

**PUBLIC TRANSPORTATION
COMMISSION MEETING MINUTES**

Wednesday, December 14, 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 Al Higginbotham at 9:04 a.m. The following members were present:

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| <i>Al Higginbotham, Chair</i> | <i>Board of County Commissioner</i> |
| <i>Nate Kilton, Vice-Chair</i> | <i>Plant City</i> |
| <i>David Pogorilich, Secretary</i> | <i>Temple Terrace</i> |
| <i>Guido Maniscalco, Treasurer</i> | <i>City of Tampa</i> |
| <i>Lesley "Les" Miller, Jr.</i> | <i>Board of County Commissioner</i> |
| <i>Ken Hagan</i> | <i>Board of County Commissioner</i> |
| <i>Cindy Oster</i> | <i>Senior Assistant County Attorney</i> |
| <i>Kyle Cockcream</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 Miller, and the swearing in of witnesses was administered by Chief Inspector Brett Saunders.

Councilman Maniscalco motioned to approve the agenda, it was seconded by Commissioner Kilton.

III. AUDIENCE PARTICIPATION

Audience participation was given 45 minutes (3 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. Steve Anderson – Passed*
- B. Thomas Smith*
- C. Seth Mills*
- D. Reggie Wood*
- E. Brook Negusei*
- F. Marcus Carter – Not present at time of being called*
- G. Steve Anderson*
- H. Louis Minardi*
- I. Marcus Carter*

IV. CONSENT ITEMS

Councilman Pogorilich motioned to approve consent items, it was seconded by Commissioner Miller, and unanimously approved. (Closed)

V. ATTORNEYS REPORT

A. Pending Litigation Involving Drive Society et Al vs. PTC

Mrs. Oster advised the board the pending litigation case was assigned to Judge Levins. A motion was filed to transfer the case to Judge Huey. Judge Levins granted the transfer. Holland & Knight filed a motion on behalf of the PTC to dismiss the case, that hearing will be heard January 5, 2017. (Open)

B. Levine & Stivers

1. Modification to Existing Contract

2. Legislative Counsel – New Contract

Commissioner Kilton motioned to approve the modification to increasing the cap for Levine & Stivers from \$25,000 to \$100,000, and the new contract for Legislative Services, it was seconded by Councilman Maniscalco, and unanimously approved. (Closed)

C. RFP for Legal Services

Mrs. Oster advised the board on the specifications listed in the RFP for legal services.

Commissioner Miller motioned to move forward with the RFP proposal, it was seconded by Councilman Pogorilich, and unanimously approved. (Open)

D. Holland & Knight Agreement

Mrs. Oster advised the board there is no cap on the Holland & Knight contract. The County's "Procurement Department requires a cap on the purchase order to be able to pay the bills for those services". PTC requested a cap of \$100,000.

Councilman Pogorilich motioned to approve the cap of \$100,000, it was seconded by Councilman Maniscalco, and unanimously approved. (Closed)

VI. OLD BUSINESS

A. 2017 PTC Meeting Schedule

Councilman Maniscalco motioned to approve the scheduled FY17 Board dates to include March 29, 2017, and July 26, 2017, it was seconded by Councilman Pogorilich. (Closed)

B. TNC Emergency Rules

Councilman Pogorilich motioned to reapprove the TNC Emergency Rules, it was seconded by Commissioner Kilton. (Open)

C. Slow Moving Vehicles

Mr. Cockream recommended to the board a draft of the rules be brought back before the Board in January. (Open)

VII. NEW BUSINESS

A. Commission Appointed Positions up for Election

Postponed to January. (Open)

B. B2 Communications – Update

Mr. Parks gave a brief update to the Board on how they are informing the public of different options they have to keep people from drinking and driving, and tips on how to avoid getting their vehicle towed. B2 Communications also reached out to five local Law Enforcement Agencies, and advised them the PTC regulates the wrecker industry, and are there to help if a person is wrongfully towed.

C. Company Revocation Hearing – January 12, 2017

Mr. Cockream advised the Board of the upcoming Company Revocation Hearing will be held at 4148 North Armenia Avenue, Suite A, on January 12, 2017, between 9:00 a.m. – 12:00 p.m.

D. Reconsideration Appeals for Company Certificate/Permit(s)

Mr. Cockream advised the Board of three companies that were revoked during the September 2016 Board meeting. Those three companies are I & M Tampa Transportation, Five Star Airport Service, and Airport Express. They are requesting their Certificate be reinstated.

Councilman Pogorilich motioned to approve reinstating the company's certificate, is was seconded by Councilman Maniscalco, and unanimously approved. (Closed)

Mr. Cockream presented Councilman Pogorilich with a plaque for his commendable time as Vice-Chairman of the PTC. Mr. Cockream stated "It's been nothing short of an honor to serve under you, and I appreciate your Professionalism, I appreciate your guidance, and my staff and I are both very thankful to you".

E. Public Hearings

1. Limousine Certificate

a. Showtime Transportation of Tampa

Showtime Transportation of Tampa has applied for ten additional unrestricted limousine permits. Hearing Officer Jeffrey Fuller recommends granting the ten additional permits.

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

2. Taxicab Certificate

a. Express Taxi

Express Taxi has applied for a Taxicab Certificate of Public Convenience and Necessity (COPCN). Hearing Officer Bruce Cury recommends granting the COPCN.

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

b. Ethio Taxi

Ethio Taxi has applied for a Taxicab Certificate of Public Convenience and Necessity (COPCN). Hearing Officer Jeffrey Fuller recommends this application be postponed indefinitely.

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

F. Public Vehicle Driver's License Denial Appeals

1. Terrence Joiner – Represented by Jeremy Jenkins, His & Hers Limousine

Mr. Joiner was not present for his appeal. Commissioner Miller motioned to deny Mr. Joiner's PVDL, it was seconded by Councilman Pogorilich, and unanimously approved. (Closed)

2. Gabriel Flores-Vega – Represented by Bryan Stark, Starks Towing

Mr. Flores-Vega was not present for his appeal. Commissioner Miller motioned to deny Mr. Flores-Vega's PVDL, it was seconded by Councilman Pogorilich, and unanimously approved. (Closed)

3. Randy Lawson – Represented by A. Huffman, B & D Towing & Recovery
Mr. Lawson was not present for his appeal. Commissioner Miller motioned to deny Mr. Lawson's PVDL, it was seconded by Councilman Pogorilich, and unanimously approved. (Closed)

4. Sergio Giardini – Represented by Carlos Cruz, Blue One
Mr. Giardini was present for his appeal. Commissioner Miller motioned to approve Mr. Giardini's PVDL, it was seconded by Councilman Pogorilich, and unanimously approved. (Closed)

5. Ryan Anthony – Represented by Stephen Marginelli, LimoX
Mr. Anthony was present for his appeal. Commissioner Miller motioned to approve Mr. Anthony's PVDL, it was seconded by Councilman Pogorilich, and unanimously approved. (Closed)

6. Robert Howell – Represented by David Brewington, Brewington's Towing
Mr. Howell was present for his appeal. Commissioner Miller motioned to approve Mr. Howell's PVDL, it was seconded by Councilman Pogorilich, and unanimously approved. (Closed)

G. Waiver Request - The Entourage Tours
Commissioner Miller motioned to approve the waiver request submitted by The Entourage Tours to permit a 2010 Ford Expedition, it was seconded by Councilman Pogorilich, and unanimously approved. (Closed)

Councilman Pogorilich motioned to have Mrs. Oster review the State Statue to see if they are able to reimburse Mr. Cockcream for his legal fees in the amount of \$4062.62, and bring it back to the board for a motion, it was seconded by Commissioner Miller. (Open)

VIII. ADJOURNMENT

Commissioner Higginbotham adjourned the meeting at 10:25 a.m.

Kimberly Kerwin

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.hillsboroughcountyptc.com

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