

**PUBLIC TRANSPORTATION
COMMISSION MEETING MINUTES**

Wednesday, November 9, 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.

Councilman Pogorilich motioned to move items A and B under New Business up on the agenda right after Audience Participation, it was seconded by Councilman Reddick. Final vote 3-3, motion fails.

III. AUDIENCE PARTICIPATION

Audience participation was given 30 minutes (1 minute 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. *Stephanie Smith*
- B. *Thomas Smith*
- C. *Bryan Chapman*
- D. *Topher Morrison*
- E. *Louie Minardi*
- F. *James*
- G. *Fassil Gabremariam*
- H. *Seth Mills*
- I. *Thomas Halsnik*
- J. *Anthony Huffman*
- K. *John Weizerwski*
- L. *Ben Ritter*
- M. *Jeff Lukas*
- N. *Chuck Levack*
- O. *Justin Morgaman*
- P. *Brook Negusei*

- Q. *John Leslie*
- R. *Richard Mangan*
- S. *Eric Slate*
- T. *Justin Riley*
- U. *Gerald Davis*
- V. *Dave Shaw*
- W. *Valerie Powell*
- X. *Joseph Wesowski*
- Y. *Susan Elizabeth Hinson*

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

IV. CONSENT ITEMS

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

Councilman Pogorilich Motioned to approve scheduling the March 2017 PTC board meeting on the 29th, it was seconded by Councilman Maniscalco, and unanimously approved.

V. ATTORNEYS REPORT

A. Legislative Council - Update

Mrs. Oster advised the board “it is the our office’s recommendation that this commission retain outside counsel with expertise in legislative matters to advise this commission before the legislative session and during the legislative session regarding that proposed legislation”. Mrs. Oster spoke to the below three firms.

- *Manson Bolves Donaldson Varn*
- *Broad and Cassel – Mark Barber declined representation due to conflict of interest under the Florida bar rules*
- *Levine and Stivers*

Commissioner Crist passes the gavel to Councilman Pogorilich.

Commissioner Hagan motioned to approve obtaining outside council with Levine & Stivers along with putting a cap on the contract of \$20,000, it was seconded by Commissioner Crist, and unanimously approved. (closed)

B. Change in Legal Counsel

Mrs. Oster advised the board they “will be coming back with a recommendation for a long term solution for potentially replacing legal counsel for this board whether it be general, litigation counsel”. (open)

VI. OLD BUSINESS

A. Commissioner Crist’s Proposal – Uber & Lyft Settlement Agreements

Commissioner Crist passes the gavel to Commissioner Hagan.

Commissioner Crist motioned to “move forward with these two temporary operating agreements and we direct our attorneys to go ahead and file them with the courts to close out the settle agreements, it was seconded by Councilman Maniscalco. Final vote, 4-3, motion passes. (closed)

B. Proposed TNC Rule Changes/Public Hearing

Commissioner Crist passes the gavel to Commissioner Hagan.

Commissioner Crist motioned to “pass the rules on an emergency basis, secondly is to put together TOA’s for all the other affected parties”.

Public Hearing was given 5 minutes per speaker:

- *Thomas Smith*
- *Seth Mills*
- *Stephanie Smith*
- *Steve Anderson*

Commissioner Crist passes the gavel to Councilman Pogorilich.

Commissioner Crist amended his motion to pass the rules on an emergency & permanent basis, TOA’s for all other affected parties, delegate the authority to the Executive Director to issue taxicabs the ability to operate as TNC’s, and add the findings to support the rules on an emergency & permanent basis, seconded by Councilman Maniscalco, and unanimously approved.

Commissioner Crist passes the gavel back to Councilman Pogorilich.

Commissioner Crist motioned to “direct staff to move forward in working with parties involved to bring back a recommendation for a temporary operating agreement for everyone else wishing to enter into the TNC ride sharing business”, seconded by Councilman Maniscalco, and unanimously approved.

VII. NEW BUSINESS

A. Election of Officers

Commissioner Hagan motioned to have Commissioner Higginbotham as the new Chairman, it was seconded by Commissioner Kilton, and unanimously approved.

Commissioner Crist passes the gavel to Councilman Pogorilich.

Commissioner Crist motioned to have Commissioner Kilton as the new Vice-Chair, it was seconded by Councilman Maniscalco, and unanimously approved.

Commissioner Crist motioned to have Councilman Maniscalco as the new Treasurer, it was seconded by Commissioner Kilton, and unanimously approved.

Commissioner Crist motioned to have Councilman Pogorilich as the new Secretary, it was seconded by Commissioner Kilton, and unanimously approved.

B. Commission Appointed Positions up for Discussion

1. Finance & Audit Committee Members

a. Current Members

Commissioner Higginbotham

Commissioner Hagan

Councilman Reddick

Ex-officio – Commissioner Crist

2. Rules & Policy Committee Members

a. Current Members

Councilman Pogorilich
Councilman Maniscalco
Commissioner Kilton
Ex-officio – Commissioner Crist

C. Presentation to Outgoing Chairman/Closing Remarks by Outgoing Chairman

Commissioner Crist gave his closing remarks and passes the gavel to Commissioner Higginbotham.

D. RFP for New Legal Counsel

Mrs. Oster advised the board that an RFP for services will be brought back before this commission for approval. (open)

E. RFP for Outside Firm to Conduct Independent Review

Councilman Pogorilich motioned to approve the process for the RFP, it was seconded by Commissioner Kilton.

Mrs. Tarr advised the board of three items needed for the RFP.

- *Appoint Mrs. Jennie Tarr as Coordinator*
- *Budget of \$48,000 - \$75,000*
- *Request legal counsel from each government agency be a part of the RFP review.*

Commissioner Crist motioned to approve, is was seconded by Councilman Pogorilich, and unanimously approved. (open)

F. Renewal of Directors Contract

Councilman Pogorilich motioned to approve extending the Directors contract, is was seconded by Commissioner Crist.

Mr. Cockream advised the board he has no intention of renewing his contract as Director. Contract ends on December 31, 2016.

G. Public Hearings

1. Limousine Certificate

a. Just Transport for Health, Inc.

Hearing Officer Jeffrey Fuller recommends granting Just Transport for Health, Inc. a limousine certificate and three permits.

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

2. Van Certificate

a. Jim Shepherd Transportation, LLC.

Hearing Officer troy Lovell recommends granting Jim Shepherd Transportation, LLC. a van certificate and two permits.

Councilman Pogorilich motioned to approve the hearing officers recommendation, is was seconded by

Councilman Maniscalco, and unanimously approved. (closed)

Councilman Reddick announced he is resigning his position immediately as a member of the PTC board.

VIII. ADJOURNMENT

Commissioner Higginbotham adjourned the meeting at 11:45 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.hillsboroughcountypc.com

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