

CAPTIONING
OCTOBER 25, 2016
HILLSBOROUGH COUNTY PUBLIC TRANSPORTATION COMMISSION EMERGENCY MEETING

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>> VICTOR CRIST: GOOD MORNING TO THE HILLSBOROUGH COUNTY PUBLIC TRANSPORTATION COMMISSION EMERGENCY MEETING, THIS OCTOBER 25TH, 2016.

IF YOU COULD PLEASE JOIN ME FOR A PLEDGE OF ALLEGIANCE AND INVOCATION.

[PLEDGE OF ALLEGIANCE]

GREAT SUPREME BEING, FATHER CALLED BY MANY NAMES, WE ASK FOR YOUR DIVINE GUIDANCE AND WISDOM TODAY.

YOU ASK US TO BE TEMPERED IN OUR PATIENCE AND MAKE WISE AND JUDICIOUS DECISIONS ON BEHALF OF THE PEOPLE WE SERVE.

IN YOUR HOLY NAME, AMEN.

>> OKAY, MR. CRIST, IF I MAY, I HAVE A QUESTION BEFORE WE GET STARTED.

>> VICTOR CRIST: CERTAINLY.

>> OF COUNSEL.

WAS THIS MEETING PROPERLY NOTICED?

I ONLY ASK BECAUSE I DON'T RECALL RECEIVING AN AGENDA.

>> YES, SIR.

>> HOW DID -- DID, WAS AN AGENDA SENT OUT?

DID I JUST MISS IT?

>> THE CONTENTS AND THE SUBJECT OF THE MEETING ARE SPECIFICALLY COVERED BY THE NOTICE OF THE MEETING.

>> OKAY, THANK YOU.

>> VICTOR CRIST: OKAY.

THERE ARE DIFFERENT RULES PERTAINING TO WHAT IS CONSIDERED UNDER STATUTE AS THE EMERGENCY MEETING, AND THIS IS AN EMERGENCY MEETING, AND WE HAVE MET PROPER NOTICE.

I DID HAVE THE AUTHORITY TO CALL IT, AND THE AGENDA IS SIMPLE.

IT WAS ALL IN THE STATEMENT IN THE NOTICE THAT WAS PROVIDED.

THE ATTORNEYS HAVE GIVEN ME A STATEMENT TO READ AT THE BEGINNING OF THE MEETING SO THAT IT'S CLEAR WHAT THE PURPOSE IS THAT WE'RE HERE TODAY BECAUSE WE HAVE TO REMAIN ON SUBJECT FOR WHICH THE PURPOSE OF THIS MEETING WAS CALLED.

I HAVE SCHEDULED AN EMERGENCY MEETING OF THE PUBLIC TRANSPORTATION COMMISSION BOARD WITH OUR LEGAL COUNSEL AND GERMANE SUPPORT STAFF FOR THE PURPOSE OF DISCUSSING RECENT ALLEGATIONS ATTACKING THE INTEGRITY, CHARACTER, AND INDEPENDENCE OF OUR DIRECTOR, STAFF, AND THIS BOARD.

THESE ALLEGATIONS STEM FROM A RELEASE OF RECORDS IN RESPONSE TO A MYRIAD OF PUBLIC RECORD REQUESTS AND HAVE BEEN THE SUBJECT OF A NUMBER OF RECENT NEWS ARTICLES.

THESE ARTICLES HAVE RAISED A VARIETY OF QUESTIONS, SPECIFICALLY ABOUT OUR STING OPERATIONS CONDUCTED BY THIS AGENCY AGAINST UBER AND LYFT DRIVERS UTILIZING VOLUNTEERS PROVIDED BY EXISTING MEMBERS OF THE REGULATORY INDUSTRY THAT WE REGULATE AND THE APPROPRIATE USE OF COMMISSION RESOURCES IN REGARD TO TRAVEL, INCLUDING TRIPS TO WEST PALM BEACH AND COMPUTER USAGE.

THESE ARTICLES HAVE ALSO IMPLIED THAT THE AGENCY'S INTEGRITY HAS BEEN COMPROMISED FROM THE TOP DOWN, AND IT IS CLEAR TO ME THAT THE PUBLIC HAS LOST TRUST AND CONFIDENCE IN OUR AGENCY.

OUR RESPONSE AS THE AGENCY IT WAS IMPERATIVE THAT THESE ALLEGATIONS WERE ADDRESSED ON AN URGENT BASIS.

I HAVE REQUESTED AND REPRESENTATIVES FROM THE COUNTY HUMAN RESOURCES DEPARTMENT BE PRESENT TO DISCUSS OUR OPTIONS AVAILABLE TO ADDRESS AND POTENTIALLY RESOLVE THESE OUTSTANDING ISSUES.

AT THIS TIME, WE'RE GOING TO GO AHEAD AND OPEN THE FLOOR FOR THE PUBLIC TO COMMENT.

I HAVE 18 CARDS UP HERE.

IF I DON'T HAVE AN OBJECTION, I'D LIKE TO LIMIT THE PUBLIC SPEAKING PORTION OF THE MEETING TODAY TO 30 MINUTES.

BUT WE HAVE TIME LIMITS TODAY THAT OUR WE MAY LOSE A QUORUM.

>> JUST GIVE EVERY SPEAKER TWO MINUTES.

>> VICTOR CRIST: OKAY, WE HAVE A MOTION FOR EVERY SPEAKER TWO MINUTES, AND WE HAVE A SECOND.
ANY DISCUSSION?
ALL IN FAVOR, AYE?
THEN WE WILL GO UNTIL WE RUN OUT.
TWO MINUTES PER SPEAKER.
OUR TIME KEEPER, TWO MINUTES.
I WILL TAKE THE CARDS IN ORDER THEY WERE RECEIVED.
IF ANYONE ELSE WANTS TO SPEAK, AT THIS POINT, EVERYONE WHO IS GOING TO SPEAK TODAY, COULD YOU PLEASE STAND.
MS. OSTER, COULD YOU SWEAR THEM IN.
>> YES, SIR, EVERYONE PLEASE RAISE YOUR RIGHT HAND.
I HAVEN'T DONE THIS BEFORE, SO WE'RE GOING TO HAVE TO DO THIS FROM MEMORY.
[SWEARING IN]
>> VICTOR CRIST: YOU LEFT OUT SO HELP ME GOD?
THEY DON'T DO THAT ANYMORE?
>> THEY SWEAR OR AFFIRM.
>> WELL, YOU KNOW WHAT?
THIS IS MY FIRST STAB AT THIS.
[LAUGHTER]
>> VICTOR CRIST: ALL RIGHT, TOM HELSNIC.
>> BLACK LIMOUSINE, TAMPA.
I'M ASSUMING WE'RE HERE BECAUSE THE IMPROPRIETY OF THE LIMOUSINE AND TAXI MEMBERS WORKING WITH PTC.
ALL I CAN SAY IS THAT WE ARE THE ONES WHO ARE FOLLOWING THE RULES.
IF THERE'S ANYTHING THAT THEY NEED HELP WITH, OF COURSE, WE'RE GOING TO HELP THEM IN ANY WAY.
IT'S COMMUNITY POLICING.
OF COURSE THE PEOPLE FOLLOWING THE RULES SHOULD WORK WITH THEM.
THEY SHOULD HAVE A GOOD RELATIONSHIP, AND THE PEOPLE WHO DON'T FOLLOW THE RULES, OF COURSE, THEY'RE GOING TO BE UPSET BECAUSE WE'RE THE EXTRA EYES ON THE GROUND THAT MAKE SURE THAT THEY'RE SUPPOSED TO BE FOLLOWING THE RULES, EVEN THE FEDERAL GOVERNMENT SAYS SEE SOMETHING, SAY SOMETHING.
WELL, WE ARE.
>> VICTOR CRIST: TOM SMITH?
>> HELLO, TOM SMITH, CLICK A RIDE, TAMPA BAY AIRPORT LIMO, 4939 KODIAK AVENUE, HOLIDAY, FLORIDA.
ABOUT A YEAR AND A HALF AGO, SOME OF YOU PROBABLY REMEMBER THIS.
WE WERE ACCUSED WHEN CLICK A RIDE TRIED TO ACCUSE SOME DRIVER OF THE RIDE SHARING INDUSTRY AS PART OF THE PTC, AND ANYBODY SIGNED UP, KYLE WOULD IMMEDIATELY GET THEIR INFORMATION, TAG NUMBERS, AND ALL THAT.
THIS CAME OUT IN ALL THE CHATROOMS.
IT WAS TOTALLY UNTRUE.
KYLE'S NEVER ASKED ME FOR ANY OF THIS INFORMATION, AND I'VE NEVER GIVEN IT TO ANYBODY.
BUT RUMORS DO FLY.
AS FAR AS THE PEOPLE IN THE TAXI LIMO INDUSTRY, OF COURSE THEY'RE GOING TO HELP THE PTC CATCH THE PEOPLE WHO ARE STEALING THEIR BUSINESS.
YOU KNOW, TECHNICALLY THERE ARE TWO OPINIONS HERE.
FROM THE TAXI LIMO SIDE, UBER AND LYFT ARE STEALING THEIR BUSINESS.
FROM UBER AND LYFT SIDE, THEY ARE DEMANDING FREE ENTERPRISE, BUT THOSE ARE TWO OPINIONS.
SO IF THEY'RE STEALING IN THE TAXI DRIVERS' OPINION, WHY WOULDN'T THE TAXI DRIVER HELP THE POLICE CATCH THEM?
THANK YOU.
>> VICTOR CRIST: DAVE SHAW.
>> 8020 MASSACHUSETTS AVENUE.
I'VE STOOD UP HERE IN FRONT OF THIS BOARD FOR MANY YEARS, AND WE'VE AS AN INDUSTRY AND I REPRESENT THE LIMOUSINE INDUSTRY.
NOT ONLY DID I REPRESENT HERE IN TAMPA BAY AREA, BUT ALSO ON THE NATIONAL LIMOUSINE ASSOCIATION THAT WE'VE ASKED THIS BOARD TO REGULATE AND TO ENFORCE THE RULES THAT ARE IN FRONT OF US, AND WE'VE ABIDED AS AN INDUSTRY, SO FOR THIS BOARD NOT TO GO OUT AND DO THINGS TO HELP US, WE WENT TO THE AIRPORT, THE AIRPORT SAID WE'RE NOT DOING ANYTHING.

WE'RE EXPECTING THIS BOARD TO REGULATE AND CONTROL THESE VEHICLES FOR HIRE.
THERE'S NO REASON WHY THAT ANYTHING THAT'S DONE SHOULDN'T HAVE BEEN DONE, AND WE
SUPPORT THAT.
WE'VE ASKED FOR THIS HELP FROM THE BOARD.
WE AS AN INDUSTRY, WE'VE HURT.
IT'S HURT THE BLACK CAR INDUSTRY, NOT ONLY THE CAB INDUSTRY, SO WE'RE ASKING WE HOPE
THAT THIS, THERE'S SOMETHING GOOD COMES OUT OF THIS, AND THANK YOU FOR YOUR TIME.
>> LES MILLER, JR.: BROOK NEGUSEI.
>> GOOD MORNING, COMMISSIONERS AND STAFF.
BROOK NEGUSEI, 449 SOUTH -- STREET.
TAMPA, FLORIDA.
THIS IS, IT'S AN AMAZING DAY, AND I'LL NEVER BELIEVE YOU TELL ME THIS WOULD HAPPEN,
BUT THREE, FOUR, FIVE YEARS AGO.
NEVER BELIEVE YOU.
BUT HERE'S WHAT HAPPENED.
THE LAST 20 YEARS, WE HAVE BEEN THE INDUSTRY HAVE BEEN CALLING THE PTC, TELLING
WHOEVER IS NOT DOING THE RIGHT THING, WHETHER, YOU KNOW, THEY DOING IT ILLEGALLY.
WE'VE BEEN DOING THAT.
IT'S NOT NEW.
THE ONLY THING THAT'S NEW RIGHT NOW IS MR. CLERK, CHAIRMAN, NOBODY'S DOING IT AND THIS
HONEST MAN RIGHT HERE YOU'RE PROSECUTING RIGHT NOW, LEVEL TWO IS GOLDEN STANDARD EVEN
THOUGH YOU WANT HIM TO BELIEVE THAT.
LEVEL ONE PLUS PLUS IS THE GOLDEN STANDARDS.
HE STOOD HIS GROUND, AND THAT'S WHAT'S HAPPENING.
THIS IS MY OPINION.
THANK YOU.
>> LES MILLER, JR.: LOUIE MINARDI.
LOUIE MINARDI, YELLOW CAB WAIVES.
SETH MILLS?
>> GOOD MORNING, COMMISSIONERS.
I'M HERE PERSONALLY.
I'M NOT HERE ON BEHALF OF ANY CLIENT, SO I WANT YOU TO FIRST UNDERSTAND THAT.
I'M HERE AS AN INTERESTED CITIZEN.
EACH OF YOU HAS SAID ON OCCASION THAT THIS, THAT TNCs ARE OPERATING ILLEGALLY IN
HILLSBOROUGH COUNTY.
EVERY SINGLE ONE OF YOU AT ONE POINT OR ANOTHER.
YOUR SPECIAL ACT PROVIDES THAT IT IS THE DIRECTOR'S RESPONSIBILITY TO ENFORCE THE LAW.
SECTION 10 OF YOUR SPECIAL ACT SAYS IT'S THE COMMISSION AND THE DIRECTOR'S
RESPONSIBILITY TO ENFORCE THE ACT.
AND YOUR ETHICS STATEMENT, IT'S SECTION, THIS IS YOUR BYLAWS, SECTION 7.8 SUBSECTION 4
PROVIDES, AND I QUOTE, PTC WILL NOT KNOWINGLY BE A PARTY TO OR CONDONE OR CONCEAL ANY
ILLEGAL OR IMPROPER ACTIVITY.
THOSE ARE YOUR ADOPTED BYLAWS.
THAT IS YOUR GOVERNING STATUTE THAT REQUIRES THIS MAN TO ENFORCE THE LAW, OR HE'S IN
BREACH OF HIS DUTY.
YOU THEN IN MARCH ON MARCH THE 9th OF 16 DIRECTED HIM TO AGAIN START ISSUING CITATIONS
IF THERE WAS NO LEGISLATION THAT PASSED.
HE DID SO.
THIS IS ALL ABOUT WHETHER OR NOT YOU AGREE WITH THE METHOD BY WHICH HE DID WHAT YOU
TOLD HIM TO DO.
THIS IS NOTHING MORE THAN A WITCH HUNT BY MR. CRIST.
THERE WAS NO ETHICS VIOLATED, NO LAW VIOLATED, NO RULE VIOLATED.
IT'S THE MORAL OBLIGATION OF EVERY CITIZEN TO ASSIST IN THE ENFORCEMENT OF THE LAW.
NOT TO ASSIST IN THE EVASION OF THE LAW.
WHY IS IT, AND I ASK YOU THIS QUESTION IN MY REMAINING 32 SECONDS, WHY IS IT WHEN THIS
BOARD DECIDES NOT TO ENFORCE THE LAW AGAINST THE TNCs, THAT'S NOT BEING CALLED
REGULATORY CAPTURE, AND THAT'S NOT BEING CALLED BEING TOO COZY WITH THOSE YOU CLAIM TO
REGULATE.
BUT WHEN YOU TRY TO ENFORCE THE LAW, SUDDENLY THEY'RE THE WRONGDOERS, THE ONES NOT
FOLLOWING THE LAW.
HAVE SOME POLITICAL COURAGE.
I BEG OF YOU, HAVE SOME POLITICAL COURAGE.
THERE IS NO NEED FOR AN INVESTIGATION.

THERE ARE NO FACTS IN DISPUTE HERE.

THANK YOU.

GOD HELP US IF YOU DON'T.

>> VICTOR CRIST: OKAY, NEXT IS MIKE CAREY.

>> MICHAEL CAREY, ATTORNEY, PERSONAL COUNSEL FOR KYLE COCKREAM.

I'VE GOT TWO POINTS.

NUMBER ONE, I DO NOT BELIEVE THIS MEETING IS PROPERLY SET UNDER CHAPTER 120.

THERE'S NO DANGER TO HEALTH, SAFETY, OR WELFARE.

ANY ALLEGED DANGER OR PERCEIVED DANGER IS CONTRIVED, AND ONCE MORE THERE THERE'S NOT BEEN A WRITTEN CERTIFICATION SET FORTH IN THE STATUTES.

SECOND, KEEP IN MIND THIS MAN KYLE COCKREAM DOES NOT SET POLICY.

HE ENFORCES T. THIS BOARD HAS DECIDED THE RIDE SHARE COMPANIES ARE OPERATING ILLEGALLY, SO HE'S ENFORCED IT.

IT IS NO DIFFERENT THAN IF I SEE AN ATTORNEY IN COURT THAT IS UNAUTHORIZED PRACTICING IF I FOLLOW THE FLORIDA BAR.

IS THE FLORIDA BAR GOING TO GET IN TROUBLE OR AM I GOING TO GET IN TROUBLE FOR DOING THAT?

ABSOLUTELY NOT.

WE WILL BE APPLAUDED FOR KEEPING UNAUTHORIZED ATTORNEYS FROM PRACTICING LAW.

MR. COCKREAM IS IMPLEMENTING YOUR POLICIES AND YOUR PROCEDURES.

THANK YOU.

>> GOOD MORNING, COMMISSIONERS.

110 SOUTH -- AVENUE, TAMPA, FLORIDA.

TAMPA TAXI COALITION.

I WAS JUST ABSOLUTELY DUMBFOUNDED WHEN I SAW THE NEWSPAPER ARTICLE -- AN ANNOUNCEMENT BY THE BOARD THAT THEY WERE GOING TO HAVE AN EMERGENCY MEETING TO SOMEHOW FIND OR VICTIMIZE -- I'VE KNOWN KYLE FOR A COUPLE OF YEARS AND HE'S ONE OF THE MOST PROFESSIONAL HIGH INTEGRITY INDIVIDUALS I'VE EVER MET, AND FOR HIM TO BE PUT INTO THIS TYPE OF -- IS REALLY, VERY, VERY SHAMEFUL FOR DOING HIS JOB.

NOW AS FAR AS WORKING WITH PEOPLE IN THE INDUSTRY, YOU KNOW, IT'S OBVIOUS THAT WE DON'T WORK TO -- WHO ARE WE GOING TO WORK WITH?

THE CUSTOMERS OR THE COMMISSION.

IF THERE IS A FIRE IN MY NEIGHBOR'S HOUSE, AM I NOT ALLOWED TO PICK UP THE PHONE AND CALL THE FIRE DEPARTMENT?

AND IF I SAW AN ILLEGAL ACTIVITY, AM I NOT SUPPOSED TO CALL SOMEONE TO ENFORCE IT?

IS THIS THE TYPE OF PUBLIC REGULATIONS GAME WE ARE PLAYING?

IT'S UNFORTUNATE REALLY.

I HOPE YOU'LL SLEEP WITH YOUR CONSCIOUS TONIGHT.

THIS IS A FINE MAN.

>> VICTOR CRIST: OKAY.

I DON'T HAVE ANYMORE CARDS.

DOES ANYONE ELSE WISH TO SPEAK?

LET THE RECORD SHOW THAT EVERYONE WHO CAME TO THE PODIUM TO SPEAK TODAY WAS EITHER RELATED TO A LIMOUSINE OR CAB DRIVER OR COMPANY OR WAS KYLE COCKREAM'S COUNSEL.

WE HAVE A MOTION AND A SECOND.

ALL IN FAVOR, AYE.

OKAY, WE ARE NOW ON THE WORK OF THE DAY.

BEFORE I CALL ON THE ATTORNEY, THERE WERE SEVERAL ACCUSATIONS DIRECTED AT ME.

AND I WANT TO BE PERFECTLY CLEAR, PERFECTLY CLEAR.

THE E-MAILS SPEAK FOR THEMSELVES.

THE EVIDENCE IN THESE E-MAILS AND THEY CLEARLY INDICATE THAT THERE IS A SERIOUS PROBLEM.

THERE WERE OVERALL 12,000 RECORDS RELEASED IN THE LAST 30 DAYS.

12,000 RECORDS.

I DOUBT SERIOUSLY THERE'S ANYBODY IN THIS ROOM BESIDES KYLE'S LAWYER AND THE PTC LAWYER THAT READ EVERY 12,000 PAGES OF THOSE DOCUMENTS.

I INSTRUCTED OUR ATTORNEYS OF THE PTC TO PULL OUT WHAT THEY CONSIDERED TO BE PROBLEMATIC E-MAILS, AND PROVIDE THEM TO ME TO REVIEW.

AND I WAS SHOCKED WITH WHAT I SAW.

SHOCKED.

AND I ENCOURAGE EVERY MEMBER OF THIS BOARD TO DO THE SAME.

BECAUSE AS I SAID, THIS ISN'T ABOUT PEOPLE.

IT IS ABOUT THE AGENCY, THE INTEGRITY OF THIS AGENCY, AND WHAT WE ARE RESPONSIBLE FOR

DOING AND THE EXPECTATIONS OF PEOPLE WHO EXPECT US TO DO IT.
AND THE E-MAILS ARE CLEAR AND THEY SPEAK FOR THEMSELVES.
SO MOVING FORWARD ON THE AGENDA, I'M GOING TO CALL UPON THE COUNTY ATTORNEY TO TAKE
OVER THIS PORTION OF THE MEETING.
AT THIS POINT, WHAT ARE OUR OPTIONS?
>> OKAY, THANK YOU.
>> VICTOR CRIST: BEFORE WE GO INTO DISCUSSION.
>> YES, SIR.
THANK YOU, MR. CHAIR AND MEMBERS.
>> VICTOR CRIST: I'M REFERRING TO THE PURPOSE FOR WHICH THIS MEETING WAS CALLED.
THAT IS THE AGENDA.
ALL I HAVE IS AN OUTLINE OF WHO SPEAKS NEXT.
OKAY.
THE ATTORNEYS SPEAK NEXT.
>> [SPEAKING OFF MICROPHONE]
>> VICTOR CRIST: BOARD DISCUSSION.
AND THEN AFTER BOARD DISCUSSION, IT ALL DEPENDS ON WHAT THE BOARD CHOOSES TO DO.
>> [SPEAKING OFF MICROPHONE]
>> VICTOR CRIST: BECAUSE THE AGENDA WAS MADE PUBLIC.
I'M GOING RIGHT THROUGH THE PRESS RELEASE AND THE MEMOS SAID.
I'M GOING TO NOW CALL UPON THE ATTORNEYS.
>> THANK YOU, MR. CHAIR.
IN LIGHT OF THE ISSUES THAT HAVE ARISEN IN DISCUSSING THESE PARTICULAR ISSUES WITH THE
COUNTY ATTORNEY, OUR OFFICE THOUGHT IT WOULD BE BETTER TO BRING IN THE CHIEF ASSISTANT
COUNTY ATTORNEY OVER THE EMPLOYMENT AND REGULATORY SERVICES DIVISION.
HER NAME IS JENNY TAR, AND MEMBERS AT THE HUMAN RESOURCES DEPARTMENT TO ASSIST THE
BOARD WITH THESE PARTICULAR ISSUES.
SO I'M GOING TO TURN MICROPHONE OVER TO JENNY TAR.
>> GOOD MORNING, COMMISSIONERS.
FOR THE RECORD, JENNY GRANAHAN TAR, CHIEF ASSISTANT COUNTY ATTORNEY WITH THE COUNTY
ATTORNEY'S OFFICE.
AS YOU KNOW, THE PTC HAS A CONTRACT WITH THE COUNTY ATTORNEY'S OFFICE FOR GENERAL
LEGAL SERVICES.
IN LIGHT OF THE ISSUES THAT HAVE COME TO BEAR WITH THE PTC, THE COUNTY ATTORNEY ASKED
ME TO COME TO THE MEETING TODAY TO MAKE MYSELF AVAILABLE TO OFFER ANY ASSISTANCE THAT
THE PTC MAY NEED IN REVIEWING THESE ISSUES.
SO MR. CHAIRMAN, IF I MAY, IN MY ROLE AS THE EMPLOYMENT ATTORNEY FOR THE COUNTY
REPRESENTING THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY ADMINISTRATOR, AND SEVERAL
OTHER OF THE CONSTITUTIONAL OFFICERS AND EMPLOYMENT MATTERS, THESE KINDS OF ISSUES WE
HAVE DEALT WITH BEFORE, AND THE KIND OF ISSUES THAT THE PTC IS FACING IS THAT THERE
WERE RECORDS PRODUCED PURSUANT TO A PUBLIC RECORDS REQUEST THAT CALLED INTO QUESTION
SOME ISSUES THAT BECAME THE BASIS OF YOUR MEETING AND YOUR AGENDA TODAY.
SO I CAN GO THROUGH WITH YOU IF THAT IS YOUR PLEASURE HOW THE COUNTY USUALLY HANDLES
AND REVIEWS AND ANALYZES THESE TYPES OF ISSUES.
IS THAT THE PLEASURE OF THE COMMISSION TODAY?
>> VICTOR CRIST: SEEING NO OBJECTION, I BELIEVE SO BUT BEFORE WE DO SO, JUST AS A
SECOND OPINION, AS A SECOND LEGAL COUNCIL AND A SENIOR MANAGEMENT LEGAL COUNCIL, HAVE
WE MET PROPER NOTICE.
>> YES, COMMISSIONER, I BELIEVE THAT YOU HAVE.
IN REVIEWING THAT WITH MS. OSTER, I BELIEVE ALL THE NECESSARY REQUIREMENTS OF LAW HAVE
BEEN MET.
>> VICTOR CRIST: AND THE NOTICE THAT WAS PROVIDED, DOES THAT PROVIDE AS A PRENOTICE OF
AN AGENDA?
>> YES, COMMISSIONER, I BELIEVE THAT IT DOES.
>> VICTOR CRIST: OKAY.
>> SO IN DEALING WITH THESE KINDS OF ISSUES THAT YOU HAVE BEFORE YOU, WHEN WE DISCUSS
THESE WITH YOUR CLIENTS, THE FIRST THING IS DO THEY RISE TO THE LEVEL TO NEED AN
INDEPENDENT REVIEW BECAUSE MOST OF THE TIME THE BODIES LIKE A PUBLIC BODY AS YOURSELF
ARE NOT IN A POSITION TO CONDUCT YOUR OWN INDEPENDENT REVIEW SO NORMALLY WHAT WE TALK
TO WITH OUR CLIENTS IS THE OPPORTUNITY TO HAVE SOMEBODY ELSE REVIEW THE MATTER FOR
YOU.
THAT IS NOT REFERRING TO AN INDEPENDENT AGENCY, BUT THE BODY ITSELF HIRING SOMEONE TO
DO AN INTERNAL REVIEW.

SO THE FIRST OPTION THAT YOU WOULD HAVE IN A MATTER LIKE THIS IS TO HIRE AN INDEPENDENT REVIEWER TO PROVIDE THAT REVIEW FOR YOU AND TO COME BACK WITH RECOMMENDATIONS IN A DELIVERABLE WHICH WOULD BE A WRITTEN REPORT FOR YOU. SO IN THE EVENT THAT THE BOARD WOULD LIKE TO CONSIDER THAT, I TOOK THE LIBERTY OF CONTACTING A FEW POSSIBLE VENDORS FOR THAT SINCE THIS IS ONE MEETING SO THAT YOU COULD ADDRESS ALL OF THOSE ISSUES IF THAT IS THE BOARD'S CHOICE. SO THE FIRST OPTION WOULD BE TO ALLOW AN INDEPENDENT REVIEW OF THE MATTER AND PROVIDE A DELIVERABLE AND A REPORT BACK TO THE PTC.

>> VICTOR CRIST: HOW LONG WOULD THAT TAKE?

>> IT WOULD DEPEND ON THE NATURE OF THE SCOPE OF THE WORK. I DON'T KNOW THAT IT WOULD BE A LENGTHY REVIEW. THE PUBLIC RECORDS HAVE ALREADY BEEN PULLED. THE RECORDS THAT WOULD FORM THE BASIS OF THE SCOPE OF WORK. THERE MAY BE A ADDITIONAL WORK THAT A VENDOR WOULD HAVE TO DO, BUT I DON'T KNOW THAT IT WOULD BE AN OVERWHELMING BURDEN TO CONDUCT THIS REVIEW.

>> VICTOR CRIST: OKAY, DO WE HAVE ANY IDEA WHAT THE COSTS RELATED TO THAT WOULD BE?

>> YES, SIR, WE DO. I REACHED OUT TO SEVERAL DIFFERENT FIRMS WHO HANDLE THESE KINDS OF MATTERS, AND IF IT'S THE PLEASURE OF THE BOARD, I CAN GO THROUGH WITH YOU TO HELP EXPEDITE YOUR DECISION MAKING PROCESS OF WHO MIGHT BE AVAILABLE, WHAT THEIR AVAILABILITY IS, THE COST AND THOSE KINDS OF DETAILS.

>> VICTOR CRIST: IS THERE AN OBJECTION?

OKAY. WE HAVE AN OBJECTION.

>> I DON'T HAVE AN OBJECTION TO YOU TALKING ABOUT IT. MY OBJECTION IS IF YOU HAD THIS STUFF PREVIOUSLY, AND YOU KNEW WE WERE GOING TO HAVE THIS DISCUSSION, I'M NOT PREPARED TO SIT HERE AND MAKE A DECISION ABOUT ANY THIRD PARTY WITHOUT HAVING AN OPPORTUNITY FOR ME TO REVIEW THEIR PROPOSALS AND REVIEW THEIR BACKGROUND AND REVIEW THE PEOPLE THAT ARE GOING TO BE SUPPOSEDLY DOING THE REVIEW IF THE BOARD SO CHOOSES TO GO DOWN THAT ROUTE. WHY WEREN'T THESE THINGS GIVEN TO US PRIOR TO THIS MEETING?

>> I CERTAINLY UNDERSTAND YOUR CONCERN WITH THAT, BUT WITH THE NATURE OF THE EXPEDITED MEETING THAT TOOK PLACE, WE HAVE BEEN REALLY WORKING AROUND THE CLOCK TO BE ABLE TO PROVIDE THIS, AND MS. OSTER AND I WERE IN THE OFFICE WORKING ON THIS UNTIL LATE LAST NIGHT AND HAVE JUST BEEN ABLE TO RESOLVE THIS TO BE ABLE TO PRESENT THAT TO YOU THIS MORNING.

>> I WANT MY OBJECTION TO STAND THAT WE DON'T HAVE -- WE WERE NOT GIVEN ENOUGH TIME TO REVIEW ANY POSSIBLE THIRD PARTY REVIEWER THAT YOU MAY SUGGEST.

>> VICTOR CRIST: OKAY, LET THE RECORD SHOW THE COUNCILMAN'S OBJECTION. MOVING FORWARD.

>> YES, SIR, SO IN RESPONSE TO WHO MIGHT BE AVAILABLE TO ASSIST YOU WITH A REVIEW, LEVINE AND STIVERS INDICATE THEY WOULD BE WILLING TO TAKE THIS WORK. YOU ARE FAMILIAR WITH THEM. THEY HAVE DONE ETHICS COMMISSION WORK. MR. LEVINE IS A FORMER MEMBER OF THE FLORIDA COMMISSION ON ETHICS. THEIR PROPOSAL IS AS FOLLOWS. \$350 AN HOURLY RATE, WHICH WOULD INCLUDE TRAVEL TIME, AND THE ALTERNATIVE \$275 AS AN HOURLY RATE, PLUS \$100 FOR TRAVEL TIME. THEY ESTIMATE THAT THEY COULD DO AN INITIAL REVIEW CAPPED AT \$25,000 OR A FLAT FEE ESTIMATE, \$50,000 TO 75,000 PLUS ANY EXPENSES WHICH WOULD INCLUDE INVESTIGATIVE COSTS AND YOU KNOW THEY ARE A TALLAHASSEE FIRM. THE SECOND ALTERNATIVE IS ATTORNEY ROBERT O'NEILL AND, AS YOU KNOW, HE IS CURRENTLY A MANAGING DIRECTOR OF IGIS, WHICH IS THE FREE GROUP INTERNATIONAL SOLUTIONS. THEY ARE A GLOBAL RISK MANAGEMENT FIRM SERVING IN THE AREA OF BUSINESS INTEGRITY AND COMPLIANCE, SAFETY, SECURITY, INVESTIGATIONS, AND DUE DILIGENCE. YOU MAY BE FAMILIAR WITH THAT NAME AS HE IS THE FORMER U.S. ATTORNEY FOR THE MIDDLE DISTRICT OF FLORIDA. THEIR FIRM'S PROPOSAL IS \$450 AS THEIR HOURLY RATE. THEY WOULD CONSIDER A FLAT FEE PROPOSAL, AND WOULD DIFFERENTIATE APPROPRIATE TASKS THAT COULD BE HANDLED BY STAFF AT A LOWER RATE. THEY HAVE AN OFFICE IN MIAMI, BUT THEY WOULD CHARGE NO TRAVEL COSTS.

>> VICTOR CRIST: WHEN YOU SAID A FLAT RATE, IS THERE A RANGE THAT THEY GAVE YOU?

>> THEY DID NOT.

I THINK INITIALLY IT WOULD BE IMPORTANT TO HAVE AN INITIAL REVIEW OF THE MATTER, AND I THINK THEREAFTER THEY COULD PROVIDE THAT FOR US.

>> VICTOR CRIST: WHAT WAS LEVINE'S FLAT RATE, HOURLY RATE.

>> THEIR HOURLY RATE WAS 350 TRAVEL TIME OR 275 PLUS TRAVEL TIME FROM TALLAHASSEE.

>> VICTOR CRIST: OKAY.

>> THE THIRD OPTION IS ATTORNEY TONY PALUSO.

HE IS CURRENTLY IN PRIVATE PRACTICE BUT HE IS THE FORMER CHIEF LEGAL COUNSEL FOR THE HILLSBOROUGH COUNTY SHERIFF'S OFFICE, AND ALSO A FORMER ASSISTANT U.S. ATTORNEY FOR THE MIDDLE DISTRICT OF FLORIDA.

HIS RATE WOULD BE \$300 AN HOUR, BUT HE ALSO WOULD CONSIDER A FLAT RATE FEE, AND HE IS A TAMPA ATTORNEY.

ANOTHER OPTION IS THE FIRM OF SNIFFEN AND SPELLMAN.

THEY ARE A FULL SERVICE LAW FIRM WITH AN EMPHASIS ON LABOR AND EMPLOYMENT MATTERS AND HAVE CONDUCTED INVESTIGATIONS FOR PUBLIC AND PRIVATE CLIENTS.

AND THEIR RATE IS \$225 FOR THE PARTNERS SNIFFEN, SPELLMAN, AND HOGAN AND \$175 FOR MR. COASTALNICK.

THEY WOULD ALSO CONSIDER A FLAT RATE, AND THEY'RE FROM TALLAHASSEE AND WOULD CHARGE NO TRAVEL COST.

AND THEN FINALLY LOCAL ATTORNEY JAMES THOMPSON WHO IS AN EMPLOYMENT LAWYER AND FORMER ASSISTANT STATE ATTORNEY AT THE RATE OF \$350 AND HE ALSO WOULD CONSIDER A FLAT RATE FEE TO REVIEW THIS MATTER.

>> YOU SAID HE'S LOCAL TAMPA.

>> YES, HE IS.

>> VICTOR CRIST: IS THERE AN ORDER OF PREFERENCE BASED ON YOUR EXPERTISE AS AN ATTORNEY AND YOUR PREVIOUS ENGAGEMENT OF WORK WITH THESE COMPANIES?

>> I HAVE NOT ANY PREVIOUS WORK EXPERIENCE WITH ANY OF THESE.

I THINK THE BOARD HAS WITH LEVINE.

MY PREFERENCE WOULD BE FORMER U.S. ATTORNEY ROBERT O'NEILL.

>> VICTOR CRIST: OKAY.

>> ALTHOUGH I DO BELIEVE THAT ANY OF THESE COULD FULFILL THE REVIEW THAT WOULD BE NECESSARY IN THIS MATTER.

>> VICTOR CRIST: FOR THE SAKE OF FULL DISCLOSURE.

I DON'T WANT TO HAVE ANY MISUNDERSTANDINGS.

THE FIRM OF LEVINE AND STIVERS IS THE FIRM WHO REPRESENTED ME ON THE THREE ETHICS COMPLAINTS THAT WERE UNFOUNDED AND DISMISSED, AND I UNDERSTAND THAT THEY MAY HAVE BEEN A FIRM THAT REPRESENTED HAGAN ON SOME SIMILAR ISSUES.

IS THAT CORRECT?

>> YES, ON ONE ISSUE BUT IT'S NOT PTC RELATED.

>> VICTOR CRIST: OKAY, I DON'T KNOW IF THAT'S CONSIDERED A CONFLICT, BUT I WANTED TO DISCLOSE THAT.

>> I THINK IT'S APPROPRIATE TO DISCLOSE THAT BUT I DO NOT BELIEVE IT'S A CONFLICT.

>> VICTOR CRIST: OKAY.

OKAY, AT THIS POINT, WHAT ARE OUR OTHER OPTIONS?

>> WELL, THE FIRST OPTION IS TO TAKE THE POSITION OF HAVING AN INDEPENDENT REVIEW OF THE MATTER.

OTHER OPTIONS THAT WE DISCUSS WITH CLIENTS IN SITUATIONS LIKE THIS IS BASED ON THE ALLEGATIONS AND THE FACTS THAT ARE PRESENTED.

YOU COULD MOVE TO NEGOTIATE A SEPARATION OF EMPLOYMENT WITH YOUR EXECUTIVE DIRECTOR.

>> VICTOR CRIST: WHAT WOULD SOMETHING LIKE THAT LOOK LIKE?

>> SOMETHING LIKE THAT WOULD LOOK LIKE THE PTC AUTHORIZING YOUR EMPLOYMENT LAWYER, THAT COULD BE ME, TO NEGOTIATE WITH YOUR EXECUTIVE DIRECTOR AND HIS ATTORNEY FOR A SEPARATION AGREEMENT.

NORMALLY WE REFER TO THOSE AS A WAIVER AND HOLD HARMLESS WHERE THERE IS A NEGOTIATED EXIT STRATEGY THAT IS INITIATED.

>> VICTOR CRIST: OKAY.

IF THERE'S A WAIVER OF HOLD HARMLESS, WHAT IF UBER OR LYFT AT A FUTURE DATE CHOSE TO SUE THIS AGENCY OVER WHAT TOOK PLACE?

>> WELL, THAT WOULD CERTAINLY BE AN ISSUE BECAUSE IT WOULD NOT BE MY RECOMMENDATION THAT THE BOARD WAIVE OR INDEMNIFY ANY OF THOSE ACTIONS OF THAT NATURE.

SO IT WOULD NOT BE A COMPLETE MUTUAL RELEASE BECAUSE OF THE OUTSTANDING OPPORTUNITY FOR THE PTC TO FACE SOME KIND OF LITIGATION IN THE FUTURE.

>> VICTOR CRIST: OKAY.

IS THERE A THIRD OPTION?

>> WE ALSO TALKED TO EMPLOYEES IN SITUATIONS LIKE THIS AND ALLOW THEM THE OPPORTUNITY TO RESIGN.

THE BENEFITS OF A RESIGNATION OVER A FORMAL TERMINATION SPEAK FOR THEMSELVES, SO WE APPROACH EMPLOYEES AND GIVE THEM THE OPPORTUNITY TO RESIGN.

>> VICTOR CRIST: OKAY.

IS THERE A FINAL?

>> THE FINAL OPTION WOULD BE TO MOVE TO TERMINATE THE EXECUTIVE DIRECTOR AS PROVIDED UNDER THE TERMS IN YOUR CONTRACT WHERE YOU CAN DO THAT WITHOUT CAUSE, AND THERE IS A TERMINATION PROVISION IN THERE.

>> VICTOR CRIST: CAN YOU EXPOUND ON THAT FOR US, PLEASE?

>> YOU WOULD GIVE THE EMPLOYEE NOTICE OF TERMINATION.

THERE WOULD BE A REQUIREMENT OF A BOARD VOTE, I BELIEVE IT TAKES FIVE VOTES, IS THAT CORRECT, MS. OSTER, IN WHICH TO TERMINATE THE EMPLOYEE, AND THEN YOU WOULD LOOK AT THE ISSUE OF SEVERANCE.

>> VICTOR CRIST: OKAY, IF THERE WAS A MOTION TO TERMINATE AT THIS MEETING, BUT THERE WERE NOT FIVE VOTES.

>> IF THERE WERE A MOTION TO TERMINATE AT THIS MEETING, BUT YOU DID NOT HAVE THE REQUIRED FIVE VOTES, I THINK WE WOULD CONSIDER THAT A VOTE OF NO CONFIDENCE, AND THEN THE MOTION TO TERMINATE THE EXECUTIVE DIRECTOR WOULD BE SCHEDULED FOR YOUR NEXT REGULARLY SCHEDULED MEETING AND AGENDAED.

>> VICTOR CRIST: OKAY.

SO WE HAVE BASICALLY FIVE OPTIONS BEFORE US.

>> I COUNT FOUR.

>> VICTOR CRIST: WELL, THE FIFTH OPTION WOULD BE A RESIGNATION WITHOUT ANY AGREEMENT. BUT OKAY, THERE ARE FOUR OR POSSIBLY FIVE OPTIONS BEFORE US.

TWO OF WHICH THE DIRECTOR HIMSELF WOULD HAVE TO INITIATE AND THREE OF WHICH THIS BOARD COULD INITIATE, IS THAT CORRECT?

>> THAT'S CORRECT.

>> VICTOR CRIST: MS. OSTER, IS THERE ANYTHING ELSE THAT YOU WANT TO ADD?

>> NO, MR. CHAIR.

>> VICTOR CRIST: SO AT THIS POINT THE FLOOR IS OPEN FOR MOTIONS AND DISCUSSION AND DEBATE.

>> LET ME JUST SAY.

>> LES MILLER, JR.: COUNCILMEMBER REDDICK.

>> IT SEEMS LIKE THERE IS A SENSE TO BE A PERSONAL ASSAULT ON THE EXECUTIVE DIRECTOR CHARACTER AND INTEGRITY HERE TODAY.

I THINK HE DESERVES THE OPPORTUNITY TO SPEAK ON HIS OWN BEHALF BEFORE WE GET INTO ANY DELIBERATION BECAUSE WHAT I SEE IS TRYING TO BUILD, TRYING TO BUILD A CASE FOR A COUP AGAINST THIS GENTLEMAN, AND I'M NOT GOING TO GO ALONG WITH IT.

SO I HOPE THE GENTLEMAN HAS A CHANCE TO DEFEND HIMSELF BECAUSE THIS IS A SHAM WHAT IS TAKING PLACE THIS MORNING, AND IT'S BEEN A SHAM AS I READ THE STUFF IN THE PRESS, AND LET ME ASK YOU ONE QUESTION TO THE ATTORNEY.

HAVE YOU HAD ANY DISCUSSION WITH THE CHAIRMAN PRIOR TO THIS MEETING?

>> I DID HAVE A CONVERSATION WITH THE CHAIRMAN AFTER THE COUNTY ATTORNEY ASKED ME TO ATTEND THIS MEETING, YES, I DID.

>> BECAUSE THE WAY HE POSED THE QUESTIONS TO YOU, IT SEEMED LIKE IT WAS PREMEDITATED, AND IT'S A SHAM.

AND I WOULD LIKE TO HEAR FROM OUR EXECUTIVE DIRECTOR.

>> VICTOR CRIST: I'M GOING TO RESPOND TO MR. REDDICK SINCE HE MADE DIRECT COMMENTS TOWARDS ME.

OBVIOUSLY YOU WERE NOT LISTENING WHEN YOU SAT IN YOUR CHAIR, AND I MADE IT VERY CLEAR THAT THE EVIDENCE IS IN THE E-MAILS.

IT IS OBVIOUS THAT YOU DIDN'T EVEN READ A SINGLE ONE.

BECAUSE IF YOU DID, YOU NEVER WOULD'VE SAID WHAT YOU JUST SAID.

NOW, AS FAR AS OUR OPTIONS HERE TODAY, IF WE CHOOSE TO GO THROUGH WITH HAVING AN INVESTIGATION, THERE IS NO NEED FOR MR. COCKREAM AND HIS ATTORNEY TO MAKE A CIRCUS OUT OF THIS MEETING.

HE WILL BE GIVEN AN OPPORTUNITY TO DEFEND HIMSELF AND TO SPEAK HIS MIND AFTER THE INVESTIGATION BECAUSE THE INVESTIGATION COULD COME BACK AND SHOW THERE'S NOTHING THERE AND THEN THERE'S NO NEED FOR A CIRCUS.

THE INVESTIGATION COULD COME BACK AND SAY THERE IS SOMETHING THERE.

THEN THERE WILL BE A NEED.

BUT AT THIS TIME, IT WOULD BE PREMATURE TO TURN THIS INTO A COURTROOM, HE SAID, SHE

SAID, I DID, I DIDN'T DO, UNTIL WE KNOW WHAT WE'RE DEALING WITH.
AND AN INVESTIGATION BY A LEGITIMATE THIRD PARTY FIRM THAT HAS THE EXPERTISE IN
LOOKING AT THE MATTERS WOULD BRING US BACK THE INFORMATION WE NEED TO DETERMINE WHERE
WE GO NEXT WITH THIS.
NOW, IF THAT'S NOT THE CHOICE OF THIS BOARD, AND THIS BOARD CHOOSES TO TERMINATE, THEN
BY ALL MEANS, MR. COCKREAM SHOULD HAVE THE RIGHT TO DEFEND HIMSELF.
AND I WOULD BE THE FIRST TO STAND AND REQUEST THAT.
BUT AT THIS JUNCTURE, WE NEED TO DETERMINE WHAT DIRECTION DO WE WANT TO GO.
AND YOU'RE ABSOLUTELY, CORRECT, MR. CHAIRMAN.
LET ME JUST SAY, IT IS COMPLETELY APPROPRIATE FOR THIS BOARD BASED ON THE PUBLIC
RECORDS THAT HAVE BEEN RELEASED AND THE ALLEGATIONS THAT HAVE SURFACED IN THE PRESS TO
HAVE THIS DISCUSSION.
TO DETERMINE WHETHER YOU THINK IT'S APPROPRIATE TO HAVE A REVIEW OR NOT.
MY CONVERSATION WITH THE CHAIRMAN IN NO WAY IS AN INDICATION OF THE OUTCOME OF THAT
REVIEW OR AN OUTCOME OR DIRECTION TO ME AS TO HOW TO PRESENT MY ADVICE TO YOU TODAY.
MY ADVICE TO YOU TODAY IS INDEPENDENT AND IS COMPLETELY CONSISTENT WITH THE ADVICE I
GIVE ALL OF MY CLIENTS WHO FIND THEMSELVES IN THIS POSITION.
SO MY ADVICE TO YOU TODAY WAS NOT SCRIPTED OR PREDISPOSED.
IT WAS COMPLETELY LEFT TO ME TO PROVIDE THOSE OPTIONS, WHICH ARE COMPLETELY
CONSISTENT.
SO YOUR DISCUSSION TODAY IN REVIEW IS APPROPRIATE.
HOW YOU DEEM TO CHOOSE TO MOVE FORWARD IS COMPLETELY LEFT UP TO YOU AS THE BODY, BUT
THESE ARE THE OPTIONS THAT ARE AVAILABLE TO YOU, AND IT'S TOTALLY APPROPRIATE FOR YOU
TO CONSIDER THAT ACTION TODAY.
>> VICTOR CRIST: MS. TAR, DID I HAVE OR DID YOU IN ANY WAY, SHAPE, OR FORM DIVULGE TO
ME THE LIST OF ANY OF THESE PROVIDERS YOU JUST STATED?
>> I WAS DIRECTED BY THE COUNTY ATTORNEY TO PROVIDE AS MUCH ASSISTANCE TO THIS BOARD
TODAY, SO IN DOING THAT, I REACHED OUT INDEPENDENTLY TO PEOPLE, NONE OF WHICH I HAVE A
PERSONAL RELATIONSHIP WITH, BUT BASED ON REPUTATION AND REFERENCES FROM OUR LITIGATION
SECTION AND OTHERS WHO HAVE PERSONAL KNOWLEDGE WITH YOU.
>> VICTOR CRIST: I DON'T RECALL EVER DISCUSSING ANY OF THESE PEOPLE WHO ARE MENTIONED
HERE IN ANY WAY, SHAPE, OR FORM.
>> IN FACT, COMMISSIONER, AS I STARTED TO TELL YOU WHAT TO DO, YOU SAID PLEASE DON'T
DISCUSS THAT WITH ME.
I WOULD PREFER YOU TO KEEP ALL OF YOUR REMARKS FOR THE BOARD AND THE BODY WHEN WE HAVE
OUR MEETING.
>> VICTOR CRIST: THANK YOU.
>> IF I MAY, IF I MAY, I WOULD LIKE TO REMIND THIS COMMISSION THAT MR. CRIST HAS
STATED ON NUMEROUS OCCASIONS THAT HIS GOAL IS TO DISBAND THIS ORGANIZATION, SO I ASK
THAT YOU KEEP THAT IN MIND AS WE DELIBERATE HERE TODAY, AND I AGREE WITH MR. REDDICK
THAT KYLE COCKREAM'S ALREADY BEING TRIED IN THE COURT OF PUBLIC, BEING TRIED BY THE
NEWSPAPERS, BEING TIED BY THE TAMPA BAY BUSINESS JOURNAL, BEING TRIED BY THE TAMPA BAY
TIMES.
I THINK IT'S, IT Baffles ME THAT WE LIVE IN A CITY WHERE THE PRESS CAN BE SO EASILY
MANIPULATED.
I LOOK AT ALL THOSE E-MAILS.
I DIDN'T SEE THAT HE DID ANYTHING WRONG.
HAD HE COME TO ME, HAD HE COME TO THIS COMMISSION AND ASKED FOR OUR PERMISSION TO DO
WHAT, WHAT HE DID, HE DOESN'T HAVE TO.
HE RUNS THE DAY TO DAY OPERATIONS.
BUT HAD HE CHOSEN TO COME TO ME AND ASK ME IF I THOUGHT THAT WAS A GOOD IDEA, I
WOULD'VE TOLD HIM YES.
LET'S KEEP OUR EYE ON WHO THE BAD GUY IS HERE.
UBER AND LYFT ARE THE ONES THAT ARE BREAKING THE RULES.
UBER AND LYFT ARE THE ONES THAT ARE SNUBBING US.
UBER AND LYFT ARE THE ONES THAT ARE BEING NONCOOPERATIVE.
WHO CARES WHO WE USE AS TO DO A STING OPERATION.
IF THIS STING OPERATION WAS AGAINST GYPSY CABS OR AGAINST LIMOS, THE PRESS WOULDN'T
CARE.
BUT BECAUSE IT'S UBER AND LYFT, AND BECAUSE THEY HAVE FRIENDS HERE, IT'S BECOME A BIG
DEAL.
NOTHING WAS DONE WRONG HERE.
NOTHING.

AND I THINK KYLE SHOULD HAVE AN OPPORTUNITY TO SPEAK, AND I WOULD AGAIN REMIND THE REST OF THE COMMISSION THAT MR. CRIST MAY BE LESS THAN NEUTRAL BASED ON HIS STATED GOALS IN THE PAST.

AND ALSO KEEP IN MIND, IN THE PAST, BONNIE AND CLYDE HAD A BIG FAN CLUB TOO. BUT AT THE END OF THE DAY THEY WERE JUST BANK ROBBERS.

SO LET'S NOT LOSE SIGHT OF WHERE THE WRONG DOING IS HERE.

IT'S NOT BY THE PTC.

IT'S BY UBER AND LYFT.

>> VICTOR CRIST: COMMISSIONER HAGAN.

>> FIRST OF ALL, I HAVE A QUESTION I GUESS FOR CINDY.

DO YOU HAVE A, I MEAN, WE REVIEWED THE VARIOUS OPTIONS THAT WE HAVE BUT DO YOU HAVE ANYTHING IN YOUR RECOMMENDATION FOR WHAT THIS BOARD SHOULD CONSIDER.

>> I THINK BASED ON MY DISCUSSIONS WITH MS. TAR AND THE COUNTY ATTORNEY, AND CONSISTENT WITH BEST PRACTICES ACROSS THE BOARD IN TERMS OF EMPLOYMENT MATTERS, CONDUCTING AN INTERNAL REVIEW IS AN APPROPRIATE MECHANISM TO ADDRESS THE CONCERNS.

>> OKAY.

I HAVE SOME COMMENTS I WANT TO MAKE, BUT SIMILAR TO DAVE AND COUNCILMAN REDDICK, I TOO WOULD LIKE TO AT LEAST GIVE KYLE AN OPPORTUNITY TO SAY A FEW WORDS.

>> VICTOR CRIST: SEEING THAT THAT IS A MAJORITY OF THE MEMBERS HERE, THEN WE WILL DO THAT.

AGAIN, THERE WERE SOME ACCUSATIONS MADE AND DIRECTED TOWARDS ME BY A COUNCILMAN HERE, AND I'M GOING TO ADDRESS THOSE FIRST.

YOU ARE CORRECT.

I DO THINK THAT THIS AGENCY SHOULD BE CHANGED, AND THAT IT SHOULD MOVE UNDER THE AUSPICES OF THE COUNTY.

I THINK IT WOULD CREATE AN ARM'S LENGTH DISTANCE FROM THE INDUSTRIES WE REGULATE, AND THE CONCERNS THAT WERE BROUGHT IN THESE E-MAILS COULD NEVER HAPPEN.

IT'S THE WAY THE OTHER 65, 66 COUNTIES IN THE STATE DO THEIR BUSINESS.

BUT IT HAS NOTHING TO DO WITH THIS.

THE REASON WE ARE HERE TODAY IS BECAUSE 12,000 DOCUMENTS WERE RELEASED, AND IF ANYONE HERE TAKES THE TIME TO GO THROUGH THEM LIKE WE DID, YOU WOULD CLEARLY SEE WHY WE'RE HERE TODAY.

CLEARLY.

AND I KNOW FOR A FACT AS A FORMER LEGISLATOR THAT IF WE DON'T DO AN INVESTIGATION, IF WE DON'T DO DUE DILIGENCE, IF WE TAKE NO ACTION, THIS AGENCY WILL GUARANTEED TO BE SHUT DOWN BY THE LEGISLATURE DURING SESSION.

GUARANTEED.

SO YOU WILL FULFILL THAT PROPHECY BY YOUR OWN DECISION IF YOU TAKE NO ACTION.

IF YOU HAVE ANY HOPE OF SAVING THIS AGENCY, THEN THE EXPECTATION OF RESEARCHING, LOOKING INTO THIS, AND VALIDATING OR DEVALIDATING THE DATA NEEDS TO BE DONE.

BUT NO ACTION IS ASSUMED DEATH OF THIS AGENCY.

>> MR. CHAIRMAN, LET ME JUST SAY THIS.

>> VICTOR CRIST: COUNCIL REDDICK.

>> I AM GOING TO YIELD AND HOPE THAT THE COUNSEL, OUR DIRECTOR WOULD SPEAK, BUT LET ME SAY THIS BECAUSE THIS HAS BEEN EATING ME UP FOR A LONG TIME, AND I TRULY BELIEVE WHAT I'M ABOUT TO SAY.

I THINK NEXT MONTH WHEN YOU ARE NO LONGER CHAIR OF THIS AGENCY, THIS AGENCY WILL WORK ITS WAY OUT, AND GOING TO BE A BETTER AGENCY THAN WHAT YOU PORTRAY IT TO BE.

BECAUSE IT'S YOU WHO HAVE TAKEN THIS PERSONAL, AND YOU WHO ARE PERSONALIZING THE PROBLEM WE ARE HAVING WITH THIS AGENCY.

BUT I GUARANTEE YOU IF YOU'RE NOT SITTING IN THAT CHAIR, THIS WOULD BE A BETTER AGENCY MOVING FORWARD.

>> VICTOR CRIST: MR. REDDICK, PROBABLY A BETTER AGENCY FOR THE CAB COMPANIES BUT NOT FOR THE COUNTY.

GO READ THOSE E-MAILS.

ALL RIGHT.

AT THIS POINT, I'M GOING TO TURN TO OUR COUNSEL ON WHAT WOULD BE CONSIDERED BEST PRACTICES ON HOW WE FULFILL THE WISHES OF THE MAJORITY OF THE BOARD.

>> OKAY, ONE THING THAT I WOULD LIKE TO MENTION IS THAT AS PART OF AN INTERNAL REVIEW OF IF THIS COMMISSION CHOOSES TO TAKE THAT ACTION, I WOULD SAY IN ALMOST EVERY CIRCUMSTANCE THAT THE PERSON WHO'S SUBJECT OF THE INTERNAL REVIEW IS ALWAYS INTERVIEWED OR PART OF THAT DISCUSSION BEFORE ANY CONCLUSIONS ARE REACHED.

SO I JUST WANTED TO BRING THAT TO YOUR ATTENTION.

WITH THAT BEING SAID, IT IS WITHIN THE PURVIEW OF THIS BOARD IF THEY SO CHOOSE TO ALLOW MR. COCKREAM AN OPPORTUNITY TO RESPOND OR PROVIDE A STATEMENT.

>> VICTOR CRIST: OKAY.

WE USUALLY AT OUR NORMAL MEETINGS GIVE 10 MINUTES TO COUNSEL TO PLEAD THEIR CASES. IS THAT A REASONABLE TIME HERE OR DOES THE BOARD WANT TO GRANT ADDITIONAL TIME? WHAT I WAS THINKING WAS 10 MINUTES FOR MR. COCKREAM AND THEN 10 MINUTES FOR HIS ATTORNEY.

>> I SAY WE GIVE THEM AS MUCH TIME AS THEY NEED.

>> VICTOR CRIST: WHAT IS THE WILL OF THE BOARD?

>> I MAKE A MOTION THAT WE GIVE BOTH MR. COCKREAM AND THEIR ATTORNEY AS MUCH TIME AS THEY WOULD LIKE WITHIN REASON.

>> VICTOR CRIST: OKAY.

>> SECOND.

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

ALL IN FAVOR?

OKAY.

THOSE OPPOSED?

SHOW IT UNANIMOUS.

MR. COCKREAM, IF YOU AND YOUR ATTORNEY WANT TO APPROACH THE PODIUM.

>> NO, THANK YOU, I'M FINE RIGHT HERE, MR. CRIST.

>> VICTOR CRIST: OKAY.

>> I WON'T NEED 10 MINUTES.

AND I WON'T NEED 10 MINUTES QUITE FRANKLY, BUT I'LL GET INTO THAT IN JUST A MOMENT. I FIRST LIKE TO GO ON THE RECORD TO SAY THAT MY ATTORNEY HAS BROUGHT IT UP, I WOULD LIKE TO FORMALLY ON THE RECORD SAY THAT I DO NOT BELIEVE NOR DOES MY ATTORNEY BELIEVE THAT THIS MEETING WAS HELD IN COMPLIANCE WITH FLORIDA STATUTE 120.525 THAT SPECIFICALLY SAYS THAT FOR EMERGENCY MEETINGS, IF AN AGENCY FINDS THAT AN IMMEDIATE DANGER TO THE PUBLIC, SAFETY, OR WELFARE REQUIRES IMMEDIATE ACTION, THE AGENCY MAY HOLD AN EMERGENCY PUBLIC MEETING AND GIVE NOTICE OF SUCH MEETING BY ANY PROCEDURE THAT IS FAIR UNDER THE CIRCUMSTANCES AND NECESSARY TO PROTECT THE PUBLIC INTEREST. IF THE PROCEDURE PROVIDES, AT LEAST THE PROCEDURAL PROTECTION GIVEN BY OTHER STATE STATUTES, THE STATE CONSTITUTION, OR THE UNITED STATES CONSTITUTION, THE AGENCY TAKES ONLY THAT ACTION NECESSARY TO PROTECT THE PUBLIC INTEREST UNDER THE EMERGENCY PROCEDURE, REFERENCING BACK EMERGENCY BEING HEALTH, SAFETY, AND WELFARE OF THE PUBLIC. THE AGENCY PUBLISHES IN WRITING AT THE TIME OF OR PRIOR TO ITS ACTIONS THE SPECIFIC FACTS AND REASONS, I'LL SAY THAT AGAIN, SPECIFIC FACTS AND REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY, AND WELFARE, AND ITS REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES.

EXCUSE ME.

THE AGENCY FINDINGS OF IMMEDIATE DANGER, NECESSITY, AND PROCEDURAL FAIRNESS SHALL BE JUDICIALLY REVIEWABLE.

AND I ASSURE YOU THIS WILL BE.

TO THAT END, IN THE LAST TWO AND A HALF YEARS THAT I'VE BEEN DIRECTOR, EVERY TIME WE'VE HAD A MEETING, THERE HAS BEEN AN AGENDA POSTED.

A SPECIFIC AGENDA POSTED THAT IS NOT A NOTICE IN THE PAPER AS REQUIRED BY LAW, BUT A SPECIFIC AGENDA.

SO COMING INTO THIS MEETING, MY ATTORNEY NOR I HAD ANY IDEA OF THE SPECIFICS OR IF WE WOULD EVEN BE PERMITTED TO TALK TODAY.

SO THAT MAKES IT EXTREMELY DIFFICULT TO DEFEND WHAT'S GOING ON HERE.

EXTREMELY DIFFICULT.

THE OTHER THING I WOULD LIKE TO SAY IS I STRONGLY OBJECT TO THE PROCEDURE GIVEN HERE REFERENCED TO AN OUTSIDE INQUIRY.

I PERSONALLY INVITED OUTSIDE INQUIRIES.

AS A MATTER OF FACT, IF ONE WASN'T BROUGHT UP TODAY I WOULD BE REQUESTING EACH OF YOU TO DO SO, TO MOVE FORWARD IN SOME FORM OR FASHION WITH DOING AN INQUIRY, AN AUDIT, AN INVESTIGATION, CALL IT WHAT YOU WILL.

I'D BE ASKING FOR THAT.

I'VE SEEN THAT HAPPEN BEFORE IN LAW ENFORCEMENT AGENCIES, AND I HAVE NO QUALMS ABOUT THAT WHATSOEVER.

AND MY FULL TRANSPARENCY WILL BE GIVEN TO THAT INQUIRY.

TO WHATEVER THAT MEANS: WHAT I WOULD REQUEST IS THIS.

MR. CRIST AND I HAVE AN EXTREME DIFFERENT VERSION OF SOME INCIDENTS THAT HAVE HAPPENED, AND MOREOVER, THOSE ARE LIABLE TO BE SUBJECT TO BE PART OF THIS

INVESTIGATION.

I WOULD ASK THAT IF THIS COMMISSION DOES MOVE FORWARD IN CHOOSING TO DO SOME FORM OF AN INVESTIGATION BY AN OUTSIDE COUNSEL, THAT YOU PUT IT OUT THROUGH RFP AND LET AN RFP AND PEOPLE BID ON IT THAT HAVE A BACKGROUND IN DOING THIS KIND OF THING.

AND THAT MR. CRIST BE REMOVED FROM THAT PROCESS COMPLETELY REMOVED FROM THAT PROCESS AND THAT THE INCOMING LEADERSHIP, WHOEVER THAT IS, BE PLACED IN CHARGE OF THE OVERSIGHT OF THAT SELECTION PROCESS.

I THINK THAT WOULD LEND TO THE TRANSPARENCY AND COMPLETELY REMOVE MR. CRIST FROM ANY PART OF THIS.

I ALSO BELIEVE THAT QUITE FRANKLY TO ECHO THE SENTIMENTS UP HERE TODAY THIS IS A WITCH-HUNT.

IT'S BEEN A WITCH-HUNT FROM THE BEGINNING AND I KNEW IT WAS A WITCH-HUNT BECAUSE I WAS TOLD IT WAS GOING TO BE A WITCH-HUNT OCTOBER 5th IN MR. CRIST'S OFFICE.

I WAS TOLD THAT BECAUSE WHEN SOMEONE STARTS A CONVERSATION BY SAYING DON'T WORRY, IT'S NOT GOING TO BE A WITCH-HUNT, IT'S GOING TO BE A WITCH-HUNT.

SO MR. CRIST AND I HAVE A CONFLICT ON LOT OF DIFFERENT THINGS, AND THAT'S WHY I THINK MR. CRIST SHOULD BE REMOVED FROM THIS SITUATION.

AND LIKE I SAID, THE INCOMING LEADERSHIP, WHOEVER THAT MIGHT BE, SHOULD BE PUT IN CHARGE OF THAT, AND THAT'S RIGHT AROUND THE CORNER.

THAT'S ONLY A COUPLE WEEKS AWAY, SO IT'S IN VERY SHORT ORDER.

THE OTHER THING I WOULD LIKE TO SAY IS THE PUBLIC RECORDS.

THERE WERE 12,000 PUBLIC RECORDS SPECIFICALLY E-MAILS BUT THERE ARE ACTUALLY MORE THAN THAT RELEASED.

THAT WAS DUE TO A PUBLIC RECORDS REQUEST.

AND I JUST DON'T WANT TO GET INTO THE SPECIFICS BECAUSE QUITE FRANKLY I CAN'T DO THAT IN 10 MINUTES TO EXPLAIN THE ALLEGATIONS, BUT I WOULD LIKE TO SAY ONE THING ABOUT ONE SPECIFIC ALLEGATION THAT'S BEING DONE.

AND THAT IS THAT I WAS ACCUSED OF GIVING INFORMATION, I THINK IT WAS PORTRAYED IN THE MEDIA PERHAPS OF SENSITIVE INFORMATION, TO THE CAB COMPANIES AND TO THE LIMO COMPANIES.

I CAN'T TELL YOU HOW MANY OF THOSE E-MAILS WERE FORWARDED FROM ME TO CAB COMPANIES AND LIMO COMPANIES AND THE ANSWER IS QUITE SIMPLY THIS.

IT'S CALLED A PUBLIC RECORDS REQUEST.

MANY PEOPLE HERE FROM THE MEDIA.

I SEND YOU THINGS ALL THE TIME.

I SEND, HAVE SENT UBER AND LYFT THINGS IN THE PAST BASED ON PUBLIC RECORDS REQUESTS.

I HONOR THOSE PUBLIC RECORDS REQUESTS.

I'M INTIMATELY FAMILIAR WITH FLORIDA STATUTE 119 FOR PUBLIC RECORDS.

IT DOESN'T DISCRIMINATE.

I HAVE TO HONOR THAT REQUEST WHETHER IT'S A CAB COMPANY, WHETHER IT'S A LIMO COMPANY, WHETHER IT'S AN ATTORNEY, WHETHER IT'S A MEDIA OUTLET.

I AM BOUND TO HONOR THAT AND IF I DON'T, I'M SUBJECT TO CRIMINAL BEHAVIOR.

SO MANY OF THOSE THINGS THEY ABSOLUTELY WERE FORWARDED.

AND LEADING UP INTO SESSION, AND LEADING UP INTO THE RULE MAKING PROCESS AND SO FORTH, I WOULD GET THOSE PUBLIC RECORDS REQUESTS ON AN HOURLY BASIS.

I CAN'T DISCRIMINATE AND NOT GIVE UP THAT INFORMATION BECAUSE IT'S A CAB COMPANY.

OR BECAUSE IT'S A LIMO COMPANY.

OR AN AMBULANCE COMPANY.

I MUST RELINQUISH THAT INFORMATION, HAVE DONE SO, AND WILL CONTINUE TO COMPLY WITH FLORIDA STATUTE.

IN CLOSING, LAST THING I WOULD LIKE TO SAY IS ABOUT ALL DUE RESPECT TOWARDS SIT UP HERE CONCERNING CIRCUS.

THIS IS ABSOLUTELY A CIRCUS.

THIS IS AN ORCHESTRATED CIRCUS THAT GOES BACK QUITE SOMETIME.

THIS ORCHESTRATED CIRCLE AND I'M JUST GOING TO MAKE THESE QUOTES AND YOU CAN DECIPHER THEM HOW YOU WILL.

WE HAVE NO VOTE FOR TOMORROW'S MEETING.

DEAL.

WE HAVE A DEAL.

THERE'S BEEN A LOT OF THINGS THAT HAVE HAPPENED OVER THE LAST SEVERAL MONTHS THAT CLEARLY LEND TO A CIRCLE TYPE OF AN ENVIRONMENT.

I'M GOING TO TRY DESPERATELY TO NOT LEND TO THAT CIRCUS ENVIRONMENT.

I'M GOING TO OPEN ARM -- I AM GOING TO WELCOME THE INQUIRY OR INQUISITION OR WHATEVER

YOU WANT TO CALL IT, INVESTIGATION, I'M GOING TO DO THAT WITH COMPLETE TRANSPARENCY. COMPLETE TRANSPARENCY.

TO THE POINT OF IF IT REQUIRES ME TO OPEN UP MY PERSONAL FINANCIAL RECORDS FOR THE LAST 50 YEARS, I'M ONLY 52, THEN SO BE IT.

BY A THIRD INDEPENDENT CERTIFIED AUDITOR, ABSOLUTELY. ABSOLUTELY.

MY PERSONAL FINANCES, WHATEVER THAT TAKES, THAT'S FINE. COMPLETE TRANSPARENCY.

BUT I THINK IT SHOULD BE DONE THE PROCESS BY WHICH THE FIRM IS HIRED SHOULD BE DONE IN TRANSPARENCY AS WELL.

I LOOK FORWARD TO THE INQUIRY, AND BELIEVE THAT THE REPORT WILL COME BACK, AND I THINK IT'LL SHED SOME LIGHT ON SOME THINGS THAT HAVEN'T BEEN DISCUSSED HERE IN THE LAST FEW DAYS, BUT I DON'T WANT TO SAY TOO MUCH, AND I WON'T BE SAYING TOO MUCH IN THE COMING DAYS ABOUT THE SPECIFICS OF TOO MUCH BECAUSE I DON'T WANT TO JEOPARDIZE ANYTHING THAT MIGHT BE EVIDENCE IN A FUTURE PROCEEDING.

THERE VERY WELL MIGHT BE A FUTURE PROCEEDING.

I DON'T WANT TO JEOPARDIZE THAT AT ALL.

I WILL DEFER TO MY ATTORNEY MR. CAREY IF MR. CAREY WISHES TO MAKE ANY COMMENTS.

>> I JUST HAVE A FEW MINUTES.

YOU KNOW, I'M NOT -- I'M VERY APOLITICAL.

WHEN KYLE FIRST CAME TO SEE ME, HE SAID I DON'T KNOW ANYTHING ABOUT POLITICS, HE SAYS THAT'S WHY I WANT YOU, MIKE.

BUT I GOT TO TELL YOU, SITTING HERE TODAY, THIS HAS BEEN AN EYE OPENER.

I'VE HEARD WORDS LIKE WITCH-HUNT, SHAM, CIRCUS, CANDIDLY, THAT'S WHAT I'VE SEEN.

YOU KNOW, PRACTICING LAW HERE IN HILLSBOROUGH COUNTY FOR 38 YEARS, ALMOST 38 YEARS, BE 38 YEARS NEXT MONTH, FRANKLY IT'S EMBARRASSING WHAT I'VE SEEN COMMISSIONER CRIST ATTEMPT TO DO TO MR. COCKREAM.

YOU KNOW, IT'S A CIRCUS, YOU'RE THE RING MASTER.

NOW UBER AND LYFT IS OBVIOUSLY AN EMOTIONALLY CHARGED ISSUE.

I GET THAT.

I HAVE SIX KIDS RANGING FROM 17 TO 36, AND YOU KNOW, NEW GENERATION ARE ALL INTO IT. SO IT'S AN EMOTIONALLY CHARGED ISSUE.

YOU READ ABOUT IT IN THE PAPERS A LOT.

WHAT YOU GOT TO REMEMBER IS WHAT THE BOARD MEMBER SAID.

REMEMBER WHO THE BAD GUY IS.

THIS BOARD HAS DETERMINED THAT THE RIDE SHARE COMPANIES ARE OPERATING ILLEGALLY. YOU'VE CHARGED THIS MAN WITH ENFORCING IT.

HE HAS GONE ABOUT THAT TO THE BEST OF HIS ABILITIES, OKAY?

IT'S NO DIFFERENT THAN ELECTRICIAN REPORTING AN UNLICENSED ELECTRICIAN.

AN UNLICENSED CONTRACTOR BEING REPORTED BY GENERAL CONTRACT OR HOMEOWNER.

IT'S NO DIFFERENT THAN ME OR A JUDGE CALLING THE FLORIDA BAR ON SOMEBODY WHO IS UNLICENSED TO PRACTICE LAW.

THE ONLY DIFFERENCE IS THAT IT'S AN EMOTIONALLY CHARGED ISSUE, AND FRANKLY, I WOULD HOPE THIS BOARD WOULD RISE ABOVE THAT AND REALIZE WHO THE BAD GUY IS, REALIZE WHO IS ATTEMPTING TO ENFORCE THOSE RULES.

KYLE COCKREAM HAS DONE NOTHING BUT DO HIS JOB, PERIOD, AND FOR THAT, HE'S GETTING CASTIGATED.

BAD ENOUGH GETTING CASTIGATED BY THE PRESS, BUT WHEN THIS BOARD WHO CHARGED HIM WITH IMPLEMENTING YOUR POLICIES, CHAIRMAN COMES AND CRITICIZES FOR HIM, STARTS THE CIRCUS, THAT'S JUST UNFORGIVABLE.

AS MR. COCKREAM SAID, THERE MAY BE FURTHER PROCEEDINGS.

WE'LL ADDRESS THAT WHEN THE TIME COMES.

THANK YOU.

>> VICTOR CRIST: OKAY, IS THAT IT?

MEMBERS?

>> NO, I'D LIKE TO THROW THE MOTION OUT THERE TO MY COLLEAGUES THAT WE DEVELOP A SCOPE FOR AN RFP TO DO A THIRD PARTY INDEPENDENT INVESTIGATION, THAT THAT SCOPE BE PREPARED IN TIME TO BE REVIEWED AT THE NEXT FULL MEETING, AND BE PLACED ON THE AGENDA AFTER WE ELECT NEW LEADERSHIP, AND THEN ONCE THAT, THEN ISSUE THE RFP ONCE THE RFP SCOPE IS APPROVED.

>> VICTOR CRIST: OKAY, WE'VE GOT A MOTION AND A SECOND.

I'M GOING TO PASS THE GAVEL TO OUR TREASURER SINCE OUR VICE CHAIRMAN WHO WILL MOST LIKELY BE THE NEXT CHAIRMAN HAS MADE A MOTION, SO THAT I CAN DEBATE.

THAT'S YOU.
>> I WASN'T AWARE I WAS THE TREASURER.
COMMISSIONER CRIST, YOU'RE RECOGNIZED.
>> VICTOR CRIST: THANK YOU.
FIRST OF ALL, TO RESPOND TO KYLE'S ATTORNEY, YOU KNOW WHAT?
RING MASTER, SAY WHATEVER YOU WANT.
THE BOTTOM LINE IS, I'M ADVOCATING FOR GOOD ETHICS.
I'M ADVOCATING FOR BEST PRACTICES, AND I'M ADVOCATING FOR TRUTHFULNESS.
READ THE E-MAILS.
TO ME IT DOESN'T MATTER IF WE HIRE A FIRM OFF THE LIST THAT WAS RECOMMENDED BY THE
COUNTY ATTORNEY OR IF WE SEND OUT AN RFP AND HIRE ANOTHER FIRM.
THE BOTTOM LINE IS, THEY'RE GOING TO READ THE E-MAILS THEMSELVES.
THE EMAILS ARE KYLE'S OWN WORDS IN WRITING, AND THEY ARE CLEAR.
THE CONFLICTS ARE CLEAR.
THE BREACH OF ETHICS ARE CLEAR.
THE LACK OF TRUTHFULNESS IS CLEAR.
READ THE E-MAILS.
ALL 12,000 OF THEM.
READ THEM.
I BELIEVE IN THE MISSION OF THIS AGENCY AND WHAT IT WAS FOUNDED TO DO, AND THAT WAS TO
ENSURE THE ACCESSIBILITY OF PUBLIC TRANSPORTATION TO THE RIDING PUBLIC.
AND TO ENSURE THAT IT'S SAFE AND RELIABLE.
THIS AGENCY HAS DONE A PRETTY GOOD JOB IN MAKING SURE THAT THAT HAS BEEN THE CASE.
THERE'S BEEN EVOLVING TECHNOLOGIES, AND IT'S BEEN TOUGH OPENING THE DOOR TO EMBRACE
THOSE EVOLVING TECHNOLOGIES AND TO GET THOSE EVOLVING TECHNOLOGIES TO FOLLOW THE
GUIDELINES THAT WOULD ENSURE PUBLIC SAFETY, BUT I BELIEVE WE'RE MAKING PROGRESS.
>> POINT OF ORDER, MR. CRIST.
YOU HAD MENTIONED AT THE BEGINNING OF THIS MEETING THAT YOU WANTED US TO STAY ON POINT
AS TO OPTIONS THAT WERE IN FRONT OF US.
CAN YOU EXPLAIN TO US HOW WHAT YOU'RE CURRENTLY STATING.
>> VICTOR CRIST: WELL, IF YOU LET ME FINISH, IT WILL BECOME VERY RELEVANT, VERY CLEAR.
THE PURPOSE OF THIS AGENCY IS TO REMAIN ABOVE AND SEPARATE OF THE INDUSTRIES AND
COMPANIES WE REGULATE.
WHEN YOU LOOK AT THE BEST PRACTICES FOR REGULATORY AGENCIES, IT'S CLEAR WHAT IS
CONSIDERED TO BE APPROPRIATE CONTACT AND APPROPRIATE BEHAVIOR AND APPROPRIATE
RELATIONSHIPS, AND WHAT IS CONSIDERED ISN'T.
AND IT IS VERY CLEAR IN THOSE E-MAILS THAT THAT HAS BEEN FAR BREACHED.
THIS IS NOT A PERSONAL THING.
THIS IS A PROFESSIONAL THING.
AND FOR THE MEMBERS THAT ARE HERE, IF YOU'RE CONCERNED KEEPING THIS AGENCY, WHETHER
FREESTANDING OR INTERNALIZED INTO THE COUNTY IT'S GOING TO BE A LEGISLATIVE DECISION
UNLESS YOU TAKE THAT DECISION ON YOURSELVES AND I CAN GUARANTEE YOU IN DISCUSSIONS
WITH LEGISLATORS, THEY'RE FED UP WITH THE FOLLIES HERE.
>> CAN WE CALL THE QUESTION, PLEASE?
>> VICTOR CRIST: NO, YOU CAN'T, BECAUSE I'M IN THE MIDDLE OF A --
>> DIATRIBE.
>> VICTOR CRIST: REBUTTAL.
THAT'S YOUR OPINION.
OBVIOUSLY YOU HAVEN'T READ THEM EITHER, AND YOU KNOW, I WISH MEMBERS OF THIS BOARD
WOULD DO THEIR DUE DILIGENCE.
I REALLY WOULD.
THE PUBLIC EXPECTS THAT AT LEAST OF YOU.
DO YOUR HOMEWORK.
THE BOTTOM LINE IS, WE NEED TO HAVE THIS INVESTIGATED.
IT NEEDS TO BE AN OBJECTIVE THIRD PARTY.
IF YOU WANT TO PUT IT OUT TO RFP, I AM COMFORTABLE WITH PUTTING IT OUT FOR AN RFP, BUT
IT NEEDS TO BE DONE SOONER OR LATER.
NOW AND UNTIL THAT INVESTIGATION IS DONE, AND UNTIL WE KNOW WHAT WE'RE DEALING WITH,
KYLE COCKREAM SHOULD BE PUT ON A PAID LEAVE OF ABSENCE BECAUSE THAT IS THE WAY IT'S
NORMALLY DONE EVERYWHERE ELSE.
THAT IS CONSIDERED TO BE STANDARD PROCEDURE AND BEST PRACTICES.
FROM THE ENVIRONMENT THAT KYLE COMES FROM IN LAW ENFORCEMENT, HE KNOWS THAT IF THERE'S
A SITUATION THAT IS QUESTIONABLE IN A LAW ENFORCEMENT OFFICER, THEY ARE PUT ON LEAVE

WITH PAY UNTIL THAT QUESTION HAS BEEN ANSWERED.
IT'S NO DIFFERENT IN THE COUNTY OR IN ANY OTHER BRANCH OF GOVERNMENT.
SO IF IT'S YOUR WILL TO POSTPONE THE DECISION AND GO OUT FOR AN RFP, FINE, BUT HE SHOULD BE PUT ON A LEAVE OF ABSENCE UNTIL YOU KNOW WHAT YOU'RE DEALING WITH, AND HE IS CLEARED OF THESE ALLEGATIONS.
>> ANY OTHER COMMENTS?
I'VE GOT COMMENTS.
ANY OTHER COMMISSIONER WISHES TO SPEAK?
IT'S VERY EASY TO REVIEW OR TO VIEW THIS AS A HE SAID, HE SAID ISSUE, AND IF THIS WERE AN ISOLATED ISSUE, PERHAPS I WOULD FEEL DIFFERENTLY.
BUT LET'S BE CANDID.
THE PTC HAS ENJOYED A LESS THAN STELLAR REPUTATION THROUGH THE YEARS.
TO SAY THAT THE PUBLIC HAS LOST TRUST AND CONFIDENCE IN THIS AGENCY IS AN UNDERSTATEMENT.
THE PTC CANDIDLY IS ON LIFE SUPPORT.
ONE WOULD HAVE TO BE INCREDIBLY OBTUSE NOT TO RECOGNIZE THIS.
NOW, THE EXECUTIVE DIRECTOR SHOULD ENFORCE THE LAW AS SOME OF THE SPEAKERS INDICATED THIS MORNING.
HOWEVER, KNOWING THE AGENCY'S HISTORY, THE SENSITIVITY WITH THE RIDE SHARING ISSUE, AND THE PUBLIC PERCEPTION OF THE AGENCY, THE EXECUTIVE DIRECTOR SHOULD UTILIZE THE UTMOST DISCRETION AND PRUDENCE.
I DO NOT BELIEVE THAT OCCURRED HERE.
I'M NOT SUGGESTING THAT I HAVE ALL THE FACTS BECAUSE I DO NOT.
HOWEVER, I DO KNOW THAT IT IS COMMON PRACTICE IN EMPLOYMENT LAW FOR ORGANIZATIONS TO REQUEST A REVIEW BY A THIRD PARTY.
IN LIGHT OF THE ALLEGATIONS, I FEEL IT IS REASONABLE AND APPROPRIATE FOR THIS BOARD TO DO SO HERE.
ONE QUESTION I HAVE FOR THE COUNTY ATTORNEY, IS IT, I BELIEVE IT'S COMMISSIONER CRIST REFERENCED IT IS COMMON PRACTICE OR NOT UNUSUAL FOR THERE TO BE ADMINISTRATIVE LEAVE TIED INTO INTERNAL REVIEW.
CAN YOU CLARIFY THAT OR DEFINE THAT FOR ME?
>> YES, COMMISSIONER HAGAN.
AND THAT IS ABSOLUTELY CORRECT.
IN MATTERS SUCH AS THIS, IT IS COMMON PRACTICE AND WHAT WE REFER TO AS BEST PRACTICES THAT WHEN YOU HAVE AN EMPLOYEE OR A CONTRACT EMPLOYEE AT THIS LEVEL WHERE THERE ARE ALLEGATIONS THAT IT IS MOST APPROPRIATE TO PUT THAT EMPLOYEE ON AN ADMINISTRATIVE LEAVE WITH PAY STATUS PENDING THE INVESTIGATION, AND THE HR DIRECTOR IS ALSO HERE AND IF YOU WOULD LIKE TO HEAR HER SPEAK TO THE CONSISTENCY, BUT I CAN TELL YOU FROM THE PERSPECTIVE AS THE EMPLOYMENT LAWYER FOR THE COUNTY THAT THAT IS COMPLETELY CONSISTENT.
>> OKAY.
THANK YOU.
I BELIEVE I ASKED THIS QUESTION BUT I AM GOING TO ASK IT AGAIN.
CINDY, WHAT IS YOUR RECOMMENDATION HERE?
>> WE'VE HEARD A VARIETY OF OPTIONS HERE TODAY, BUT AFTER CONSULTATION WITH MS. TAR AND THE COUNTY ATTORNEY, IT'S OUR RECOMMENDATION THAT AN INTERNAL REVIEW BY CONDUCTED.
>> OKAY, IF A MOTION'S MADE, A MOTION WAS MADE.
WELL IF A SUBSTITUTE MOTION IS MADE, I WILL SUPPORT THE INDEPENDENT REVIEW WITH ADMINISTRATIVE LEAVE.
I WILL SAY TO SPEAK TO THE MOTION ON THE FLOOR, I DON'T FEEL THAT TODAY THE DECISION SHOULD BE MADE ON WHICH FIRM TO SELECT, ONLY BECAUSE I THINK WE HAVE INCOMPLETE INFORMATION.
MY CONCERNS THOUGH WITH DOING AN RFP IS A LENGTH OF TIME ASSOCIATED WITH THAT.
SO I'M NOT GOING TO SUPPORT THE MOTION ON THE FLOOR BECAUSE I THINK IT WILL DELAY THINGS SIGNIFICANT AMOUNT OF TIME.
HOWEVER, I DO BELIEVE WE SHOULD MOVE FORWARD WITH A REVIEW WITH THE ADMINISTRATIVE LEAVE, AND THEN CHOOSE THE FIRM THAT SHOULD BE SELECTED AT OUR NEXT MEETING.
THAT'S KIND OF WHERE I LAND.
KIND OF I GUESS IN BETWEEN.
THOSE ARE MY COMMENTS.
>> VICTOR CRIST: OKAY, I'LL GO AHEAD AND MAKE THE MOTION.
I PASS THE GAVEL TO --
>> WE HAVEN'T VOTED ON THE OTHER MOTION YET.

>> VICTOR CRIST: WELL, IT'S A SUBSTITUTE MOTION.
>> I THINK WE NEED TO VOTE ON THE FIRST MOTION FIRST.
>> VICTOR CRIST: WELL, THIS IS A SUBSTITUTE TO THAT MOTION, SO -- EXCUSE ME? WE HAVEN'T MADE A SUBSTITUTE MOTION YET.
I JUST PASSED THE GAVEL TO MAKE A SUBSTITUTE MOTION.
SO I AM GOING TO GO AHEAD AND MAKE THE SUBSTITUTE MOTION, MR. HAGAN TELL ME IF WITH -- I DO THIS CORRECTLY BECAUSE I WOULD LIKE TO HAVE YOUR AGREEMENT ON THIS AS A SECOND.
THAT WE MOVE FORWARD WITH AN INTERNAL INVESTIGATION, THAT WE HIRE ONE OF THOSE FIRMS RECOMMENDED BY COUNSEL, AND THAT WE ASK IT TO BE EXPEDITED AS SOON AS POSSIBLE, AND THAT MR. COCKREAM BE PUT ON A LEAVE OF ABSENCE WITH PAY UNTIL THIS BOARD CAN GET THE REPORT AND DECIDE WHAT IF ANY ACTIONS TO TAKE.
>> I'LL SECOND THAT AS LONG AS THE DECISION IS MADE ON WHICH FIRM AT OUR NEXT MEETING. IS THAT?
>> VICTOR CRIST: YEAH, I'M FINE WITH THAT.
WE HAVE A MOTION, WE HAVE A SECOND.
>> I HAVE A QUESTION.
>> GO AHEAD.
>> IF WE CHOOSE TO GO THE ROUTE OF YOUR MOTION, AND IT TAKE US EIGHT MONTHS TO A YEAR TO GET A REPORT FROM WHATEVER ATTORNEY THAT YOU ARE SUGGESTING, ARE YOU SAYING TO ME THAT WE WOULD BE PAYING THIS GENTLEMAN FOR SIX, SEVEN, EIGHT, NINE MONTHS TO DO NOTHING UNTIL THIS REPORT?
AND YOU TALKING ABOUT WITH THE INTEGRITY OF THIS AGENCY.
>> VICTOR CRIST: MR. CHAIR, CAN MS. TAR ANSWER THAT QUESTION?
>> COMMISSIONERS, I THINK PART OF THE PREREQUISITES FOR A FIRM TO BE CHOSEN IS THAT THEY WOULD HAVE TO BE ABLE TO MAKE THIS MATTER A PRIORITY FOR THE VERY REASONS THAT YOU'RE ARTICULATING, AND SO PART OF THAT WOULD HAVE TO BE THAT IT WOULD BE A PRIORITY. WE COULD SCHEDULE IT SO THAT THEY WOULD DO AN INITIAL REVIEW, MAYBE COME BACK WITH THAT KIND OF REPORT AND THEN GO ON IF NECESSARY.
I WOULD NOT IN ANY WAY ANTICIPATE THAT WE WOULD BE LOOKING AT THAT LENGTH OF TIME TO REVIEW THIS MATTER.
>> WELL --
>> VICTOR CRIST: I DID INCLUDE IN MY MOTION EXPEDITION.
>> YEAH, BUT IF WE SELECT A FIRM, AND THAT FIRM IS NOT ABLE TO MAKE THIS A PRIORITY, THEN WE GOT TO COME BACK AND SELECT ANOTHER FIRM?
>> COMMISSIONERS, I THINK THAT WOULD BE PART OF THE NEGOTIATIONS, SO WE WOULD MAKE CLEAR TO ANY FIRM IN THE NEGOTIATIONS THE IMMEDIATE NEED FOR A PRIORITY ASSIGNMENT AND TO GIVE IT ALL DUE DILIGENCE.
>> SO IF A FIRM SAY TO YOU AT THE MINIMUM IT GOING TO TAKE US ANYWHERE FROM FIVE TO EIGHT MONTHS TO COMPLETE THIS REPORT.
>> THEN YOU MAY WANT TO CONSIDER A DIFFERENT FIRM.
>> HERE'S MY CONCERN.
IF WE'RE GOING TO GO THIS ROUTE, WHICH I'M NOT GOING TO SUPPORT THIS MOTION, I THINK IT'S UNFAIR THAT THIS GENTLEMAN HAVE TO BE GETTING PAID.
I GUESS HE BE SITTING HOME ONLY TO GO ON VACATION, GO TO HAWAII SOMEWHERE AND SIT OUT THERE IN THE SUN, HAVE A GOOD DAMN TIME WHILE WE PAYING HIM ALL THIS MONEY.
>> VICTOR CRIST: THAT SOUNDS PRETTY DAMN FAIR TO ME.
[LAUGHTER]
>> BUT WE ARE LOOKING AT THE INTEGRITY OF A PERSON, THE FAIRNESS AND THE TREATMENT OF THIS INDIVIDUAL.
IT IS A HUMAN BEING WE ARE TALKING ABOUT.
THIS PERSON HAS A FAMILY AND TO SHOW THIS DISRESPECT.
IT'S TOTALLY OUT OF ORDER.
AND I THINK IT'S WHAT WE'RE DOING AND I MEAN, Y'ALL CAN DO WHAT YOU WANT BUT I'M NOT SUPPORTING IT, AND I JUST CAN'T WAIT TILL NEXT MONTH TO SEE THE CHANGES ON THIS BOARD.
>> ALL RIGHT, I BELIEVE COMMISSIONER HAGAN HAD A QUESTION FIRST.
>> I DO SHARE COUNCILMAN REDDICK'S CONCERNS ON THE LENGTH OF TIME IF A REVIEW WAS GOING TO TAKE IN THE NEIGHBORHOOD OF EIGHT MONTHS.
I'D HAVE ISSUES WITH THAT.
CAN WE, DO WE HAVE ANY IDEA AS FAR AS BEST PRACTICES AS FAR AS THE TIME FOR REVIEW. WHAT ARE REASONABLE EXPECTATIONS WE SHOULD HAVE?
>> WHEN I LOOK AT THE ISSUES AND THE SUBJECT MATTER THAT A REVIEWER WOULD LOOK AT, I WOULD SAY 90 DAYS SHOULD BE SUFFICIENT TO DO AT LEAST THE INITIAL REVIEW BASED ON THE

FACT THAT THE RECORDS HAVE BEEN PULLED, THE PUBLIC RECORDS WILL BE PART OF THE FOUNDATION OF WHAT THEY REVIEW NOT LIMITED TO THAT, BUT I WOULD BE DISCUSSING WITH FIRMS A 90-DAY TURNAROUND AND SEE WHETHER THEY THINK THAT'S POSSIBLE ONCE THERE'S BEEN THE OPPORTUNITY TO SIT DOWN AND ACTUALLY TALK TO THEM ABOUT THE SCOPE OF WORK.

>> I'M VERY COMFORTABLE WITH THAT.

I WAS THINKING THREE TO FOUR MONTHS, BUT 90 DAYS IS CERTAINLY REASONABLE.

NEXT QUESTION I HAVE, DO WE NEED TO CONSIDER AN INTERIM OR TEMPORARY EXECUTIVE DIRECTOR?

I MEAN, HOW DOES THAT COME INTO PLAY?

>> IN THE EVENT, COMMISSIONER, THAT YOU WOULD CHOOSE TO MOVE FORWARD WITH THE REVIEW AND TO PLACE YOUR EXECUTIVE DIRECTOR ON AN ADMINISTRATIVE LEAVE WITH PAY STATUS, THEN IT WOULD BE APPROPRIATE FOR THIS BOARD TO APPOINT AN INTERIM EXECUTIVE DIRECTOR DURING THE PENDENCY OF THAT ADMINISTRATIVE LEAVE.

YES.

>> VICTOR CRIST: MR. CHAIRMAN, RESPOND TO THAT.

>> WERE YOU NEXT?

AND THEN AFTER.

>> A COUPLE OF THINGS.

IF IT'S GOING TO TAKE 90 DAYS TO GET A REPORT BACK, I DON'T SEE WHERE WAITING A COUPLE WEEKS FOR AN RFP TO BE PUT OUT AND THOSE SAME PEOPLE CAN BID ON THAT RFP.

I DON'T SEE WHERE THAT WOULD DELAY UNDULY DELAY THE WHOLE PROCESS.

SECONDLY, BY GETTING THE RFP APPROVED AT THE NEXT MEETING, WE ALLOW THOSE PEOPLE WHO ARE NOT HERE TO WEIGH ON WHAT HAS BECOME A VERY IMPORTANT SUBJECT.

LASLY, I SHARE MR. REDDICK'S CONCERNS ABOUT THE PAY AND WILL ALSO MENTION THAT, YOU KNOW, THE PTC IS A PRETTY LEAN OPERATION.

I THINK IT DOES THE PUBLIC A DISSERVICE BY NOT HAVING THE DIRECTOR AT THE DIRECTOR SEAT EVEN WHILE THIS INVESTIGATION IS ONGOING.

I CANNOT SUPPORT PUTTING HIM ON PAID LEAVE KNOWING THAT EVEN IF WE HAVE AN INTERIM DIRECTOR THAT WE'RE A MAN DOWN.

SO I WILL NOT BE SUPPORTING THE SUBSTITUTE MOTION FOR THAT VERY REASON.

>> ALL RIGHT, COMMISSIONER CRIST?

>> VICTOR CRIST: THANK YOU, MR. CHAIRMAN.

WE WOULD NOT BE A MAN DOWN.

IF IT'S THE WILL OF THE BOARD TO MOVE FORWARD WITH AN INTERNAL INVESTIGATION AND TO SELECT FROM THE RECOMMENDED FIRMS THAT YOU'VE BROUGHT FORWARD AND FOR THOSE FIRMS TO GET THE JOB DONE IN A 90-DAY PERIOD OF TIME IN ORDER FOR THIS BOARD TO BE ABLE TO MAKE AN INFORMED DECISION, WE DON'T KNOW WHAT THAT DECISION'S GOING TO BE.

>> NO, WE DON'T.

>> VICTOR CRIST: THE DECISION COULD BE THEY READ THROUGH THOSE E-MAILS AND DON'T SEE ANY RELEVANCE AND MR. COCKREAM COMES BACK AND WE SAY THANK YOU FOR SERVICE AND LIFE CONTINUES.

>> THE ALLEGATIONS COULD BE COMPLETELY UNFOUNDED.

>> VICTOR CRIST: YES, THEY COULD BE, BUT IT IS ALMOST A MANDATE FOR US TO DO OUR DUE DILIGENCE AND HAVE THAT REVIEW.

>> IT WOULD CERTAINLY BE MY ADVICE THAT IS WITH BEST PRACTICES AND CONSISTENT WITH ALL OF THE ADVICE WE GIVE OUR COUNTY AND CONSTITUTIONAL OFFICERS ADVICE CONSISTENT WITH WAYS WE HAVE HANDLED THE MATTERS IN THE COUNTY, YES.

>> VICTOR CRIST: IS THERE, SO WE AREN'T A MAN DOWN, ISN'T THERE A RECOMMENDATION ON WHO COULD IMMEDIATELY STEP INTO THE POSITION OF DIRECTOR OF THIS AGENCY, SOMEONE WHO HAS HAD THE EXPERIENCE OF RUNNING THIS AGENCY FOR 10 MONTHS, AND WHO HAS A STELLAR EXPERIENCE IN CONSUMER PROTECTIONS?

>> AS PART OF MY APPROPRIATION FOR THIS MEETING TODAY TO PROCEED THE PTC WITH AS FULL INFORMATION FOR YOU TO MAKE THOSE DECISIONS PART OF MY PREPARATION WOULD HAVE TO BE NOT TO JUST CREATE A SITUATION, A PROBLEM FOR YOU, BUT TO BE ABLE TO RENDER SOME ADVICE ON A POSSIBLE SOLUTION TO THAT AS WELL.

SO WITH THAT IN MIND I REACHED OUT TO FORMER EXECUTIVE DIRECTOR KEVIN JACKSON WHO HAS INDICATED TO ME WHILE HE IS VERY MUCH ENJOYING HIS RETIREMENT AND IS NOT INTERESTED IN COMING BACK IN ANY KIND OF PERMANENT CAPACITY, BASED ON HIS UNDERSTANDING OF THIS SITUATION AND A LIMITED DURATION HE WOULD BE WILLING TO CONSIDER THAT AS A TEMPORARY ASSIGNMENT.

>> VICTOR CRIST: SO MR. JACKSON WHO RAN THIS AGENCY FOR 10 MONTHS, WHO USED TO HEAD UP THE DEPARTMENT OF CONSUMER AFFAIRS FOR HILLSBOROUGH COUNTY WHO IS CURRENTLY RETIRED AND LIVING IN THE CAROLINAS AND ACTUALLY PROBABLY HIKING IN THE BEAUTIFUL WEATHER, IS

WILLING TO COME BACK FOR A SHORT PERIOD OF TIME TO HELP US OUT AND STAND IN WHILE WE GO THROUGH THIS PROCESS.

>> YES, HE IS WILLING TO DO THAT, COMMISSIONER.

>> A POINT OF ORDER HERE.

I'M HEARING SOMETHING THAT IS SAYING TO ME THIS IS A CONSPIRACY HERE.

YOU TELLING ME THAT YOU HAVE SPOKEN WITH SOMEONE ABOUT THIS POSITION, AND WE HAVEN'T VOTED YET?

Y'ALL HAVE COLLUDED WITH THIS GENTLEMAN, MR. JACKSON OR SOMEONE, KEVIN, AND SAYING HE WILLING TO TAKE THE POSITION?

HELL, WE HAVEN'T VOTED.

HOW ARE WE GOING TO MAKE THE DECISION AND YOU HAVE ALREADY SPOKEN WITH SOMEONE.

>> THAT IS CORRECT, SIR.

>> THIS IS A SHAME.

>> AS PART OF --

>> THIS IS A SHAME.

>> AS PART OF THE ROLE IN PROVIDING EMPLOYMENT ADVICE TO A CLIENT.

>> THIS IS PROFESSIONAL UNETHICAL.

>> VICTOR CRIST: NO, SIR, THIS IS CALLED BEING PREPARED FOR A MEETING AND HAVING ALL THE OPTIONS ON THE TABLE FOR YOUR CONSIDERATION.

>> I'M SORRY, STAFF, I NEED TO ADDRESS THE BOARD.

>> VICTOR CRIST: THERE WAS A LEGITIMATE QUESTION BY MR. HAGAN AND A LEGITIMATE QUESTION BROUGHT UP BY MR. POGORILICH AND IF WE HADN'T DONE DUE DILIGENCE AND HAD AN OPTION FOR YOUR CONSIDERATION, THOSE ISSUES COULD NOT HAVE BEEN ADDRESSED.

IT IS GOOD PREPARATION FOR STAFF TO PREEMPT CONCERNS AND ISSUES OF THE BOARD AND BE PREPARED TO DEAL WITH THEM.

>> I HOPE YOU WILL GO BACK AND READ AND LISTEN TO THIS RECORDING AND SEE HOW YOU SOUND.

OKAY, I HOPE YOU GO BACK AND REVIEW THIS MEETING, SEE HOW YOU SOUND BECAUSE BASED ON WHAT YOU ARE SAYING TODAY, AND BASED ON THE CONVERSATIONS JUST BEEN SHARED WITH US TODAY, IT'S OBVIOUS TO EVERYONE, I DON'T CARE IF YOU'RE PRO OR CON AGAINST THIS ISSUE.

>> THIS WAS ORCHESTRATED.

>> THANK YOU.

>> VICTOR CRIST: WELL, YOU KNOW, I'LL BE HAPPY TO DO THAT, BUT I'M ALSO GOING TO SUGGEST THAT YOU GO BACK AND READ THE E-MAILS SO THAT YOU ARE BETTER INFORMED OF WHAT YOU'RE DEALING WITH BECAUSE YOU HAVE NOT DONE YOUR HOMEWORK OR YOU WOULD NOT BE SAYING THE THINGS THAT YOU ARE SAYING.

>> [SPEAKING OFF MICROPHONE]

>> VICTOR CRIST: MR. CHAIRMAN, THE AUDIENCE PARTICIPATION SECTION IS OVER.

>> SO COMMISSIONERS, AS PART OF THE BEST PRACTICES IN YOUR EMPLOYMENT LAWYER PROVIDING YOU ADVICE, IT'S NECESSARY FOR ME TO RUN DOWN EVERY OPTION, EVERY POSSIBLE QUESTION THAT COULD COME UP AT THE MEETING TODAY AND BE PREPARED WITH SOLUTIONS.

SINCE YOU'RE A PUBLIC BODY AND UNLIKE OTHER DEPARTMENTALS, I FELT IT WAS THE BEST INTEREST OF THE PTC TO HAVE ALL THE NECESSARY COMPONENTS TO MAKE SURE YOU HAVE ALL THE STEPS TO MOVE AND NOT DELAY YOUR ABILITY TO MAKE DECISIONS.

SO THAT'S PART OF THE FULL SERVICE OF LEGAL EMPLOYMENT ADVICE THAT WE PROVIDE TO OUR CLIENTS AND WE FELT THAT THE PTC DESERVED NONETHELESS AS EVERYBODY ELSE WOULD RECEIVE.

>> COUNSEL?

HOW MANY MEETINGS DID YOU HAVE WITH THE CHAIRMAN, AND WHAT WAS THE NATURE OF THOSE DISCUSSIONS?

>> I DID NOT HAVE ANY MEETINGS WITH HIM.

I HAD ONE CONVERSATION AFTER THE COUNTY ATTORNEY ASKED ME TO PROVIDE LEGAL ADVICE.

>> HOW MANY TELEPHONE CONVERSATIONS.

>> THERE WAS ONE.

>> HOW MANY E-MAILS WERE EXCHANGED?

>> NONE.

>> HOW MANY INSTANT MESSAGES?

>> NONE.

>> I WILL JUST SAY THIS.

THIS APPEARS TO BE ORCHESTRATED BY ME, AND I DON'T SEE WHERE PUTTING AN RFP WILL DELAY THIS.

I WILL NOT BE SUPPORTING THE SUBSTITUTE MOTION FOR THOSE REASONS.

SECONDLY, I DON'T BELIEVE THAT THERE'S A NECESSITY TO PUT KYLE COCKREAM ON PAID LEAVE, ESPECIALLY GIVEN IT'S GOING TO BE THREE MONTHS OR MORE, THAT HE HAS DONE A FINE JOB.

HE'LL CONTINUE TO DO A FINE JOB, AND THE OUTCOME WILL BE THE OUTCOME, BUT I DON'T THINK THAT WE NEED TO, THIS IS AMERICA.
YOU'RE INNOCENT UNTIL PROVEN GUILTY.
I THINK PUTTING HIM ON PAID LEAVE SENDS A BAD MESSAGE THAT WE BELIEVE HE'S GUILTY WHEN WE DON'T.

>> IN THE PROCESS OF EMPLOYMENT LAW, PUTTING SOMEONE ON THAT STATUS IS NOT AN INDICATION OF YOUR POSITION ON THE VIABILITY OF THOSE ALLEGATIONS.
IT'S SIMPLY THE AGENCY DECIDING FOR THEIR INTEGRITY THAT IT'S APPROPRIATE TO HAVE THAT REVIEW SO THAT YOU CAN UNDERSTAND WHAT THE ACTUAL FACTS ARE, SUPPORTED OR UNSUPPORTED FOR ANY ACTION IN THE FUTURE.

>> I GUARANTEE THAT'S NOT WHAT'S GOING TO BE THE HEADLINE TOMORROW.
>> THANK YOU VERY MUCH, COMMISSIONER HAGAN.
>> YEAH, JUST A QUICK COMMENT.
I PERSONALLY DO NOT BELIEVE THAT WHAT'S TRANSPIRED HERE THIS MORNING WAS ORCHESTRATED. HAVING WORKED WITH THESE TWO PARTICULAR COUNTY ATTORNEYS FOR 14 YEARS NOW, I CAN TELL YOU THEY ARE EXTRAORDINARILY THOROUGH, AND I'M NOT THE LEAST BIT SURPRISED THAT THEY WOULD THOROUGHLY CONSIDER EACH AND EVERY OPTION THAT'S ON THE TABLE.
THAT BEING SAID, FROM MY PERSPECTIVE, I CAN ABSOLUTELY ASSURE YOU NOTHING WAS ORCHESTRATED, AND I'VE HAD VERY MINIMAL CONTACT WITH EITHER OF THESE ATTORNEYS ABOUT THIS ISSUE.
SO I'M NOT SURPRISED AT ANY AND ALL AVENUES AND OPTIONS WOULD BE CONSIDERED.

>> THANK YOU VERY MUCH, COMMISSIONER CRIST.
>> VICTOR CRIST: THANK YOU VERY MUCH, CHAIRMAN.
YOU AND I HAD ONE BRIEF CONVERSATION WHERE YOU TOLD ME THAT YOU WOULD BE HERE PRESENTING TODAY AND WHY.
>> THAT'S CORRECT.
>> VICTOR CRIST: AND I ASKED YOU WHAT WOULD YOU BE PRESENTING, AND YOU SAID THAT YOU WERE GOING TO BE WORKING ON THAT.
>> CORRECT, BECAUSE IT WAS AN IMMEDIATE NOTICE ISSUE FOR ME, AND AFTER GETTING THE ASSIGNMENT FROM THE COUNTY ATTORNEY, THEN I WENT ABOUT PREPARING AS BEST I COULD TO ADVISE THE PTC ON ALL OF YOUR OPTIONS FOR CONSIDERATION UNDERSTANDING THAT ANY JUNCTURE YOU COULD CHOOSE TO ACCEPT OR NOT ACCEPT A RECOMMENDATION, BUT IF YOU MOVE TO EACH NEXT LEVEL, I HAD TO BE PREPARED WITH MY BEST ADVICE FOR YOU.
>> VICTOR CRIST: HOW LONG AGO WAS THAT PHONE CALL?
>> I BELIEVE IT WAS AT THE END OF LAST WEEK.
>> VICTOR CRIST: OKAY AND HOW LATE WERE YOU HERE LAST NIGHT?
YOU MENTIONED YOU WERE HERE LATE IN PUTTING ALL OF THIS TOGETHER FOR TODAY'S MEETING.
>> ABOUT 8:45.
>> VICTOR CRIST: OKAY, WAS I HERE?
>> I DON'T KNOW IF YOU WERE OR NOT.
>> VICTOR CRIST: OKAY.
I GUARANTEE YOU I WASN'T.
YOU KNOW, THE SELECTION OF AN INTERIM DIRECTOR, I REALLY DIDN'T GIVE THAT MUCH THOUGHT.
I JUST ASSUMED THAT SOMEONE INTERNALLY WOULD TAKE OVER THAT POSITION; AND MS. OSTER WAS THE ONE WHO BROUGHT TO MY ATTENTION THAT THAT WOULD NOT BE CONSIDERED BEST PRACTICES SINCE THERE WERE IMPLICATIONS THAT RAN DEEP INTO THE ORGANIZATION, AND THAT THE DIRECTOR AND THE ORGANIZATION WOULD BE REVIEWED.
AND RECOMMENDED TO ME THAT AN OUTSIDE PERSON, PREFERABLY WITH EXPERIENCE, BE FOUND.
AND ISN'T IT TRUE, MS. OSTER, YOU WERE THE ONE WHO RECOMMENDED TO ME THAT WE LOOK AT KEVIN JACKSON?
>> I THINK WE DISCUSSED SEVERAL DIFFERENT OPTIONS.
KEVIN BEING ONE OF THE OPTIONS, BECAUSE OF HIS PAST EXPERIENCE WITH THE AGENCY.
>> VICTOR CRIST: OKAY.
SO IT WASN'T MY IDEA.
>> COMMISSIONER?
>> YEAH, ONE OTHER POINT, IF I'M NOT MISTAKEN, IN THE PAST, WHEN WE HAD AN ISSUE THAT ENDED UP BEING WE HAD AN INTERIM EXECUTIVE DIRECTOR, DIDN'T WE APPOINT I THINK IT WAS TOMARGO, WASN'T HE THE PERSON THAT STEPPED IN FOR A WHILE OR NOT?
>> I THINK YOU'RE TALKING ABOUT THE FORMER DIRECTOR MR. PADILLA, AND MR. TOMARGO DID STEP IN FOR A VERY SHORT PERIOD UNTIL THERE WAS --
>> 30 DAYS.
>> AN ABILITY TO CONTRACT WITH MR. JACKSON FOR A LONGER TERM INTERIM ROLE.

>> OKAY, AGAIN, COMING IN I DIDN'T HAVE ANY, DIDN'T CONSIDER AN INTERIM OR HOW THAT WOULD WORK.

I JUST, MEMORY TELLS ME THAT WE DID HAVE SOMEONE INTERNALLY STEP INTO THAT ROLE. I WASN'T SURE FOR HOW LONG IT WAS, BUT I CAN SEE THE POINT THAT COMMISSIONER CRIST MADE THAT IF THE CONCERNS GO BEYOND EXECUTIVE DIRECTOR, AND THROUGH THE ENTIRE ORGANIZATION, THEN I GUESS IT WOULD MAKE SENSE NOT TO UTILIZE SOMEONE INTERNALLY, BUT I'LL LET THAT BE THE RECOMMENDATION OF COUNTY ATTORNEY'S OFFICE.

>> ALL RIGHT, THANK YOU VERY MUCH.

I BELIEVE WE HAD AN ORIGINAL MOTION THAT WAS NOT VOTED ON BY COUNCIL.

>> VICTOR CRIST: WE HAVE A SUBSTITUTE NOW WE ARE VOTING ON TO THAT ORIGINAL MOTION.

>> OKAY, SO WE HAVE A MOTION BY COUNCILMAN POGORILICH WITH A SECOND BY COUNCIL REDDICK, RIGHT?

ALL RIGHT.

WE SUBSTITUTE MOTION BY COMMISSIONER CRIST.

>> VICTOR CRIST: AND A SECOND BY --

>> SECOND BY COMMISSIONER HAGAN, SO ALL IN FAVOR OF THAT MOTION, INDICATE BY SAYING AYE.

THOSE NOT IN FAVOR?

THE MOTION FAILS 3-2.

>> VICTOR CRIST: MR. CHAIRMAN, I RESPECTFULLY REQUEST A ROLL CALL VOTE BECAUSE OF THE NATURE OF THE SUBJECT.

I DON'T THINK ANYBODY HERE REALLY HAS A NEED TO HIDE BEHIND WHAT THEIR VOTE IS.

>> ALL RIGHT, WE CAN TAKE A ROLL CALL VOTE BEGINNING WITH COUNCILMEMBER REDDICK.

>> NAY.

>> YEA.

>> AND COMMISSIONER HAGAN?

AND I MYSELF AM VOTING NO.

MOTION FAILS.

>> OKAY, SO WE'RE BACK TO MY MOTION.

>> ALL RIGHT, IF YOU COULD PLEASE RESTATE YOUR MOTION.

>> MOTION WAS THAT WE PUT TOGETHER A SCOPE FOR AN RFP TO BE VOTED ON BY THE FULL COMMISSION AT THE NEXT REGULAR MEETING, AND THEN ONCE THAT RFP SCOPE IS VOTED ON, THE RFP GO OUT AND THAT RFP BE VOTED ON AFTER NEW LEADERSHIP IS PICKED AT THE NEXT REGULAR MEETING, WHICH HAS PREVIOUSLY BEEN SCHEDULED.

>> ALL RIGHT, WE HAVE A MOTION BY COUNCILMEMBER POGORILICH, DO WE HAVE A SECOND?

>> YEAH, I'LL SECOND.

>> WE HAVE A SECOND BY COUNCILMAN REDDICK.

ALL IN FAVOR OF THE MOTION, PLEASE INDICATE BY SAYING AYE.

THOSE NOT IN FAVOR?

MOTION PASSES 3-2.

>> ALL RIGHT.

[APPLAUSE]

>> VICTOR CRIST: ALL RIGHT, SEEING THAT WE HAD A MOTION AND AN ACTION TAKEN BY THE BOARD TODAY, ANY OTHER FURTHER ACTIONS ON HERE WOULD PROBABLY NOT BE NECESSARY.

I AM GOING TO REFER TO OUR COUNTY ATTORNEY.

>> IF I UNDERSTAND THE MOTION THAT PASSES, THERE IS A DESIRE TO CREATE A SCOPE FOR REQUEST FOR PROPOSAL TO GO OUT TO AN INVESTIGATIVE ENTITY TO CONDUCT AN INVESTIGATION. I THINK THE ANCILLARY ISSUE TO THAT, AND I CAN CERTAINLY DEFER TO MS. TAR ABOUT THE SPECIFICS OF THAT, IS IF IT APPEARS THAT AN INVESTIGATION IS GOING TO ENSUE OR AN INTERNAL REVIEW IS GOING TO ENSUE THE ISSUE OF ADMINISTRATIVE LEAVE WITH PAY MAY STILL BE AN OPTION AVAILABLE WHILE THERE IS AN ACTION UNDERTAKEN TO OBTAIN THE FIRM TO CONDUCT THAT, SO MS. TAR?

>> COMMISSIONERS, IT'S COMPLETELY AT YOUR PLEASURE.

WHAT I'VE SAID BEFORE IS BEST PRACTICES IS WHEN THERE IS AN INITIATION OF A REVIEW OF ALLEGATIONS, IT IS BEST PRACTICES THAT YOU PLACE THAT EMPLOYEE ON ADMINISTRATIVE LEAVE WITH PAY.

>> VICTOR CRIST: OKAY.

>> DIDN'T WE JUST VOTE DOWN A MOTION THAT INCLUDED THAT PROVISION?

>> YES, WE DID.

>> SO THERE IS NO NEED TO EVEN TAKE THIS UP AGAIN.

WE JUST VOTED THAT DOWN AS A PART OF A MOTION.

>> I BELIEVE MS. OSTER WAS GIVING YOU THE CONSIDERATION FOR GOING FORWARD SINCE YOU ARE GOING TO DO --

>> WELL, WE ALREADY VOTED IT DOWN.
THERE IS NO NEED TO EVEN DISCUSS IT.
WE ALREADY VOTED THIS DOWN.
WE NEED TO MOVE FORWARD, AND --
>> I MOVE WE ADJOURN.
>> MR. CHAIRMAN?
>> I SECOND.
>> VICTOR CRIST: I MAKE THE MOTION THAT UNTIL THE REPORT CAN BE CONDUCTED AND VIEWED
AND CONSIDERED BY THIS BOARD THAT WE FOLLOW WHAT THE ATTORNEYS ARE RECOMMENDING IS
BEST PRACTICES, AND THAT'S PUT OUR EXECUTIVE DIRECTOR ON A PAID LEAVE OF ABSENCE.
>> WE HAVE A MOTION ON THE TABLE.
DO WE HAVE A SECOND?
THERE'S NO SECOND.
THE MOTION DIES.
>> I MOVE THAT WE ADJOURN.
>> WE ARE ADJOURNED THEN.