

**PUBLIC TRANSPORTATION
COMMISSION MEETING MINUTES**

Wednesday, August 10, 2016
County Commissioners Board Room
601 E. Kennedy Blvd., 2nd Floor

I. CALL TO ORDER

The meeting of the Public Transportation Commission was called to order by Chairman Victor Crist at 9:05 a.m. The following members were present:

<i>Victor Crist, Chair</i>	<i>Board of County Commissioner</i>
<i>David Pogorilich</i>	<i>Temple Terrace</i>
<i>Guido Maniscalco</i>	<i>City of Tampa</i>
<i>Frank Reddick</i>	<i>City of Tampa</i>
<i>Al Higginbotham</i>	<i>Board of County Commissioner</i>
<i>Ken Hagan</i>	<i>Board of County Commissioner</i>
<i>Nate Kilton</i>	<i>Plant City</i>
<i>Cindy Oster</i>	<i>Senior Assistant County Attorney</i>
<i>Kyle Cockream</i>	<i>Executive Director</i>
<i>Brett Saunders</i>	<i>Chief Inspector</i>
<i>Kimberly Kerwin</i>	<i>Administrative Specialist II</i>

II. 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. Commissioner Higginbotham motioned to approve moving items up within the Agenda, it was seconded by Councilman Pogorilich, and unanimously approved.

III. 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. *Marcus Carter*
- B. *Chris Lothridge*
- C. *Joe Morgan*
- D. *Seth Mills*
- E. *Lou Lewis*
- F. *Louis Minardi*
- G. *Steve Anderson*
- H. *Joseph Barker*
- I. *Brook Negusei*
- J. *Fassil Gebremarian*
- K. *Thomas Smith*
- L. *Suzy Arzu Cochran*

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

IV. CONSENT ITEMS

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

V. ATTORNEYS REPORT

A. Dismissal of Ethics Complaint Filed Against Commissioner Crist

Mrs. Oster advised the Board of the Ethics complaint filed against Commissioner Crist has been dismissed.

B. Correction to News Article Reporting on the Rules and Policies Committee Meeting held on August 2, 2016

Mrs. Oster advised the Board “in order to have a Rule 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”.

C. Settlement Agreement Proposals – Litigation Involving Uber and Lyft

Mrs. Oster advised the Board there were two proposals sent out to Uber & Lyft. “The only difference between model A and B is the level of background check”. Model A has fingerprint background check whereas model B has a level plus plus – no fingerprint check. Uber & Lyft did not come forth with an agreement. Commissioner Higginbotham is not moving forward with the proposed settlement agreement with Uber or Lyft, and declared this item “dead”.

Commissioner Higginbotham made a motion to have the PTC staff author a set of rules for the TNC Limousine Act, it was seconded by Councilman Pogorilich, and unanimously approved. (closed)

Councilman Pogorilich motioned to have the Rules & Policy Committee look into having the Rules submitted on an emergency basis or expedited, it was seconded by Commissioner Kilton, and unanimously approved. (closed)

Councilman Pogorilich motioned to approve Attorneys Report, it was seconded by Councilman Reddick, and unanimously approved. (closed)

VI. DIRECTORS REPORT

A. Fiscal 2017 Invoices

Councilman Pogorilich motioned to approve splitting FY 17 invoices for Limousine, Taxicab, and Van’s into two 6 month billing cycles with no reduction in the 1st 6 month billing cycle, it was seconded by Councilman Maniscalco, and unanimously approved. (closed)

VII. OLD BUSINESS

A. Proposal for the Executive Director Search

1. Civil Service/Human Resources

Commissioner Kilton motioned to approve Civil Service & Human Resources proposed plan for the Executive Director’s Search, it was seconded by Councilman Pogorilich, and unanimously approved. (closed)

Councilman Pogorilich motioned to approve Civil Service & Human Resources proposed calendar schedule, it was seconded by Councilman Maniscalco, and unanimously approved. (closed)

B. Rules & Policy Committee Meeting Status Update

During the Rules & Policy Committee Meeting held on July 6, 2016 it was approved to increase citation fines for 1-3.001, 1-43001, & 1-5.001.

Councilman Pogorilich motioned to adopt the approved increase in citation fines for 1-3.001, 1-43001, & 1-5.001. Roll call vote, 1 yes, 5 no, motion fails. (closed)

VIII. NEW BUSINESS

A. Public Hearings

1. Limousine Certificate

a. Tampa Quality Care and Transportation

Hearing Officer Troy Lovell recommends granting Tampa Quality Care and Transportation the limousine certificate along with four unrestricted limousine permits.

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

B. Request for Variance/Waiver

1. Excellent Care Transportation Inc.

Councilman Pogorilich motioned to deny Excellent Care Transportation's waiver request, is was seconded by Councilman Reddick, and unanimously approved. (closed)

2. Tampa Bay Airport Limo

Councilman Pogorilich motioned to deny Tampa Bay Airport Limo's waiver requests, is was seconded by Councilman Maniscalco, and unanimously approved. (closed)

C. Public Vehicle Driver's License Denial Appeal

1. Demetrius Howard – Represented by Robert Gagliardi, Wheelchair Transport Service

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

2. Michael Gulley – Represented by Steven Belser, Express Medical Transporters

Mr. Gulley was not present for his appeal. Councilman Maniscalco motioned to move this item to the September board meeting, it was seconded by Councilman Reddick, and unanimously approved. (open)

3. Vaughn Williams – Represented by Jose Cruz, DTS Recovery Corp.

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

4. Randell Milliner – Represented by Next Level Health, LLC.

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

5. Linda Lester – Represented by Next Level Health, LLC.

Ms. Lester was present for her appeal. Councilman Maniscalco motioned to approve Ms. Lester's PVDL with a six month probation, it was seconded by Councilman Pogorlich, and unanimously approved. (closed)

IX. ADJOURNMENT

Commissioner Crist adjourned the meeting at 11:02 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*****