKES THEIR DECISION, THEY HAVE THE INPUT FROM ALL STAKEHOLDERS INVOLVED. IN ADDITION YOU LIGHTLY TOUCHED ON IT BUT YOU DIDN'T GO INTO DETAIL, BEVERLY WILL BE COMING BACK AT A SPECIAL MEETING, AND WORKING WITH THIS BOARD AND ALL OF YOU TO PICK YOUR BRAINS TO PUT TOGETHER A DESCRIPTION OF WHAT KIND OF PERSON WE SHOULD BE LOOKING FOR IN THIS POSITION BASED ON WHAT ALL OF US UP HERE VIEW AND EXPECT FROM THAT PERSON.

>> I'D LIKE TO ADD WE'LL ALSO MEET WITH THE EMPLOYEES AND THE STAKEHOLDER GROUP TO GET YOUR INPUT WHICH WE WILL SHARE WITH THE BOARD THE PROFILE OF WHAT YOU ARE LOOKING FOR. IT HELPS EVERYBODY GET ON THE SAME PAGE.

>> VICTOR CRIST: IT IS A TOTALLY HOLISTIC PROCESS, AND A VERY TRANSPARENT ONE. ANY QUESTIONS? THE OTHER POINT THAT WAS MENTIONED WAS THERE HAD TO BE AN EXECUTIVE DECISION MADE WHETHER WE WAIT 30 DAYS OR START IMMEDIATELY WITH THE ADVERTISING OF THE POSITION. SO WE WENT AHEAD AND STARTED ADVERTISING FOR THE POSITION SUBJECT TO THIS BOARD'S APPROVAL OF THE PROCESS.

>> WHEN ARE YOU CLOSING THE APPLICATION PROCESS?

>> THAT ENDS AT THE END OF THIS MONTH, AUGUST 26th. YOU KNOW, UNLESS THE CANDIDATE POOL IS LACKING BUT IT DOESN'T LOOK LIKE THAT.

>> OKAY.

>> THE OTHER THING IS IN YOUR PACKET IS A LIST OF ALL THE PLACES WE ADVERTISED. IF THERE ARE ANY OTHER SOURCES YOU WOULD LIKE FOR US TO HIT, YOU JUST NEED TO LET US KNOW.

>> VICTOR CRIST: WHAT ARE THE SALARY BOUNDARIES FOR THE POSITION?
WE ARE TELEVISED, THERE ARE PEOPLE WATCHING AND I WANT TO GO AHEAD AND LET IT BE KNOWN, ONE, WHERE CAN THEY FIND INFORMATION ABOUT THE POSITION, AND TWO, WHAT ARE THE SALARY BOUNDARIES.

>> SO FOR INFORMATION ON THE POSITION, REALLY IF THEY JUST DO A GOOGLE SEARCH OF PUBLIC TRANSPORTATION COMMISSION EXECUTIVE DIRECTOR, THEY WILL FIND IT. IT'S ALL OVER THE PLACE. MONSTER.COM, INDEED.COM. THE HILLSBOROUGH COUNTY CIVIL SERVICE BOARD WEB SITE. THE COUNTY ADMINISTRATOR'S HUMAN RESOURCES WEB SITE. THE PUBLIC TRANSPORTATION COMMISSION'S WEB SITE. IT IS EVERYWHERE. THE SALARY RANGE ADVERTISED IS 115 TO \$150,000, AND THEN IT GOES ONTO SAY STARTING SALARY WILL BE DETERMINED BY THE COMMISSION DURING CONTRACT NEGOTIATIONS BASED ON INDIVIDUAL QUALIFICATIONS SO THE RANGE IS 115,000 TO \$150,000, BUT THE ACTUAL PAY WILL BE DEPEND ON THE NEGOTIATIONS WITH THE BOARD. IF I COULD MENTION ONE OTHER THING, WE HAVE THREE DATES THAT NEED TO BE SET AND WE'RE WORKING THROUGH MR. COCKREAM AND STAFF TO REACH OUT TO YOU AS WELL AS THE STAKEHOLDER COMMITTEES BUT VERY IMPORTANTLY TO YOU, AND THOSE DATES ARE A WEEK, TWO WEEKS, A MONTH OUT, BUT IF WE GET THEM ON THE CALENDAR NOW, I THINK WE'LL BE IN VERY GOOD SHAPE WHEN WE GET THERE. IF WE WAIT TO SCHEDULE THOSE DATES, THE PROJECT WILL SLIP. THAT'S ALL.

>> VICTOR CRIST: OKAY SO WE'VE GOT TWO THINGS TO DO RIGHT NOW. ONE, WE'VE GOT TO APPROVE THE PLAN. ARE THERE ANY MODIFICATIONS? ARE THERE ANY QUESTIONS? IS THERE ANY DISCUSSION? IS THERE A MOTION? OKAY, THE NEW GUY. MOTION TO APPROVE. OKAY, WE HAVE A SECOND BY THE OTHER FORMER NEW GUY, NO LONGER NEW ANYMORE BECAUSE WE GOT A NEW GUY. GUIDO. ANY DISCUSSION? SEEING NONE, ALL IN FAVOR, AYE. THOSE OPPOSED? SHOW IT UNANIMOUS. OKAY, WE'VE GOT A PLAN. NOW WE NEED TO APPROVE THE CALENDAR, THE SCHEDULE.

>> DANE'S RIGHT, WE DO NEED TO SET THIS CALENDAR.
YOU'RE VERY BUSY PEOPLE, AND WE NEED TO FIND JOINT TIMES THAT WORK FOR ALL OF YOU. HOWEVER, I'M GOING TO SUSPECT THERE MAY BE SOMEBODY ELSE WHO CONTROLS YOUR CALENDAR MORE THAN YOU KNOW TODAY, AND IT MIGHT BE SUCH THAT YOU MAY BE ABLE TO COMMIT TODAY OR SHOULD WE CONTACT YOUR ASSISTANTS THIS AFTERNOON TOMORROW?

>> VICTOR CRIST: WHY DON'T WE TAKE A LOOK AT A SEMIPERMANENT CALENDAR AND THEN DIRECT STAFF TO WORK WITH EACH MEMBERS TO MAKE SURE THAT WE HAVE A QUORUM?

>> THAT WORKS.

>> VICTOR CRIST: WE'RE NEVER GOING TO GET EVERYBODY ALL AT ONCE.

>> WE MIGHT.

>> VICTOR CRIST: BUT WE'LL TRY.

>> MR. CHAIR IF I MAY, THIS CALENDAR THAT YOU HAVE IN YOUR PACKET HERE WAS SENT TO YOU AND/OR YOUR LEGISLATIVE AIDES LATE LAST WEEK SO THEY HAVE IT AS WELL UPON YOUR PERMISSION I'M SURE THEY'LL BE HAPPY TO LOOK AT YOUR CALENDARS AND SEE WHAT THEY CAN GET SCHEDULED AS SOON AS POSSIBLE.

>> VICTOR CRIST: WHY DON'T WE WORK WITH THAT AND GET AS CLOSE TO IT AS WE CAN TO STAY ON TRACK. OUR PREFERENCE IS FOR YOU TO STAY SO WE ARE ALWAYS GOING TO KEEP ON ENCOURAGING YOU TO STAY.

>> THANK YOU, THAT'S ALWAYS VERY KIND OF YOU TO SAY. I APPRECIATE THAT, SIR.

>> VICTOR CRIST: ALL RIGHT. THE QUESTION CAME ON ME YESTERDAY, SOMEONE ASKED ME IF I WANTED YOU TO STAY AND I SAID I'VE TRIED EVERYTHING, YOU KNOW? BUT I CAN'T GET THE GUY DRUNK ENOUGH. [LAUGHTER]

>> I WAS GOING TO SAY EVERYTHING IS A PRETTY BIG WORD, COMMISSIONER.
[LAUGHTER]

>> YOU DIDN'T INVITE ME.

>> VICTOR CRIST: SEE, I DID TRY. ALL RIGHT, THEN WE HAVE A MOTION, DO WE HAVE A MOTION TO WORK WITH THE CALENDAR THAT'S IN YOUR PACK TO THE TRY TO GET TO AS CLOSE TO IT AS POSSIBLE?

>> SO MOVED.

>> VICTOR CRIST: THE MOTION, SECOND, DISCUSSION, SEEING NONE, ALL IN FAVOR, AYE. THOSE OPPOSED? SHOW IT UNANIMOUS.

>> THANK YOU VERY MUCH.

>> VICTOR CRIST: THANK YOU, BOTH. 10.

>> MR. CHAIR, IF YOU WOULD LIKE, I WOULD BE MORE THAN HAPPY TO LEAD US THROUGH THE HEARINGS AND THE PVDLs AND SO FORTH, WHICH IS THE NEXT SESSION COMING UP. I THINK I CAN MOVE US THROUGH THAT PRETTY QUICKLY IF IT'S OF YOUR PLEASURE.

>> VICTOR CRIST: LET'S ROCK 'N' ROLL.

>> THANK YOU, SIR. UNDER NEW BUSINESS, PUBLIC HEARINGS, LIMOUSINE CERTIFICATE TAMPA QUALITY OF CARE TRANSPORTATION HAS APPLIED FOR A LIMOUSINE CERTIFICATE AND FOUR LIMOUSINE PERMITS. THIS WILL REQUIRE A MOTION OF APPROVAL.

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

>> EXCELLENT CARE TRANSPORTATION INC. IS REQUESTING A WAIVER TO BE ABLE TO PERMIT A 2013 CHEVROLET CAPTIVA AS A LIMOUSINE VEHICLE.

THE REQUESTING WAIVER OF PUBLIC RULE, PTC RULE 1-8 ALLOWING A VEHICLE NOT CURRENTLY LISTED ON THE APPROVED LIMOUSINE VEHICLE LIST TO OPERATE AS A LIMOUSINE. PHOTOS ARE ATTACHED AND IN YOUR BACKUP. PTC STAFF RECOMMENDS DENYING THE WAIVER. THE VEHICLE IS IN GOOD SHAPE AND THE VEHICLE IS CLEAN BUT THERE IS NOTHING ABOUT THIS VEHICLE THAT IS LUXURY RELATIVE TO THE WORD LIMOUSINE. IT IS BY NO MEANS AT THE TOP OF ITS CLASS THAT WOULD CLASSIFY IT AS A LIMOUSINE. THE VEHICLE APPEARS TO BE WELL TAKEN CARE OF BUT IT'S STAFF'S OPINION IT DOES NOT MEET THE STANDARD OF LIMOUSINE.

>> VICTOR CRIST: ANY DISCUSSION? I'VE GOT SOMETHING TO SAY. I THINK IT'S ALWAYS BEEN OUR TRADITION TO FOCUS WITH AUTOMOBILES THAT WERE IN FACT LUXURY AUTOMOBILES, AND FLAGSHIP AND/OR TOP OF THEIR GAME.

>> YES, SIR.

>> VICTOR CRIST: CHEVROLET CERTAINLY ISN'T AT THE TOP OF GENERAL MOTORS LIST, IN FACT, JUST THE OPPOSITE, IT'S AT THE BOTTOM. BUICK IS ABOVE CHEVROLET AND CADILLAC IS ABOVE BUICK. THIS DOESN'T FIT BACKUP.

>> PICTURES ARE IN YOUR BACKUP THERE. IT'S A WELL TAKEN CARE OF VEHICLE BUT IT'S BY NO MEANS A LUXURY STANDARD.

>> VICTOR CRIST: ALL RIGHT, ANY DISCUSSION. IS THERE A MOTION TO ACCEPT THE RECOMMENDATION OF STAFF?

>> SO MOVED.

>> VICTOR CRIST: IS THERE A SECOND? WE HAVE A SECOND. ALL IN FAVOR, AYE. THOSE OPPOSED? SHOW IT UNANIMOUS.

>> THANKS, MR. CHAIR. NEXT IS TAMPA AIRPORT LIMO THAT HAS OFFERED FOUR WAIVERS AND IF I CAN JUST RUN THROUGH THESE REAL QUICK I THINK I CAN LUMP THEM INTO ONE SUMMARY. THE FIRST WAIVER IS TO REQUEST MR. THOMAS SMITH HAS SUBMITTED FOUR WAIVERS OR REQUESTS TO CREATE A NONLUXURY LIMOUSINE CLASSIFICATION. THIS ISSUE IS ALREADY BEING ADDRESSES A PART OF THE RULE MAKING PROCESS AS RELATED TO TNCs. I RECOMMEND IT STAY THAT PATH. THE SECOND ONE WAS TO REDUCE THE \$1 MILLION INSURANCE REQUIREMENT RELATED TO LIMOUSINES. THIS HAS ALREADY BEEN TAKEN CARE OF WITH THE NEW RULES THAT WENT INTO EFFECT AUGUST 1st. INSURANCE SHOULD REFLECT FLORIDA LAW AS IT RELATES TO FOR HIRE TRANSPORTATION VEHICLES. NUMBER THREE WAS A WAIVER OF THE MINIMUM FARE ASSOCIATED WITH LIMOUSINES. CURRENTLY THE RULES STATE THAT THERE MUST BE A 30-MINUTE PREARRANGED WAIT TIME AND A \$30 MINIMUM FARE FOR LIMOUSINE CLASSIFICATION ONLY. THIS RULE IS UNIQUE TO LIMOUSINE INDUSTRY AND IF THE COMMISSION CHOOSES TO CREATE A NONLUXURY LIMOUSINE SUBCLASS, THE PREARRANGED MINIMUM FARE AND WAIT TIME MAY OR MAY NOT BE APPLICABLE TO THAT SUBCLASS. THIS DISCUSSION AS IT RELATES TO THE NONLUXURY LIMOUSINE CLASSIFICATION SHOULD ONE, BE DEVELOPED, IS PROBABLY BETTER SUITED FOR THE RULES AND POLICIES COMMITTEE, WHICH ITS CURRENTLY BEING DISCUSSED AND WILL LATER BE DISCUSSED THIS MORNING. THE FOURTH ONE WAS A WAIVER OF THE DRESS CODE FOR NONLUXURY LIMOUSINES SUBCLASS. THERE IS NO NONLUXURY LIMOUSINE SUBCLASS RIGHT NOW. AGAIN, IF THIS COMMISSION CHOOSES TO CREATE A NONLUXURY LIMOUSINE SUBCLASS, THE DRESS CODE APPLICABLE TO SUCH CLASS MAY BE WAIVED. BUT IT'S MY OPINION THAT THIS TOO IS BETTER SUITED FOR THE RULES AND POLICIES COMMITTEE AS NO SUCH SUBCLASS HAS BEEN CREATED YET.

SO THE DEFINING CHARACTERISTICS OF THAT SUBCLASS SHOULD I THINK REST WITH THE RULES AND POLICIES COMMITTEE AND THEN WE WILL COME FORWARD TO YOU AS A PARENT BOARD. SO MY RECOMMENDATION WOULD BE TO DENY THESE WAIVERS BECAUSE A, THEY'RE ALREADY BEING DEALT WITH IN THE RULES AND POLICIES COMMITTEE, AND B, SOME OF THEM PERTAIN TO A SUBCLASS THAT IS NOT IN EXISTENCE AT THIS TIME.

>> VICTOR CRIST: DAVE, THAT'S YOUR SUBCOMMITTEE. WHAT ARE YOUR THOUGHTS?

>> I AGREE WHOLEHEARTEDLY WITH WHAT KYLE STATED. IN FACT, I THINK WE'VE HAD SOME DISCUSSIONS ON THIS ALREADY. BUT IT DOES MORE PROPERLY RESIDE WITHIN THE RULES AND POLICY COMMITTEE.

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

>> MOVE TO ACCEPT THE STAFF'S RECOMMENDATION.

>> DO I GET TO SPEAK?

>> VICTOR CRIST: DEFER TO OUR ATTORNEY.

>> I DON'T BELIEVE SINCE THIS GENTLEMAN'S PROPOSAL THAT IT WOULD PROBLEMATIC FOR HIM TO SPEAK AT THIS TIME, ALTHOUGH I BELIEVE HE DID HAVE THAT OPPORTUNITY EARLIER DURING PUBLIC COMMENT AS WELL.

>> VICTOR CRIST: IS THERE ANY OBJECTION TO GIVING HIM THREE MINUTES? TOM?

>> OKAY, WHAT I PUT IN THIS WHOLE PACKAGE IS FIRST A TEMPORARY OPERATING AGREEMENT. THE TEMPORARY OPERATING AGREEMENT TO GO IN EFFECT NOW WOULD BE SIMPLY DOING EVERYTHING I'VE ALWAYS DONE WITH TAXIS AND LIMOS BEFORE, PVDLS, INSPECTIONS, I'VE ALREADY GOT THE CORRECT INSURANCE COMPANY AND THE CORRECT INSURANCE COVERAGE. I'VE GOT ALL THESE THINGS. WHAT I'M ASKING FOR IS TEMPORARY PERMITS CAN BE ISSUED. I'VE ALREADY GOT A LIMO LICENSE. I'VE BEEN HERE TWO YEARS WANTING TO COMPETE WITH THEM. WHY NOT DO IT NOW? IT MAY BE TIED UP ANOTHER YEAR IN THE RULES AND POLICY COMMITTEE MAYBE IN THE SECOND DISTRICT. WHAT I'M SAYING IS WE CAN DO IT NOW BY SIMPLY GIVING ME TEMPORARY PERMITS AND GRANTING THESE WAIVERS, I CAN START COMPETING WITH THEM NOW. AND THAT'S WHAT WE WANT. AND IT WOULDN'T JUST BE ME. IT WOULD BE LOUIE, IT COULD BE DRIVE SOCIETY, THEY COULD GET A LIMO CERTIFICATE, AND THEY COULD GET PERMITS, AND BY DOING THE WAIVERS, WE DON'T HAVE TO WAIT. THEY CANNOT STOP THIS FROM HAPPENING. YOU CAN GRANT TEMPORARY PERMITS AND THESE WAIVERS WITHOUT THEIR PERMISSION AND WITHOUT WORRYING ABOUT UBER AND LYFT SUING YOU BECAUSE THEY HAVE NOTHING TO DO WITH THAT. WHAT WOULD LOOK BETTER THAN GOING TO THE FLORIDA LEGISLATURE IN MARCH WITH THREE TNCs OPERATING LEGALLY FOLLOWING ALL THE RULES AND EVERYTHING IN MY TEMPORARY OPERATING AGREEMENT HERE WHICH YOU'VE ALL SEEN FOR SIX OR EIGHT MONTHS? AND THEN GO IN THERE AND SAY OKAY, WHAT'S UBER AND LYFT, WHY CAN'T THEY JOIN IN? WE'RE ALREADY DOING THIS. WHY WAIT? THIS COULD BE DONE ON A TEMPORARY BASIS AND IT CAN BE DONE NOW. THANK YOU.

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

>> THERE WAS A MOTION, THERE WAS A SECOND.

>> VICTOR CRIST: WE HAD A MOTION, WE HAD A SECOND. IS THERE ANY CHANGES?

ANY DEBATE? SEEING NONE, ALL IN FAVOR, AYE. THOSE OPPOSED? UNANIMOUS.

SORRY, TOM. ALL RIGHT, MOVING FORWARD. KYLE?

>> NEXT ONE IS A PUBLIC VEHICLE DRIVER'S LICENSE DENIAL APPEALS DEMETRIUS HOWARD, IS THERE A DEMETRIUS HOWARD HERE? IF YOU'LL STEP FORWARD TO THE DAIS, PLEASE. PTC HAS RECEIVED MR. HOWARD'S RECORD AND BASED ON SOME PAST INCIDENTS RECOMMEND DENYING THE APPEAL OR THE APPROVAL OF A PVDL. MR. HOWARD IS REPRESENTED BY, IS ROBERT GAGLIARDI HERE. MR. HOWARD WOULD LIKE TO BE EMPLOYED WITH WHEELCHAIR TRANSPORT SERVICES. THIS IS THE OPPORTUNITY TO DISCUSS ANYTHING IN THE PAST THAT MAY BE IN A GRAY AREA. THANK YOU FOR BEING HERE THIS MORNING.

>> THANK YOU. GOOD MORNING. YES, I WORK FOR WHEELCHAIR TRANSPORTATION SERVICE OUT OF PINELLAS COUNTY, AND WE JUST RECENTLY MOVED OVER HERE TO DO THE VA CONTRACT, AND I WAS JUST WONDERING IF IT WAS A POSSIBILITY IF I COULD GET MY PUBLIC TRANSPORTATION LICENSE OVER HERE IN HILLSBOROUGH COUNTY SO I CAN OPERATE OVER HERE SINCE MY COMPANY IS OVER HERE WORKING NOW.

>> VICTOR CRIST: OKAY. IS THERE DISCUSSION? OKAY.

>> HOW LONG HAVE YOU BEEN WORKING WITH THIS COMPANY IN PINELLAS?

>> SEVEN MONTHS.
>> SEVEN MONTHS?
>> YES, SIR.
>> ARE YOUR EMPLOYERS AWARE YOU ARE GOING TO BE HERE TODAY?
>> YES, BUT THIS IS THE SECOND -- THIS WAS ONE TIME I HAD A HEARING ONE TIME BEFORE, AND WE WAS SCHEDULED BUT I GET THEY GOT MY PAPERWORK IN LATE SO THEY WASN'T ABLE TO MAKE IT TO THE HEARING TODAY. BUT I DO HAVE THE DOCUMENTATION WHERE HE SIGNED IT WHERE IT WAS APPROVED OF HIM REPRESENTING ME FOR THE COMPANY.
>> VICTOR CRIST: OKAY, ANY OTHER DISCUSSION?
>> COUPLE OF QUESTIONS IF I MAY.
>> VICTOR CRIST: DAVE, QUESTIONS.
>> SO YOU WORKED FOR UNITED TAXI OVER IN CLEARWATER SINCE 09.
>> YES, SIR.
>> AND YOU LEFT IN SEPTEMBER OF LAST YEAR.
>> YES, SIR.
>> AND WHAT HAPPENED BETWEEN THOSE THREE MONTHS?
>> AT THAT TIME I WAS TRAINING TO GO TO THIS COMPANY HERE WHERE I'M AT NOW.
>> YOU'VE HAD NO INFRACTIONS SINCE 2009?
>> NO, SIR.
>> AND KYLE, HE WAS FORTHRIGHT IN LISTING ALL HIS INFRACTIONS?
>> YES, SIR, AND HE WAS FULL DISCLOSURE ON HIS APPLICATION AS WELL, WHICH THANK YOU FOR DOING THAT. WE DON'T TYPICALLY SEE THAT.
>> THAT'S ALL I HAVE, THANK YOU.
>> VICTOR CRIST: SO THIS LOOKS LIKE AN HONEST GUY JUST TRYING TO EARN A LIVING THAT'S STAYED CLEAN AND STRAIGHT FOR A REASONABLE PERIOD OF TIME THAT'S WORKING FOR A HIGHLY REPUTABLE EMPLOYER WHO HAS BEEN TAKING A RISK ON HIM.
WHAT'S THE PLEASURE OF THE BOARD.
>> I AM GOING TO MOVE WE GRANT THE LICENSE PERMIT WITH A SIX-MONTH PROBATION.
>> SECOND.
>> VICTOR CRIST: OKAY, DISCUSSION? SEEING NONE, ALL IN FAVOR? THOSE OPPOSED? UNANIMOUS. WE'RE GOING TO GRANT YOU A LICENSE ON A SIX-MONTH PROBATION. IF AFTER SIX MONTHS YOU CONTINUE TO DO WHAT YOU'VE BEEN DOING AND THAT'S THE RIGHT THING, THEN IT WILL BE PERMANENT.
>> ALL RIGHT, THANK YOU.
>> VICTOR CRIST: YOU'RE WELCOME.
>> MR. HOWARD, IF YOU CAN SEE CHIEF INSPECTOR SAUNDERS HERE, HE WILL GIVE YOU DIRECTION ON WHAT TO DO NEXT. THANK YOU. NEXT ON THE LIST IS MICHAEL GULLEY. MR. GULLEY IN THE ROOM? IS STEVEN BELSER? I WOULD RECOMMEND THAT -- I GUESS HE DID NOT WANT TO TAKE THE TIME OUT OF HIS DAY TO APPEAL HIS CASE BEFORE YOU SO I WOULD MOVE FORWARD WE RECOMMEND THE DENIAL OR I CAN CONTACT HIM AND RESCHEDULE AND SEE IF HE WANTS TO COME BACK TO THE NEXT HEARING, WHATEVER IS THE PLEASURE OF THE BOARD.
>> I MAKE A MOTION THAT WE CONTACT HIM AND HAVE HIM APPEAR AT THE NEXT MEETING.
>> VICTOR CRIST: GIVE HIM A SECOND CHANCE. WE'RE FAIR AND JUST BOARD.
ALL RIGHT. WE HAVE A SECOND. ANY DISCUSSION? ALL IN FAVOR, AYE. THAT'S FOR BOTH OF THEM, CORRECT?
>> JUST ONE. AND TYPICALLY WHAT WE DO IS HAVE THE EMPLOYER REPRESENTATIVE HERE BUT NEITHER ARE HERE IN THIS CASE.
>> VICTOR CRIST: EXACTLY.
>> AND THERE MAY HAVE BEEN SOME EXTENUATING CIRCUMSTANCES. WE'LL CONTACT THEM IF THAT'S THE PLEASURE OF THE BOARD. THANK YOU, SIR. NEXT UP IS VAUGHN WILLIAMS. STEP UP TO THE DAIS, PLEASE, REPRESENTED BY MR. JOSE CRUZ FROM DTS RECOVERY CORPORATION, ONE OF OUR LICENSED WRECKER SERVICES. MR. WILLIAMS GOT SOME CONFLICTS IN HIS PAST. MR. WILLIAMS, THANK YOU FOR BEING HERE THIS MORNING. THIS IS YOUR OPPORTUNITY TO DISCUSS WITH THE BOARD MAYBE SOME GRAY AREAS FROM YOUR PAST AND PLEAD YOUR CASE OF AN APPEAL TO THE BOARD IF YOU SO CHOOSE.
>> I RECEIVED A CHARGE BACK IN 2002.

EVER SINCE THEN I BEEN OUT OF TROUBLE AND COMPLIANCE WITH ANY AND EVERYTHING. FATHER OF FOUR BOYS, WIFE MARRIED GOING ON 20 YEARS NOW. PRETTY MUCH I WAS, WHILE PRETTY MUCH OUTRAGE, CHANGED MY LIFE TO BE A BETTER FATHER FOR MY KIDS AND TODAY I'M IN FRONT OF YOU GUYS AND FEMALE TO SEE IF IT'S POSSIBLE THAT I MIGHT BE ABLE TO ATTAIN A LICENSE.

>> WE DID HAVE FULL DISCLOSURE OF THE INCIDENT, ALTHOUGH THE DATES WERE OFF BUT THE GENERAL DISCLOSURE OF THE OFFENSES WERE PUT ON THE APPLICATION, AND WHAT MR. VAUGHN SAYS COINCIDES WITH WHAT OUR FINDINGS ARE AS WELL.

>> VICTOR CRIST: AND YOUR RECOMMENDATION?

>> MY RECOMMENDATION WOULD BE TO, WOULD BE TO GRANT ON A PROBATIONARY PERIOD. SIX MONTHS.

>> VICTOR CRIST: DO WE HAVE A MOTION?

>> THANK YOU FOR THE DISCLOSURE.

>> SECOND SOPHIST WE HAVE A MOTION AND A SECOND.

>> SECOND.

>> WE HAVE A MOTION AND A SECOND. ALL IN FAVOR, AYE. ALL OPPOSED? WE WILL GRANT YOU A LICENSE WITH A SIX-MONTH PROBATION AND IF AFTER SIX MONTHS YOU ARE DOING THE RIGHT THING, YOU WILL BE GIVEN A PERMANENT LICENSE.

>> THANK YOU FOR YOUR TIME.

>> VICTOR CRIST: THANK YOU.

>> MR. RANDELL MILLINER, REPRESENTED BY NEXT LEVEL HEALTH.

>> GOOD MORNING, SIR. THANK YOU FOR BEING HERE THIS MORNING.

>> THANK YOU.

>> THERE ARE SOME ISSUES IN YOUR PAST THAT ARE A LITTLE BIT OF A GRAY AREA THAT FALL OUTSIDE OF THE NORM FOR US BUT NOW IS THE OPPORTUNITY FOR YOU TO HAVE AN OPEN DISCUSSION WITH THE BOARD FOR THAT EFFECT AND FOR THEM TO ASK YOU QUESTIONS. THANK YOU FOR BEING HERE.

>> OKAY. GOOD MORNING, EVERYBODY. I APPRECIATE THE TIME YOU ARE TAKING OUT TO HEAR ME. I'VE HAVE A GRAY PASS PAST. BACK IN THE DAY IN MY YOUNGER DAYS I WANTED TO HANG OUT WITH THE WRONG PEOPLE. GOT INVOLVED WITH DRUGS AND DID SOME THINGS I AM NOT PROUD OF. I AM A RECOVERING ADDICT AND I HAVE NOT BEEN IN TROUBLE SINCE THE YEAR 2000. I'VE WORKED IN DRUG REHABS, SO I, I AM HERE TO JUST SUBMIT MYSELF TO YOU AND LET YOU KNOW I'M NOT THE PERSON THAT I USED TO BE. I'M NOT PROUD OF THE THINGS I DID IN THE PAST. THEY'RE NOT VIOLENT CRIMES THEY'RE JUST CRIMES I DID WHEN I WAS UNDER THE INFLUENCE OF DRUGS.

>> VICTOR CRIST: OKAY, COUNCILMEMBER?

>> ON YOUR PRETTY LENGTHY LIST OF INFRACTIONS YOU LISTED THE MAJORITY OF THE OFFENSES ON THE APPLICATION BUT NOT ALL OF THEM.

YOU HAVE AN EXPLANATION AS TO WHY SOME OF THEM WERE LEFT OUT?

>> I COULDN'T REMEMBER ALL OF THEM, SIR.

>> I CAN SEE WHY.

>> I MEAN, A LOT OF THOSE ARE IF YOU LOOK AT THEM ARE VIOLATION OF PROBATIONS.

>> MR. CHAIR, LET ME JUST START OUT BY SAYING THAT FIRST I'M IMPRESSED THEY CAN LIST THE MAYOR OF A CITY AS A REFERENCE AND LIST THE CHAIR AS A REFERENCE AND A RESPECTED MINISTER OF THE CITY, INCLINED TO GIVE ME THE WILL POWER TO GET A YOUNG MAN A BREAK. I PERSONALLY KNOW THIS GENTLEMAN AND I KNOW EXACTLY WHAT HE'S DOING IN THIS COMMUNITY. AS ELECTED OFFICIALS YOU PROBABLY HAVE GONE TO A PUBLIC EVENT IN THE CITY WHERE HE WAS SPINNING THEIR MUSIC BECAUSE A LOT OF THE POLITICIAN HIRE HIM TO SPIN THEIR MUSIC AT THEIR FUNCTION SO I KNOW THE DJ NAME. I BEEN KNOWING HIM FOR ALMOST 10 YEARS IN THIS CITY, AND I BELIEVE IN WHAT HE IS DOING AND IF YOU AT ST. JOHN MISSIONARY BAPTIST CHURCH ON A SUNDAY MORNING, YOU WILL SEE RANDELL SITTING THERE UNDER THE STEWARDSHIP OF PASTOR BANKS, SO I'M INCLINED TO EVEN THOUGH THERE IS A LIST OF THINGS HERE, GRANT HIM THE LICENSE WITH A SIX-MONTH PROBATION.

>> VICTOR CRIST: OKAY, WE HAVE A MOTION, WE HAVE A SECOND. COUNCILMEMBER, WITH YOUR RECOMMENDATION, THAT'S PRETTY STRONG. I HAD MIXED FEELINGS ON THIS JUST BY WHAT I SAW ON THE PAPER. THEN YOU CAME FORWARD WITH THAT SHIRT ON, AND I SAID I LIKE THIS GUY. MY KIND OF SHIRT. BUT WITH YOUR RECOMMENDATION, THAT'S THE ICING

ON THE CAKE FOR ME. ALL RIGHT. WE HAVE A MOTION. WE HAVE A SECOND. ANY DISCUSSION? SEEING NONE, ALL IN FAVOR OF ISSUING WITH A SIX-MONTH PROBATION, AYE. THOSE OPPOSED? UNANIMOUS. SIR, YOU HAVE A LICENSE WITH A SIX-MONTH PROBATION. IF YOU CONTINUE DOING THE RIGHT THING, AFTER SIX MONTHS, THEN IT WILL BECOME PERMANENT.

>> THANK YOU VERY MUCH.

>> VICTOR CRIST: THANK YOU VERY MUCH.

>> THANK YOU, IF YOU WILL SEE CHIEF INSPECTOR SAUNDERS, HE'LL GIVE YOU NEXT INSTRUCTION. MS. LINDA LESTER, IF YOU'LL COME FORWARD, PLEASE. GOOD MORNING, MA'AM. THANK YOU FOR ATTENDING THIS MORNING.

>> GOOD MORNING, CHAIRMAN, GOOD MORNING, BOARD. MY NAME IS LINDA LESTER. I LIVE HERE. I LIVE IN TAMPA, FLORIDA, AND I'M COMING TO, YOU KNOW, OBTAIN TRYING TO OBTAIN MY PUBLIC TRANSPORTATION LICENSE IN MY PAST. I DO HAVE A BACKGROUND. I'VE BEEN CLEAN NOW FOR EIGHT YEARS, AND I LIVE A PRODUCTIVE LIFE AND DON'T PLAN TO GO THAT ROUTE ANYMORE. I'M RAISING THREE OF MY GRANDCHILDREN NOW, AND I HAVE A JOB THAT'S WAITING FOR ME IF I CAN GET THOSE LICENSE BACK, I DID HAVE THEM IN THE PAST BUT DUE TO MY BACKGROUND, I LOST THEM. SO I'M COMING TO ASK THE BOARD IF THEY WOULD GRANT ME THE LICENSE BACK TODAY.

>> VICTOR CRIST: OKAY, WHERE ARE YOU FROM ORIGINALLY?

>> TAMPA.

>> VICTOR CRIST: LOOKING DOWN THE LIST, IT LOOKS LIKE THE LAST INFRACTION WAS 2008, EIGHT YEARS AGO, AND DIDN'T SEE ANYTHING VIOLENT IN NATURE THERE.

JUST SAW RECREATIONAL.

IS THERE A MOTION?

>> I MOVE TO APPROVE WITH A SIX-MONTH PROBATIONARY PERIOD.

>> SECOND.

>> VICTOR CRIST: OKAY, WE HAVE A MOTION, WE HAVE A SECOND. ANY DISCUSSION? SEEING NONE, ALL IN FAVOR, AYE. THOSE OPPOSED? WE'RE GOING TO GRANT YOU A LICENSE WITH A SIX-MONTH PROBATION. IF YOU CONTINUE DOING THE RIGHT THING FOR THE NEXT SIX MONTHS, IT WILL REVERT TO A PERMANENT.

>> THANK YOU VERY MUCH.

>> VICTOR CRIST: THANK YOU FOR BEING HONEST AND COMING FORWARD. KYLE?

>> THANK YOU, MR. CHAIR, AND THE LAST THING THAT I WOULD RECOMMEND WE MOVE FORWARD IS ITEM NUMBER 8 WHICH IS UNDER DIRECTOR'S REPORT AND 2017 INVOICES ARE SCHEDULED TO BE MAILED OUT LATER THIS MONTH AND FY 2016 THIS COMMISSION VOTED TO DIVIDE THE 12-MONTH BILLING CYCLE INTO TWO SIX-MONTH BILLING CYCLES, AND ADDITIONALLY, YOU VOTED TO REDUCE THE FIRST BILLING CYCLE FOR LIMOS, TAXIS, AND VAN COMPANIES. I WOULD RECOMMEND THAT THE FY '17 BILLING CYCLE BE SPLIT INTO TWO SIX-MONTH PAY PERIODS. IT'S THE PLEASURE OF THIS BOARD IF ANY KIND OF A FEE REDUCTION WOULD BE PUT IN PLACE, I WOULD RECOMMEND THAT STAFF'S RECOMMENDATION THAT IF THERE IS A FEE REDUCTION PUT IN PLACE, THAT IT BE 20% AND THAT BE DIVIDED BY 10% OFF THE FIRST SIX MONTHS BILLING CYCLE AND 20% OFF THE SECOND SIX MONTHS BILLING CYCLE AND I HAVE THAT TO PUT ON THE SCREEN FOR YOU TO SEE AS WELL AS A HARD COPY IN FRONT OF YOU.

>> VICTOR CRIST: KYLE, WHEN YOU AND I HAD DISCUSSED THIS, I HAD ASKED YOU AND THE FINANCIAL DIRECTOR ABOUT OUR FINANCIAL STATUS AND WHERE WE WERE AT THAT POINT, AND WHAT WE HAD RELATED TO YOU IS WE HAD BEEN EXPENSING CASH AT A MUCH HIGHER RATE THAN WE HAD ANTICIPATED. WE WERE GOING TO GO OVER BUDGET BUT YOU WERE GOING TO TIGHTEN OUR BELTS AND WE STILL DON'T KNOW WHAT THE OUTCOME OF LAWSUITS ARE AND WE COULD BE LOOKING AT A FAIRLY EXPENSIVE LEGAL FIGHT IF THE OUTCOME ISN'T FAVORABLE. SO I THOUGHT WE HAD DECIDED AT THAT POINT THAT A RECOMMENDATION WAS GOING TO COME FORWARD THAT WE WAIT UNTIL AFTER THE LAWSUIT TO DO ANY EXTENSIONS OF ANY FEE REDUCTIONS.

>> YES, SIR, AND I WOULD RECOMMEND THAT AS BEING, THAT'S CORRECT, THE FIRST RECOMMENDATION. MY RECOMMENDATION WOULD BE CAP IT AT 10% FOR BOTH.

WE DO NOT KNOW WHAT IS AROUND THE CORNER. WE HAVE PENDING LITIGATION THAT IS GOING TO BE EXPENSIVE. YOU DO HAVE THE OPTION OF REVIEWING THIS ISSUE DURING THE SECOND SIX-MONTH BILLING CYCLE AND SHOULD YOU WANT TO LEVY A FEE REDUCTION AT THAT TIME,

THAT IS AT THE PLEASURE OF THIS BOARD.

>> VICTOR CRIST: WELL, WE RECEIVED QUITE A BIT OF CRITICISM FROM THE PUBLIC ON OUR EFFORTS, AND IT WAS VERY EVIDENT THEY WANT US TO BE AS ASSERTIVE AS POSSIBLE. WE ARE BEING ASSERTIVE. WE'RE IN COURT FOR MULTIPLE TIMES IN COURT AND VERY COSTLY IN COURT. AND DEPENDING ON WHAT THE OUTCOME OF THESE TWO LAWSUITS ARE, WE COULD CONTINUE TO BE IN COURT AND I THINK IT WOULD BE IMPORTANT FOR US AND PRUDENT OF US TO MAKE SURE THE RESOURCES WERE TO PUT OUR STRONGEST FOOT FORWARD.

>> MY RECOMMENDATION THEN SIR WOULD BE TO MOVE FORWARD WITH THE FIRST SIX-MONTH BILLING CYCLE AND THEN REEVALUATE FOR THE SECOND SIX-MONTH BILLING CYCLE IF IT'S THE PLEASURE OF THIS COMMISSION TO INSTITUTE ANY KIND OF FEE REDUCTION THEN.

>> VICTOR CRIST: THAT WOULD BE THE PRUDENT AND CONSERVATIVE AND GOOD BUSINESS THING TO DO.

>> WHEN DO WE HAVE TO MAKE A DECISION ON THE FIRST SIX MONTHS?

>> MY PREFERENCE WOULD BE TODAY SIR BECAUSE THE DATE IS THE 17th SO WE GET PLENTY OF TIME FOR COMPANIES --

>> VICTOR CRIST: FOR ME I WOULD LIKE TO CONTINUE THE BREAK, BUT UNTIL WE HAVE A BETTER IDEA ON WHAT OUR EXPENSES ARE GOING TO BE, THE SAFE THING TO DO WOULD BE TO ESTABLISH THE BUDGET WITHOUT IT AND THEN REASSESS THAT IN SIX MONTHS WHEN WE KNOW WHERE WE STAND.

>> YES, SIR, AND IN ORDER TO NOT HAVE TO DIP INTO OUR RESERVES IN ORDER TO TAKE CARE OF THOSE LEGAL FEES I CONCUR. CHAIR, I THINK THAT'S PROBABLY THE PRUDENT WAY TO GO.

>> VICTOR CRIST: OKAY, DO WE HAVE ANY MOTION?

>> MOVE TO ACCEPT DIRECTOR'S RECOMMENDATION.

>> SECOND.

>> VICTOR CRIST: OKAY. ANY DISCUSSION? ALL IN FAVOR, AYE. THOSE OPPOSED? UNANIMOUS. THE INDUSTRY WE WILL RECONSIDER IN SIX MONTHS. THE BREAKS THAT WE HAVE OFFERED ONCE WE HAVE A BETTER IDEA WHERE WE STAND FINANCIALLY WITH THESE LAWSUITS.

>> THANK YOU, MR. CHAIR, NEXT THING ON THE AGENDA WOULD BE IF WE GO BACK TO THE AGENDA WOULD BE ITEM NUMBER 7, THE ATTORNEY'S REPORT AND TO THAT I WILL DEFER TO MRS. OSTER.

>> THANK YOU, MR. COCKREAM. THERE ARE THREE ITEMS UNDER MY REPORT. THE FIRST OF WHICH IS TO REPORT TO THIS COMMISSION THAT THE ETHICS COMPLAINT FILED AGAINST COMMISSIONER CRIST BY MR. MINARDI WAS IN FACT DISMISSED BY THE ETHICS COMMISSION FOR A FAILURE TO CONSTITUTE A LEGALLY SUFFICIENT COMPLAINT. IN SUMMARY, WHAT THE COMMISSION RULED WAS THAT THE FACTS ALLEGED DID NOT CONSTITUTE A VOTING CONFLICT WHICH WAS ONE OF THE ALLEGATIONS AND ADDITIONALLY, THE COMMISSION RULED THAT COMMENTS THAT WERE ALLEGED TO HAVE BEEN MADE BY COMMISSIONER CRIST WERE NOT INCONSISTENT WITH THE PROPER PERFORMANCE OF PUBLIC DUTY FOR AN ELECTED OR APPOINTED OFFICER IN TERMS OF SPEAKING TO MEMBERS OF THE PUBLIC ABOUT ISSUES BEFORE THE OFFICERS BOARD OR TO HARBOR POLICY VIEWS. THAT DOCUMENT WAS FORWARDED LAST WEEK. AND UNLESS THERE ARE ANY QUESTIONS I AM HAPPY TO MOVE TO THE NEXT ITEM ON MY REPORT. I DON'T SEE ANY QUESTIONS. MOVING ONTO THE SECOND ITEM, I WANTED TO PROVIDE SOME CLARIFICATION TO THIS COMMISSION FROM SOME INFORMATION THAT WAS REPORTED BY THE MEDIA STEMMING FROM OUR RULES AND POLICIES COMMITTEE MEETING. THE TOPIC OF DISCUSSION DURING THAT MEETING WAS WHETHER RULES PROPOSED BY DRIVE SOCIETY FELL INTO THE CATEGORY OF AN EMERGENCY RULE, WHICH IS WHAT THEY WERE PROPOSING. AND I JUST WANTED TO BE CLEAR ON THE RECORD WHAT THE LEGAL ADVICE PROVIDED WAS. THIS KIND OF SETS THE STAGE MAYBE FOR SOME LATER DISCUSSION THAT WE HAVE TODAY. AND WHAT I'D LIKE TO DO IS PUT ON THE RECORD WHAT THE BURDEN IS AND THE FACTORS ARE IN DETERMINING WHETHER A RULE CAN BE ADOPTED ON AN EMERGENCY BASIS.

AS THIS COMMISSION IS AWARE, ANY EMERGENCY RULES FALL UNDER THE ADOPTION PROCESS PROVIDED BY FLORIDA'S ADMINISTRATIVE PROCEDURE ACT. TYPICALLY THAT PROCESS INVOLVES NOTICE TO THE PUBLIC, HEARINGS UPON REQUEST, THE RULES BEING APPROVED BY THE STATE OF FLORIDA OMBUDSMAN IN A SERIES OF OTHER REQUIREMENTS UNDER THE LAW. WITH RESPECT TO THE EMERGENCY RULE PROCESS, THAT ELIMINATES A LOT OF THOSE REQUIREMENTS, BUT IN ORDER TO HAVE RULES SUCCESSFULLY ADOPTED ON AN EMERGENCY

BASIS, FLORIDA STATUTE SPECIFICALLY CHAPTER 120 REQUIRES AGENCY TO FIND THAT THERE IS AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY, OR WELFARE, REQUIRING THE EMERGENCY ACTION. THE COURTS HAVE DETERMINED THAT EMERGENCY RULES MUST BE JUSTIFIED BY AGENCY FINDINGS SO YOU WOULD HAVE TO MAKE SPECIFIC FINDINGS OF IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY, OR WELFARE, AND MUST SPECIFICALLY MAKE FINDINGS AND REASONS FOR FINDING THAT THERE IS IN FACT A GENUINE EMERGENCY TO JUSTIFY ADOPTION OF THE EMERGENCY RULES. THESE FINDINGS MUST BE FACTUALLY EXPLICIT, AND MUST BE PERSUASIVE. MY REVIEW OF CASE LAW IN THIS AREA INDICATES THAT THE COURTS REALLY DELVE INTO THE FACTS BEHIND THE ARTICULATED BASES FOR ADOPTION OF THE EMERGENCY RULES, AND THEY HAVE NOT BEEN HESITANT TO STRIKE DOWN EMERGENCY RULES. SO THAT'S WHAT THE STATE OF THE BURDEN IS THAT YOU WOULD HAVE TO ESTABLISH TO SUPPORT SUCCESSFULLY AN EMERGENCY RULE FINDING AND WHAT THE STATE OF THE CASE LAW IS IN THAT REGARD. AND IF THIS COMMISSION DECIDES TO ADOPT THE EMERGENCY RULES, MR. ANDERSON'S POINT IS WELL TAKEN THAT HE DOES HAVE HIS CLIENT OR ANYBODY WHO WISHES TO CONTEST THE EMERGENCY NATURE OF THE RULES WOULD HAVE A DIRECT RIGHT OF REVIEW TO A COURT WHERE THEY WOULD OSTENSIBLY BE SEEKING INJUNCTIVE RELIEF.

>> VICTOR CRIST: COMMISSIONER HIGGINBOTHAM?

>> I AGREE WITH COUNSEL THAT IT'S A HARD SELL FROM MY VANTAGE POINT TO SEND ANY RULES FORWARD ON AN EMERGENCY BASIS. I DON'T SEE THAT WE HAVE A FOUNDATION FOR THAT AND MY FEELING IS THAT WE WOULD WITHOUT QUESTION BE DEFEATED IN COURT, WHICH WOULD ONLY ADD TO THE TIME THAT WE'VE BEEN WORKING ON THIS PROCESS TO FIND RESOLUTION WITH THE TNCs. I GUESS IF YOU ARE LOOKING TO ME TO KIND OF DISCUSS AND BRING FORWARD WHAT'S TAKEN PLACE OVER THE LAST COUPLE OF WEEKS AND IF I MAY JUST KIND OF OUTLINE THE PROCESS, BUT FIRST I WANT TO THANK CHAIRMAN FOR SUGGESTING THAT I KIND OF TAKE THE POINT OVER THE LAST CUP OF WEEKS TO SEE IF WE COULD GET TO CONCLUSION, AND I'VE BEEN INTERPRETED AND ALSO WANT TO THANK THE BOARD FOR THEIR SUPPORT OF THAT SUGGESTION AND RECOMMENDATION. AND ALL THE HARD WORK THAT'S BEEN PUT INTO THE EFFORTS TO BRING US TO TODAY BY THE CHAIRMAN, BY THESE BOARD MEMBERS, BY THE SUBCOMMITTEE MEMBERS, AND BY THE PATIENCE AND TOLERANCE OF THE COMMUNITY, THE PROPOSALS THAT WERE THERE FOR DISCUSSION AND CONSIDERATION DOES NOT NECESSARILY REFLECT MY OPINION. IT WAS MY INTERPRETATION. IT WAS MY DUTY TO PUT BOTH OF THOSE OUT THERE FOR CONSIDERATION BEFORE WE MOVE FORWARD. I AM GOING TO ASK THAT A REPRESENTATIVE FROM UBER AND A REPRESENTATIVE FROM LYFT BE GIVEN FIVE MINUTES IF HE COULD SET THE CLOCK FOR FIVE MINUTES I AM GOING TO ASK THEM TO COME UP IN JUST A COUPLE MINUTES TO SPEAK. BUT EVERYONE'S HAD TIME THIS WAS DISTRIBUTED ON THE SECOND OF AUGUST. THEY HAVE HAD TIME TO LOOK AT THIS AND EVALUATE THE MERITS OF THE BEN FRANKLIN, THE TWO SIDE BY SIDE AGREEMENTS. AT THIS POINT, WHERE WE HAVE BEEN FOR TWO YEARS NOW WE'VE BEEN AT A STAND STILL, AND THE MOST RECENT COMMUNICATION THAT WE'VE HAD FROM REPRESENTATIVES OF THOSE COMPANIES, I THINK WE HAVE THEM AVAILABLE EITHER ON ELMO OR THROUGH ELECTRONIC. OKAY, IF WE COULD -- LET'S JUST GO WITH UBER FIRST. WHAT'S THE LAST CORRESPONDENCE WE HAD IN RELATION TO THE NEGOTIATION?

>> COMMISSIONER HIGGINBOTHAM, YOU KIND OF JUMPED THE GUN A LITTLE BIT.

CAN WE APPROVE THE ATTORNEY'S REPORT AND THEN MOVE BACK INTO YOUR PORTION.

>> THIS IS PART OF IT.

>> THE THIRD PART OF MY REPORT IS APPROVED SETTLEMENT AGREEMENTS AND IF I CAN PROVIDE BACK DROP HERE. THIS COMMISSION APPROVED RESUMING SETTLEMENT DISCUSSIONS WITH COMMISSIONER HIGGINBOTHAM BEING SPEARHEADING THAT EFFORT WITH HIS GUIDANCE, WE SENT TWO PROPOSALS OUT TO UBER AND LYFT THAT WERE SENT LAST WEEK.

THEY ARE SETTLEMENT AGREEMENTS WITH A TEMPORARY OPERATING AGREEMENT INCORPORATED WITHIN. THE ONLY DIFFERENCE BETWEEN MODEL A AND B SENT IS THE LEVEL OF THE BACKGROUND CHECK. ONE MODEL HAD A LEVEL TWO BACKGROUND CHECK, WHICH REQUIRES FINGERPRINTS. THE OTHER MODEL HAD A LEVEL ONE PLUS PLUS WHICH IS WHAT WE'VE BEEN CALLING IT BACKGROUND CHECK. THAT WAS SENT LAST TUESDAY. WE HAVE RECEIVED COMMENTS BACK FROM BOTH UBER AND LYFT. UBER'S COMMENTS AS RECENTLY AS YESTERDAY AND I BELIEVE THOSE WHILE THEY DID NOT AGREE IN TOTAL TO THE AGREEMENTS THAT WERE PRESENTED, THEY DID PROVIDE COMMENTS ABOUT WHERE THE AREAS WERE THAT THEY DISAGREED.

>> VICTOR CRIST: OKAY, COMMISSIONER HIGGINBOTHAM, I HAD ASKED STAFF TO PUT THEM ON A SPREAD SHEET SO THAT THE MEMBERS COULD SEE IT ALL FLAT ON PAPER SIDE BY SIDE SO THAT THEY COULD SEE WHAT THE DIFFERENCES WERE AND WHERE THE ISSUES LIE SO I WAS GOING TO ASK STAFF TO PASS THAT OUT. THIS SHOULD HELP CLARIFY WHAT YOU'RE GOING TO BE EXPLAINING MAKING IT EASIER FOR PEOPLE TO SEE IT WHILE YOU ARE TALKING ABOUT IT.

>> I AM NOT AWARE OF THE SIDE BY SIDE BUT WHILE YOU ARE PASSING THAT OUT -- OH, YOU'VE GOT THEM? AND I THINK EVERYONE IS, YOU KNOW, REALLY NOT A NEW DOCUMENT, THE TWO ARE NOT NEW, AND THE CORE ISSUE ON THE BACKGROUND CHECK, THE FINGERPRINTS HAS NOT CHANGED. THE PROCESS I AM GOING TO GO IN TODAY IS TO ASK THAT WE RECEIVE THESE REPORTS SINCE THEY HAVE, WE'RE AT A POINT TO WHERE THEY'RE NOT GOING TO GO FORWARD. NEITHER OF THEIR PROPOSALS IS ACCEPTABLE. WHICH IS NOT A SURPRISE.

I THEN AM GOING TO ASK THAT WE MOVE FORWARD WITH A TNC LIMOUSINE ACT AND THAT'S WHERE THE BURDEN IS GOING TO BE PLACED ON DAVID, VICTOR, NATE, AND GUIDO AT THE RULES COMMITTEE MEETING ON THE 16th. WE'RE GOING TO ASK FOR A VOTE TO INSTRUCT THEM TO MOVE FORWARD WITH THIS WITH A DOCUMENT TO BRING BACK AT THE SEPTEMBER MEETING FOR A VOTE. BUT IF WE COULD AT THIS POINT ASK FOR THE REPRESENTATIVE FROM UBER TO COME FORWARD AND THEN REPRESENTATIVE FROM LYFT TO COME FORWARD, I THINK THAT'D BE APPROPRIATE AND ASK FOR A CLOCK TO BE SET AT FIVE MINUTES APIECE.

>> GOOD MORNING, STEPHANIE SMITH WITH UBER TECHNOLOGIES. HI, COMMISSIONER. I AM SPEAKING ON BEHALF OF OUR ATTORNEY AARON BRAND. I'M SORRY, I CANNOT SPEAK ON BEHALF OF OUR ATTORNEY WHO IS NOT ABLE TO BE HERE TODAY WHO PUT TOGETHER THE LETTER THAT I UNDERSTOOD WAS SENT TO CINDY YESTERDAY THAT OUTLINES OUR CONCERNS WITH MODEL A BUT I WILL JUST GO AHEAD AT A HIGH LEVEL AND JUST LET YOU KNOW WHERE WE KIND OF SEE THINGS STANDING. SO FIRST OF ALL, WE APPRECIATE THE PTC, THE STAFF AND COMMISSIONER HIGGINBOTHAM FOR REOPENING THE SETTLEMENT AGREEMENTS. LIKE I SAID EARLIER, WE SUBMITTED A LETTER OUTLINING OUR CONCERNS WITH MODEL A. I WILL LET YOU KNOW THAT MODEL A IS ACTUALLY A PRODUCT THAT WE WORKED CLOSELY WITH STAFF ON FOR MONTHS, AND I WOULD SAY THAT WE ARE EXTREMELY CLOSE. THE ITEMS THAT WE LAID OUT IN THE LETTER WE BELIEVE THAT WE CAN GET THERE. WE WOULD ASK THAT THE COMMISSION GIVE US THE OPPORTUNITY TO CONTINUE TO NEGOTIATE, AND WITH STAFF AND WITH COMMISSIONER HIGGINBOTHAM TO ADDRESS THOSE FINAL ISSUES BUT AT THIS TIME, WE'RE NOT ABLE TO EXECUTE ON MODEL A. MODEL B WE WOULD NOT EXECUTE ON. WE DIDN'T ACTUALLY NOT EVEN RESPOND OR RED LINE MODEL B BECAUSE IT INCLUDED THE LEVEL TWO BACKGROUND CHECK. SO WITH THAT I'LL JUST GO AHEAD AND WRAP UP BUT UNFORTUNATELY I'M NOT ABLE TO GO THROUGH EACH ISSUE LINE BY LINE.

>> ALL RIGHT, AND.

>> OUR ASK WOULD BE TO CONTINUE TO TRY TO WORK THROUGH.

>> AND THE FINAL COMMUNICATION THAT WE HAD FROM COUNSEL, WE HAVE THAT, WE COULD PUT UP ON THE SCREEN OR IS THIS IT RIGHT HERE? ASK THE REPRESENTATIVE FROM LYFT TO COME FORWARD.

>> I WILL STAY CLOSE JUST IN CASE.

>> WE HAVE THE RED LINE FROM BOTH COMPANIES.

>> JUST THE FINAL COMMUNICATION, THE COVER LETTER.

>> GO AHEAD AND HEAR FROM COUNSEL.

>> YES, SIR.

>> GOOD MORNING, STEVE ANDERSON, COUNSEL FOR LYFT, INC. THANK YOU FOR THE OPPORTUNITY, MR. HIGGINBOTHAM, THANK YOU. MY BUSINESS ADDRESS 101 EAST KENNEDY SUITE 2,000 HERE IN TAMPA. FIRST LET ME THANK YOU AND SPECIFICALLY I WANT TO THANK YOUR COUNSEL, MS. OSTER. SHE AND I AND REPRESENTATIVES OF UBER HAVE WORKED TO PUT IN A LOT OF HOURS, A LOT OF EXTRA HOURS ON HER TIME ON HER PORT TO TRY TO FIND A RESOLUTION, TO TRY TO GET TO AN AGREEMENT. SOME PEOPLE SUGGEST THAT EFFORTS HAVEN'T BEEN MADE. I THINK SHE COULD ATTEST TO YOU THE HUGE AMOUNT OF TIME AND EFFORT THAT HAS BEEN PUT TO TRYING TO MAKE AN AGREEMENT. I WANT TO THANK MR. COCKREAM AGAIN, MR. HIGGINBOTHAM FOR TAKING THE REINS. OF COURSE, COMMISSIONER CRIST FOR BEING SUCH A DRIVING POWER IN THIS FROM THE BEGINNING. THE DIFFERENCE IS LEVEL ONE AND LEVEL TWO. IS IT ON THE SCREEN NOW? THIS IS JUST A PIECE OF INFORMATION

THAT I WANTED TO SHARE WITH YOU IF YOU HAVEN'T SEEN BECAUSE YOU HEAR A LOT UP HERE EVERY MONTH YOU HEAR A LOT ABOUT WHO'S DOING WHAT. WHAT'S GOING ON IN THE OTHER COMMUNITIES. THE IMPORTANT POINT IS THAT THE MAP AND THE INFORMATION AT THE BOTTOM, THERE ARE 33 STATES THAT ENACTED LEGISLATION THAT REGULATE IN ONE WAY OR ANOTHER SAFETY FOR TNCs. SPECIFICALLY FOR TNCs. ZERO. NONE OF THOSE STATES REQUIRE FINGERPRINTING. LYFT IS IN 66 CITIES WITH POPULATIONS EQUIVALENT OR GREATER THAN TAMPA. NONE OF THOSE CITIES THAT WE ARE IN REQUIRE FINGERPRINTING. I'M NOT HERE TO TELL YOU FINGERPRINTING IS BAD. IT HAS VALUE, BUT I AM HERE TO TELL YOU THAT EVERYONE WHO'S LOOKED AT IT AND ALL THESE OTHER VENUES HAVE LOOKED AT IT AND DECIDED THAT THE HIGH LEVEL OF ACCURACY AND DEPENDABILITY THAT COMES FROM OUR PROCESS THAT GOES ON WITH EACH AND EVERY DRIVER BEFORE HE'S ALLOWED TO GET IN THAT CAR, DRIVE THE FIRST PASSENGERS, THAT IT IS AT LEAST COMPARABLE TO FINGERPRINTING. FINGERPRINTING SIMPLY DOESN'T WORK WITH THE TNC MODEL, SO WE HAVE NOT RESPONDED TO MODEL B. BUT THAT'S A FACT. IT'S SOMETHING NONE OF US HERE CAN CONTROL. TNCs, RIDE SHARE IS HAPPENING ALL AROUND THE WORLD. AND EVERYONE IS COMING TO THE CONCLUSION OF THE FACT THAT FINGERPRINTING IS NOT REQUIRED. WE HAVE AN EXCELLENT PROCESS. LIKE I SAID EARLIER TO YOU, THOUSANDS OF RIDES OVER THE LAST TWO, TWO AND A HALF YEARS HERE IN HILLSBOROUGH COUNTY. AND WHILE YOU HEAR THESE, THIS SPECULATION AND STUFF, YOU HAVEN'T SEEN EVIDENCE OF THIS KIND OF CRIMINALITY OR CARELESSNESS OR BAD RECORDS. THERE IS ALWAYS THAT DEGREE OF CRIMINALITY THAT OCCURS BUT YOU WOULD'VE SEEN PROOF WE HAVE AN EXCELLENT RECORD BUT YOU WOULD'VE SEEN PROOF IF IT WAS OTHERWISE. I MET WITH COMMISSIONER HIGGINBOTHAM TWO, THREE WEEKS I THINK RIGHT AFTER YOU HAD DECIDED TO RESUME NEGOTIATIONS AND I TOLD THE COMMISSION, I THANKED HIM AND I TOLD HIM THAT I THOUGHT WITH A MONTH, WITHIN A MONTH, HIS WILL HAPPEN. WE GOT THE COUNTIES, THE PTC'S DOCUMENTATION LAST TUESDAY. IN LESS THAN A WEEK I WORKED -- I CAN TELL YOU ALL LAST WEEKEND, RESPONDING TO THE MODEL A. IS IT PERFECT? DOES IT GIVE YOU EVERYTHING YOU WANT? IS THAT THE FIVE MINUTE? DOES IT GIVE EITHER ONE OF US EVERYTHING WE WANT? BUT KEEP IN MIND WHAT WE'VE BEEN TRYING TO ACCOMPLISH HERE IS THE INTERIM SYSTEM THAT WILL WORK UNTIL A GREATER, LONG-TERM SOLUTION IS ACCOMPLISHED.

>> VICTOR CRIST: THANK YOU.

>> THANK YOU VERY MUCH.

>> VICTOR CRIST: ONE OF THE THINGS THAT THE CONCLUSION.

>> THE STANDARDS WERE MADE VERY CLEAR ABOUT FINGERPRINTS.

I DON'T KNOW IF I WANT TO MAKE A MOTION THAT WE RECEIVED THE DOCUMENTS IN THE RECORD, AND THEY BE HELD IN RECORD AS BEING UNSUCCESSFUL. DO I NEED TO RECEIVE A MOTION TO RECEIVE THESE FOR RECORD? THIS IS NOT AN ACCEPTANCE.

>> YES, SIR, AT THIS POINT, ALL THE RECORDS ARE PUBLIC. I WANT FOR COUNSEL AND THE DIRECTOR TO TALK ABOUT A TNC LIMOUSINE ACT, AND BEFORE YOU DO THAT, ALL OF US THIS MORNING AROUND 8:00 RECEIVED A LETTER FROM ADAM HARDEN FROM SOHO CAPITAL AND ADAM PUT IT IN HIS WORDS I THINK AS WELL AS IT COULD BE STATED. SUPPORTED BY THE CURRENT PTC RULES WHICH STIFLE INNOVATION THE CURRENT STRUCTURE HAS BECOME OLD AND STALE AND ESPECIALLY IN A TOWN WITH FEW VIABLE PUBLIC TRANSPORTATION ALTERNATIVES. WE NEED TO ENCOURAGE AND REWARD INNOVATION. IT WAS STATED BY ONE OF THE SPEAKERS THAT THERE ARE A NUMBER OF TNC COMPANIES THAT ARE IN OPERATION. OUR SHIFT, BOARD MEMBERS, NEEDS TO BE MOVED FROM UBER AND LYFT TO TNC, AND TO DO WHAT THE WRITER OF THIS E-MAIL MR. HARDEN SAID IS OPEN THIS MARKET UP TO THOSE WHO HAVE INNOVATION, THOSE WHO ARE WANTING TO MOVE FORWARD, AND CREATE RULES THAT WILL ALLOW ALL TNCs TO OPERATE. THAT WILL PROVIDE THAT THOSE IN THE RIDING PUBLIC ARE DEPENDENT ON US FOR. THOSE COMPANIES, AND I JUST WANT TO RESTATE THE ONES THAT I'M AWARE OF RIGHT NOW, THERE'S FARE, THERE'S FASTEN, THERE'S GET ME, THERE'S INSTARIDE, THERE'S DRIVE SOCIETY, RIDE AUSTIN, WINGS, Z TRIP, AND THERE'S SOME COMPANIES THAT ARE INACTIVE. I DON'T KNOW IF THAT MEANS THEY ARE NOT INTERESTED IN COMING HERE OR NOT, BUT WE CANNOT AFFORD, AND I FEEL IT'S RESPONSIBILITY TO NOT IGNORE THE TNC INDUSTRY. SO MY MOTION IS TO DIRECT STAFF TO COME UP WITH RULES AS I SAID TNC LIMOUSINE ACT, SO I'M GOING TO ASK FOR KYLE OR CYNTHIA TO COMMENT AND JUST KIND OF TALK TO THE BOARD ABOUT THIS AND WE'LL SAY THAT BETWEEN NOW AND

THE 16th, THOSE OF YOU ON THE RULE COMMITTEE GOING TO NEED YOUR HELP. RIGHTLY SO WE HAVE BEEN ACCUSED OF NOT MOVING THIS FORWARD. MY OBJECTIVE IS TO GET RULES AND AGREEMENT ON RULES, WHATEVER THEY'RE GOING TO BE, FOR A TNC COMMUNITY TO ALLOW PLATFORM OF OPERATION THAT WE CAN BRING BACK TO THIS BOARD IN SEPTEMBER FOR A VOTE, AND I KNOW THERE'S A PROCESS THEN WHERE IT HAS TO GO TO THE ADMINISTRATIVE CODE FOLKS. HAVE TO GO TO THE GOVERNOR'S OFFICE, THERE IS A DUAL TRACK TO EXPEDITE THIS AND WITH COOPERATION FROM INDUSTRY, DILIGENCE OF ALL OF US UP HERE, AND MORE HOURS FROM STAFF, WE CAN ACCOMPLISH THIS. AND I WOULD LIKE TO SEE THIS ACCOMPLISHED BY NOVEMBER, AND THAT'S A BOLD STEP. BUT YOU KNOW, COMMISSIONER CRIST HAS WORKED LONG AND HARD, AND NOT ONLY HIM BUT THIS ENTIRE BOARD DESERVES TO HAVE ACCOMPLISHED THIS AND ELIMINATE THIS DISCUSSION ABOUT US NOT GETTING ANYTHING DONE SO STAFF I AM GOING TO ASK FOR YOU TO COMMENT ON THE TNC LIMOUSINE ACT.

>> VICTOR CRIST: QUESTION, FIRST, COMMISSIONER HIGGINBOTHAM, JUST FOR SOME CLARITY. WHAT WE HAVE BEFORE YOU THAT YOU ARE OFFERING UP TODAY IS A PROPOSED SETTLEMENT. ARE YOU GOING TO CONTINUE MOVING THAT FORWARD?

>> THEY ARE DEAD?

>> VICTOR CRIST: HUH?

>> THEY ARE DEAD.

>> VICTOR CRIST: OKAY, SO WHAT YOU ARE ASKING AT THIS POINT IS FOR US TO THEN CONSIDER THE RULE MAKING.

>> WE SHOULD REFOCUS ON THE ENTIRE TNC COMPANY, REOPEN IT UP FOR ALL THESE COMPANIES AND THAT PLATFORM. THE PROPOSAL I AM GOING TO LET STAFF DISCUSS, AND THEN IT'S GOING TO REQUIRE SOME DOUBLE DOWN BETWEEN NOW AND THE 16th, WHICH CAN BE DONE. WE ARE GOING TO HAVE TO DOUBLE DOWN TO COME UP WITH RULE PROPOSALS.

SO I AM GOING TO ASK THE DIRECTOR AND OUR COUNTY ATTORNEY TO MAKE COMMENT ON HOW WE'RE GOING AHEAD WITH THIS NEXT STEP.

>> VICTOR CRIST: OKAY, AND I'M NOT LOOKING FOR SPECIFIC RULES. I'M LOOKING TO GET THESE OUTLINED SO THAT YOU HAVE, YOU GUYS HAVE MORE RULES. DAVE HAS A QUESTION.

>> IF I MAY, MR. HIGGINBOTHAM, AND WHILE I'M SAD THAT YOU WEREN'T ABLE TO BRING US TO SOME CLOSURE, I'M HAPPY TO HEAR YOU ADMIT THAT YOU COULDN'T.

WE'VE LONG BEEN AT AN IMPASSE WITH UBER AND LYFT.

>> EXACTLY.

>> AND MY OPINION, THE REASON FOR THAT IS WE'RE ALLOWING THE TAIL TO WAG THE DOG. WE HAVE RULES THAT WE APPROVED BACK IN 2015 THAT WE PUT INTO ABEYANCE PENDING OUTCOME FROM LEGISLATION, WHICH WE NEVER GOT. SO WE ALREADY HAVE RULES IN PLACE THAT WE COULD APPROVE TODAY THAT WERE APPROVED BACK IN 2015 THAT ALL WE GOT TO DO IS TAKE THEM OUT OF ABEYANCE, AND I AGREE WITH YOU, THIS IS NOT AN UBER AND LYFT ISSUE. THIS IS A TNC ISSUE. WE HAVE RULES THAT WERE PRESENTED TWO MEETINGS AGO AT THE RULES AND POLICY COMMITTEE, THAT WE WERE MOVING FORWARD. I'M GOING TO ALSO ASK THE DIRECTOR AND STAFF FOR THE 15th TO BRING ME A LIST OF ALL THE VIOLATIONS OF ALL THE CITATIONS AND ALSO ANY OTHER NEWS ARTICLES AND WHATEVER YOU CAN FIND TO SUPPORT MAKING THESE EMERGENCY RULES. BECAUSE I BELIEVE THEY ARE. IF WE NEED BACK UP, IF WE NEED SUPPORT, I WANT TO SEE THAT SUPPORT. BECAUSE IT'S BEEN IS TO LONG. IT'S BEEN AT LEAST PRIOR TO 2016. IT'S NOT INSURMOUNTABLE. WE CAN BRING WHAT WE HAVE AT THE NEXT MEETING AND BRING RECOMMENDATION FOR APPROVAL AT THE MEETING. WE HAVE TRIED. WE HAVE TRIED, WE HAVE TRIED, BUT WE'VE BEEN ALLOWING UBER AND LYFT TO DIRECT OUR ATTENTION TO WHAT THEY WANT. WE HAVE A PATH FORWARD FOR ALL THE TNCs. WE JUST NEED TO ENACT IT. AND ONCE WE ENACT IT, IT WILL BE THE BACK BONE FOR EVERY COMPANY THAT WANTS TO OPERATE IN HILLSBOROUGH COUNTY.

>> INCLUDING CAB COMPANIES.

>> IN MY OPINION IT COULD BE THE ROAD MAP FOR THE REST OF THE COUNTRY. IT'S NOT INSURMOUNTABLE. WE GOT PIECES THERE. WE JUST GOT TO SIT DOWN AND KNOW THAT THIS ENTIRE BODY IS FINALLY GOING TO TAKE A STAND AND DO SOMETHING ABOUT IT.

>> IS THAT A MOTION?

>> THE MOTION WOULD BE TO AT THE RULES AND POLICY COMMITTEE MEETING, SINCE OBVIOUSLY WE NEED SOME PROOF TO MAKE THIS AN EMERGENCY IS FOR THE RULES AND POLICIES TO DISCUSS THE RULES THAT ARE IN PLACE, OUR RECOMMENDATION FOR EITHER AN EMERGENCY OR EXPEDITE

IT, DEPENDING ON THE INFORMATION YOU BRING TO THE RULES AND POLICY COMMITTEE, AND AT THE NEXT MEETING THIS ENTIRE BOARD VOTE IT UP OR DOWN AND LET'S BE DONE WITH IT.

>> NO, I THOUGHT YOU WAS MAKING A MOTION FOR STAFF TO BRING A REQUEST FOR INFORMATION.

>> IF I NEED TO MAKE THAT A MOTION, YES.

>> VICTOR CRIST: LET ME BRING A MOTION TO DIRECT UNDERSTANDING R. WE BRINGING THIS TO RULES AND COMMITTEE OR ARE WE ASKING STAFF TO BRING AN IDEA TO RULES COMMITTEE AND THE RULES COMMITTEE WORKSHOP IT AND BRING THE IDEA BACK HERE?

>> WHY DON'T WE LET COUNSEL.

>> THE ALREADY IS IN PLACE. WE HAVE PROPOSED RULE WE HAVE BEEN LOOKING AT.

I WOULD SUGGEST THAT THE ONLY THING STAFF NEEDS TO BRING TO US IS WE NEED TO BRING BACK THOSE RULES. WE NEED TO UNDERSTAND ANY DIFFERENCES FROM WHAT WAS ALREADY APPROVED IN 2015, AND WE NEED EVIDENCE THAT WE CAN MAKE A DETERMINATION WHETHER OR NOT THEY FALL UNDER THE EMERGENCY CATEGORY.

>> VICTOR CRIST: ALL RIGHT, SO WHAT YOU'RE ASKING, DAVE, IS FOR US TO BRING BACK AND RECONSIDER THE CAB INDUSTRY'S RULES THAT WE ORIGINALLY --

>> THEY WEREN'T THE CAB INDUSTRY'S.

>> NO, THEY WEREN'T.

>> WE HAVE TWO THINGS.

WE HAVE THE 2015 RULES THAT WE ALREADY APPROVED, AND THEN WE HAVE THE MODIFIED 2015 THAT WE'VE BEEN TALKING ABOUT FOR THE LAST TWO RULES AND POLICY COMMITTEE MEETINGS. WE NEED AS A RULES AND POLICY COMMITTEE MEETING TO SIT DOWN, CODIFY BOTH OF THOSE INTO ONE DOCUMENT, BRING THAT BACK TO THE FULL BOARD FOR A RECOMMENDATION FOR APPROVAL, ALONG WITH A RECOMMENDATION

>> VICTOR CRIST: I'M JUST TRYING TO GET AN IDEA WHICH SET OF RULES BECAUSE WE'VE HAD A LOT OF RULES FLYING AROUND HERE FOR THE LAST 12 MONTHS.

ARE WE TALKING ABOUT THE SET OF RULES THAT LOU MINARDI AND SETH MILLS HAVE BEEN ADVOCATING FOR FOR THE PAST YEAR THAT WE GO BACK TO?

>> I'M GOING TO INTERRUPT HERE BECAUSE I KNOW I HAD THE FLOOR AND I WAS CONCEDING FOR COMMENT, AND WE'RE ON THE SAME PAGE, BUT LET'S LET COUNSEL ADDRESS THAT BECAUSE THERE'S A PROCESS TO GO TO RULES COMMITTEE, MAKE SURE THAT WE HAVE DONE THAT VETTING SO WE HAVE SOMETHING TO COME BACK WITH. SO CINDY.

>> VICTOR CRIST: WELL, AGAIN, I'M TRYING TO GETS CLARITY.

>> WELL, LET HER TALK. LET HER SPEAK.

>> THANK YOU, COMMISSIONER. FROM THE RULES AND POLICY COMMITTEE, I THINK THAT THE DIRECTOR'S DIRECTION AT THAT TIME WAS TO TAKE A LOOK AT TWO DIFFERENT SETS OF RULES THAT WERE PROPOSED. ONE THAT WAS ORIGINALLY PROPOSED BY THE TAXICAB INDUSTRY LAST YEAR, THE OTHER WAS A PROPOSAL BY DRIVE SOCIETY. SO IF IT'S THIS COMMISSION'S DESIRE FOR US TO GO BACK AND CREATE A JOINT PROPOSAL THAT FOR YOUR CONSIDERATION WHICH I TOOK AS THE DIRECTION FROM OUR LAST MEETING, THEN WE'RE HAPPY TO DO THAT.

IF THERE IS A SEPARATE DESIRE TO TRY TO MOVE THAT FORWARD ON AN EMERGENCY BASIS AS OPPOSED TO AN EXPEDITED BASIS, THEN CERTAINLY THERE WOULD HAVE TO BE SPECIFIC FINDINGS MADE THAT I THINK PROBABLY THE DIRECTOR IS BELTER SUITED TO ARTICULATE ON A SPECIFIC BASIS SO PERHAPS WE CAN DIVIDE UP THE MOTIONS. ONE TO DIRECT THOSE TO COME BACK WITH A JOINT PROPOSAL AND TWO, WHETHER YOU WANT TO CONSIDER THIS ON AN EMERGENCY BASIS.

>> THE MOTION IS TO SEND THIS TO THE RULES COMMITTEE ON THE 16th FOR THEIR FINAL REVIEW AND STAMP. AND THAT WILL COME BACK TO THIS BOARD AND I'VE HEARD IT REFERRED TO AS THE MOTHER BOARD, BUT BRING IT BACK TO THIS BOARD FOR THE SEPTEMBER VOTE. THERE STILL IS A PROCESS OF GOING TO ADMINISTRATIVE CODE, AND TO GO TO THE GOVERNOR'S OFFICE FOR REVIEW. AS FAR AS COMMISSIONER CRIST OR CHAIRMAN CRIST, THE QUESTION OF WHICH SET, I THINK YOU ANSWERED THAT CLEARLY. YOU WILL PUT THAT TOGETHER, AND IT WILL BE A DECISION OF THE RULES COMMITTEE ON THE 16th. BUT YOU ARE GOING TO NEED THE GUYS, THE MEMBERS ON THE RULES COMMITTEE ARE GOING TO HAVE TO DOUBLE DOWN BETWEEN NOW AND THE 16th. WE CAN GET THIS DONE, AND WE CAN HAVE A PRODUCT THAT OPENS THIS UP FOR THE TNCs OPERATORS. AND I THINK IT'S A LITTLE -- I FEEL A LITTLE

UNCOMFORTABLE SAYING IT'S A DRIVE SOCIETY OR A CAB INDUSTRY. THIS IS A PTC PRODUCT THAT WE'RE CREATING. SO WITH THAT, I DON'T KNOW IF THERE ARE ANY QUESTIONS AND I AM NOT WITH YOU ON THE EMERGENCY RULE. EXPLAIN YOUR PROCESS OF EXPEDITING THIS AND HOW WE CAN ACCOMPLISH IT, BECAUSE AS I UNDERSTAND AS A LAYMAN, THE EMERGENCY RULE WAS IN COURT TO STOP THE PROCESS. I WANT US TO MOVE THIS FORWARD AND LET THE DOG WAG THE TAIL. YES, MA'AM?

>> THE TWO METHODS OF ADOPTING RULES WOULD BE THE EMERGENCY PROCESS, WHICH WOULD ESSENTIALLY ABROGATE VARIOUS ASPECTS OF FLORIDA'S ADMINISTRATIVE PROCEDURE ACT. THE OTHER METHODOLOGY IS TO FOLLOW FLORIDA ADMINISTRATIVE PROCEDURE ACT WITH ALL THE OTHER REQUIREMENTS. ONE OF THE SUGGESTIONS MADE AT THE RULES AND POLICY COMMITTEE WAS TO GO THROUGH FLORIDA ADMINISTRATIVE PROCEDURE ACT AS WE NORMALLY WOULD, BUT FORMULATE AN EXPEDITED PROCESS FOLLOWING THOSE REQUIREMENTS.

AND ONE PARTICULAR EXAMPLE OR ONE OPTION AVAILABLE IS INSTEAD OF WAITING A 21-DAY PERIOD BY WHICH TO WAIT FOR ANY AFFECTED PARTY TO REQUEST A PUBLIC HEARING --

>> THIS IS IMPORTANT.

>> -- WE WOULD JUST SET THE LAW AUTOMATICALLY. SO CONCEIVABLY WHAT WOULD HAPPEN IS THE RULES WOULD BE BROUGHT BACK TO THE SEPTEMBER MEETING FOR THIS BOARD TO APPROVE, AND THEN GO AHEAD AND SET A PUBLIC HEARING FOR THE OCTOBER MEETING AUTOMATICALLY RATHER THAN WAITING THAT 21-DAY PERIOD BECAUSE YOU ARE STILL AFFORDING THE DUE PROCESS FOR INDIVIDUALS WHO WANT TO CHALLENGE THE RULES JUST ON A SHORTER BASIS.

>> WE CAN DO THIS.

>> MY CONCERN -- I BELIEVE WE OUGHT TO MAYBE DO THIS ON AN EMERGENCY BASIS, BUT BEFORE I MAKE THAT RECOMMENDATION, I WOULD LIKE TO SEE SOME EVIDENCE OF THE VIOLATIONS, THE CITATIONS SO WE CAN AS A RULES AND POLICY COMMITTEE MAKE THAT DECISION WHETHER OR NOT WE THINK IT FALLS UNDER THE PURVIEW OF AN EMERGENCY SITUATION SINCE YOU HAVE TO HAVE SPECIFIC EVENTS, ET CETERA, ET CETERA. I WANT TO SEE THOSE SPECIFIC EVENTS.

IT MAY BE THAT WE COME BACK AND RECOMMEND THE EXPEDITED BASIS.

>> SURE AND DO THAT, I KNOW IT'S KIND OF GIVE AND TAKE, AND WHERE WE ACCOMPLISH THAT IS IN THE RULES COMMITTEE MEETING ON THE 16th.

>> YES.

>> I DON'T HAVE ANY PROBLEM WITH THAT.

>> VICTOR CRIST: OKAY.

>> SO WE ARE GOING TO MAKE A MOTION?

>> VICTOR CRIST: WE HAVE A MOTION THAT, I UNDERSTAND THAT YOUR MOTION IS THAT WE DIRECT STAFF TO PUT TOGETHER A PTC RECOMMENDATION SET OF TNC RULES.

>> IS IT TNC LIMOUSINE ACT?

>> VICTOR CRIST: YES, TNC LIMOUSINE ACT, AND HAVE IT VETTED THROUGH THE RULES SUBCOMMITTEE COMING FORWARD TO THIS BOARD IN SEPTEMBER.

>> AND START THE PROCESS WITH A NOTICING SO THAT THIS CAN GET MOVING.

>> VICTOR CRIST: OKAY.

>> DAVE, IF THAT'S YOUR MOTION.

>> VICTOR CRIST: WE WILL MAKE TWO MOTIONS. THAT WILL BE THE FIRST MOTION. THE SECOND MOTION WILL BE DEALING WITH THE EMERGENCY ISSUE. ALL RIGHT, SO WE'VE GOT A MOTION ON THE FLOOR.

>> SECOND.

>> VICTOR CRIST: WE HAVE A SECOND. ANY DISCUSSION? ALL IN FAVOR, AYE. THOSE OPPOSED? OKAY. SHOW IT UNANIMOUS. THE SECOND ISSUE IS FOR THE RULES COMMITTEE TO TAKE A LOOK AT THE ISSUE OF WHETHER IT SHOULD BE EXPEDITED OR CONSIDERED AN EMERGENCY RULE MAKING. AND MAKING THAT RECOMMENDATION BASED ON THE FACT OF LAW AND IS THERE ANY DISCUSSION?

>> THAT'S DAVE'S MOTION.

>> THAT'S FINE.

>> VICTOR CRIST: DAVE MAKES THE MOTION, WHO'S SECOND? ALL IN FAVOR, AYE. THOSE OPPOSED?

>> MISSION ACCOMPLISHED.

>> THANK YOU VERY MUCH.

>> VICTOR CRIST: COMMISSIONER HIGGINBOTHAM, I WOULD LIKE TO THANK YOU FOR TAKING THE REINS.

I KNOW THAT YOU'VE WORKED VERY DILIGENTLY AND VERY HARD AND THAT YOU PUSH TO TRY TO BRING A RESOLVE.

UNFORTUNATELY, WE WEREN'T ABLE TO HAVE A RESOLVE HERE TODAY'S BUT THIS IS THE NEXT STEPS FORWARD IN TRYING TO LEVEL A PLAYING FIELD.

>> GOOD. AND WE WILL FOCUS ON THE TNC INDUSTRY AND MAKE SURE THIS COMMUNITY IS KNOWN AS A COMMUNITY WHERE INNOVATION IS EMBRACED AND A PLATFORM IS AVAILABLE FOR US TO OPEN THE MARKET UP AND I WANT TO THANK IN ADVANCE THE RULES COMMITTEE BECAUSE I KNOW THAT YOU'VE GOT SOME HOMEWORK AHEAD OF YOU.

>> AND AGAIN, I THINK YOU HAD BEEN AT THE PREVIOUS MEETINGS, BUT WE HAVE, WE HAVE THE 2015, I THINK THEY'VE ALREADY STARTED WORK ON LOOKING AT THE DIFFERENCES BETWEEN WHAT WAS THEN PROPOSED IN 2016 VERSUS 15, SO WE'RE THERE. I MEAN, IT'S JUST MATTER OF RED LINING SOME DOCUMENTS AND HAVING A ROBUST DISCUSSION AT THE NEXT MEETING, AND WE WILL HAVE SOMETHING ON THE, IN SEPTEMBER FOR THIS FULL BODY TO VOTE ON.

>> THANK YOU, BOARD MEMBERS.

>> VICTOR CRIST: OKAY. GOING BACK TO THE AGENDA, I THINK WE'RE NOW BACK ON THE ORIGINAL AGENDA. WE'RE GOING TO FINISH UP THE ATTORNEY'S REPORTS.

>> I THINK, COMMISSIONER, I THINK WE NEED A MOTION TO APPROVE THE ATTORNEY'S REPORT.

>> SO MOVED.

>> VICTOR CRIST: ALL IN FAVOR, AYE. SHOW IT UNANIMOUS. THANK YOU, MS. OSTER. JOB WELL DONE. OKAY. DIRECTOR'S REPORT. IS THERE ANYTHING OTHER THAN THE FINANCIAL ISSUES THAT WE'VE ALREADY DISCUSSED?

>> NO, SIR, NOT UNDER THE DIRECTOR'S REPORT, BUT THE QUESTION WOULD BE THAT THE RULES AND POLICIES COMMITTEE DID VOTE TO MOVE FORWARD THE RULE CHANGE DEALING WITH THE FINES.

>> THANK YOU I WAS GOING TO MENTION THAT IF YOU HADN'T. AT THE TWO MEETINGS AGO, AT THE RULES AND POLICY COMMITTEE, IT WAS UNANIMOUSLY APPROVED TO RECOMMEND TO THE FULL BOARD THAT CERTAIN INFRACTIONS, THE FINES BE RAISED FROM \$100 TO \$200 AND I WOULD MOVE TODAY THAT THE BOARD ACCEPT THAT RECOMMENDATION FROM THE RULES AND POLICY COMMITTEE MEETING.

>> OKAY, WE HAVE A MOTION FROM OUTSIDE COUNSEL TO REFER TO THEM AS CIVIL PENALTIES AND NOT FINES. ANY OBJECTION? SEEING NO OBJECTION, SEE SHALL REFER TO THEM AS THAT BECAUSE IT IS A BETTER DESCRIPTION.

>> AND I WILL NOT BE SUPPORTING THE MOTION. I THINK THE FINE IS SUFFICIENT, BUT I FEEL YOU PROBABLY HAVE THE VOTES HERE FOR IT. BUT THANK YOU FOR YOUR HARD WORK ON IT.

>> VICTOR CRIST: FOR THE SAKE OF DISCLOSURE, WHILE I AGREED IN THE SUBCOMMITTEE TO MOVE IT FORWARD, I RESERVED MY VOTE HERE AT THE BOARD IN MY FINAL VOTE, WHICH I WILL ALSO BE VOTING AGAINST IT BECAUSE I THINK AT THIS POINT, THE FINES ARE THE FINES.

>> AGAIN, THESE ARE FINES THAT HAVE NOT BEEN TOUCHED SINCE I THINK IT WAS 2012, AND THEY DO APPLY TO TAXICABS AS WELL AS TNCs AS WELL AS ANYBODY ELSE THAT FALLS UNDER OUR PURVIEW.

>> VICTOR CRIST: OKAY, ANY DEBATE? ANY DISCUSSION? THOSE IN FAVOR OF RAISING THE FINES, SAY AYE. THOSE OPPOSED? OKAY. THAT'S TOO CLOSE FOR COMFORT. WE'LL DO A ROLL CALL VOTE.

>> MR. HIGGINBOTHAM?

>> NO.

>> NO.

>> [INAUDIBLE]

>> NO.

>> YES.

>> NO.

>> [INAUDIBLE]

>> VICTOR CRIST: OKAY, MOTION FAILS. MR. KYLE?

>> MR. CHAIR, THANK YOU. THAT CONCLUDES EVERYTHING ON THE AGENDA, UNLESS THERE ARE ANY PARTING COMMENTS BY ANY MEMBERS OF THE COMMISSION. BEFORE WE MOVE ONTO THE CLOSING, IF I MAY HAVE JUST A MOMENT. I THINK IN PERSPECTIVE IT'S A GOOD IDEA FOR US TO ALL IN THIS ROOM REMEMBER THAT IF YOU LOOK AT IN TERMS OF A FOOTBALL FIELD, LOOKING AT COMMISSIONER HAGAN'S ATHLETIC BACKGROUND FOR JUST A MOMENT, A FOOTBALL FIELD AND COMMISSIONER CRIST AND CINDY AND I SPENT THE BETTER PART OF FOUR MONTHS WORKING ON THE PLATFORM AND THE FOUNDATION OF THE PROPOSALS AND GETTINGS FROM ONE END ZONE TO PROBABLY THE 10-YARD LINE AND I THINK I HAVE SPOKEN TO BOTH UBER AND LYFT REPRESENTATIVES AND THEY AGREE TO THAT ISSUE AND STEPHANIE AND RON AND SEVERAL OF THE PEOPLE FROM LYFT HAVE ALSO BEEN WORKING DILIGENTLY, SO I DON'T KNOW THAT THERE IS A TRUE UNDERSTANDING OF HOW MANY HOURS YOU PUT INTO THIS, AND HOW MANY MEETINGS AND PHONE CONVERSATIONS DURING AND AFTER HOURS THAT WE'VE HAD ON TRYING TO GET THIS THING, AND WE DID. AND COMMISSIONER HIGGINBOTHAM IS ALWAYS A PLEASURE TO WORK WITH, AND HAS CARRIED IT EVEN A LITTLE BIT FURTHER, BUT I CAN'T STATE ENOUGH ALL THE HOURS THAT YOU PUT INTO IT TO GET IT TO THIS POINT, AND A LARGE PART OF WHAT WE'VE BEEN TALKING ABOUT IN THE LAST TWO WEEKS CAME FROM THE ORIGINAL DISCUSSIONS THAT YOU LAID THE GROUNDWORK FOR OVER THE COURSE OF FOUR MONTHS. AND I THINK THAT'S IMPORTANT BECAUSE I KNOW FROM EXPERIENCE OF SPEAKING TO YOU AFTER HOURS OF DURING HOURS OF HOW MUCH EFFORT YOU PUT INTO IT I.

>> VICTOR CRIST: THANK YOU, KYLE. I LEARNED A LONG TIME AGO IN LAW MAKING AND RULE MAKING THAT IT'S GOT TO BE A COLLECTIVE EFFORT TO GET YOUR BEST WORK DONE, SO NO SINGLE PERSON WINS THE GAME. IT'S THE TEAM. AND WE'VE GOT A GOOD TEAM UP HERE. WE MAY NOT ALWAYS AGREE, BUT THAT'S OKAY. MY WIFE AND I DON'T ALWAYS AGREE. WE PROBABLY HAVE TWO DIFFERENT PRESIDENTIAL SIGNS IN THE YARD, BUT THAT'S LIFE. THAT'S AMERICAN.

>> WITH THAT BEING SAID, AND NO PARTING COMMENTS FROM ANY OTHER BOARD MEMBERS, THAT CONCLUDES ALL THE ITEMS ON THE AGENDA, SIR.

>> VICTOR CRIST: OKAY. THERE'S NO OTHER BUSINESS TO COME BEFORE US TODAY, NATE, YOU MOVE THAT WE ADJOURN.