

**PUBLIC TRANSPORTATION
COMMISSION MEETING MINUTES**

Wednesday, March 29, 2017
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:

<i>Al Higginbotham, Chair</i>	<i>Board of County Commissioner</i>
<i>Nate Kilton, Vice-Chair</i>	<i>Plant City</i>
<i>Guido Maniscalco, Treasurer</i>	<i>City of Tampa</i>
<i>Luis Viera</i>	<i>City of Tampa</i>
<i>David Pogorilich</i>	<i>Temple Terrace</i>
<i>Lesley "Les" Miller</i>	<i>Board of County Commissioner</i>
<i>Ken Hagan</i>	<i>Board of County Commissioner</i>
<i>Kevin Jackson</i>	<i>Transitional Executive Director</i>
<i>Cindy Oster</i>	<i>Senior Assistant County Attorney</i>
<i>Kimberly Kerwin</i>	<i>Administrative Specialist II</i>

II. INVOCATION, PLEDGE OF ALLEGIANCE & AGENDA

The invocation and pledge was given by Commissioner Kilton, and the swearing in of witnesses was administered by Kimberly Kerwin.

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

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. Dave Shaw*
- B. Louis Minardi*
- C. Thomas Halsnik*
- D. Steve Anderson – Waived until Item VII.A. TNC Emergency – Permanent Rules*

IV. CONSENT ITEMS

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

V. ATTORNEYS REPORT

- A. Status Update – Drive Society, Inc., et al v. PTC*

Mrs. Oster advised the board they "have received from outside council a proposed settlement offer by Mr. Mills on behalf of his client". Settlement consists of "PTC would agree to pay the plaintiff's \$65,000 within 10 days of the approval of the settlement. PTC would enter into a temporary operating agreement with the plaintiff's within 10 days of the approval of the settlement. On the same terms and conditions as Lyft and Uber with the exception of fee per vehicle." Insurance requirements would stay the same as Lyft and Ubers. "The complaint would be dismissed with prejudice upon the funds clearing the trust account, each side would bear their own fees and costs". Mrs. Oster recommends rejecting the settlement offer to

the board.

Commissioner Higginbotham passes the gavel to Commissioner Kilton. Commissioner Higginbotham motioned to accept Attorney's recommendation. Commissioner Kilton passes the gavel to Councilman Maniscalco. Commissioner Kilton seconded the motion in accepting the Attorney's recommendation.

Final vote:

Ayes – Commissioner Higginbotham, Commissioner Miller, Commissioner Kilton, & Councilman Veira.

Nays – Councilman Maniscalco, Councilman Pogorilich, & Commissioner Hagan.

Motion passes. (Closed)

Mrs. Oster advised the board “that doesn't mean that settlement negotiations cannot continue at some point going forward, it's just our belief that the deal breaker was essentially the monetary figure they were asking for”.

VI. DIRECTORS REPORT

A. PTC Staffing and Resources

Mr. Jackson informed the board that the PTC is operating with the complete Administrative staff, and a 50% reduction in inspectors. PTC has five company vehicles that are not in use. Three company vehicles have been moved to Hillsborough County Fleet Management for an annual inspection and to be stored in a safe location. PTC's financial resources should be able to support the agency until the end of the year, not to include any legal fees which are unknown at this point.

B. PTC Transition – Update

1. BLS Meeting

Mr. Jackson briefed the board of discussions he has had with the BLS industry, and all are in support in transitioning the BLS section into the Emergency Medical Planning Council and Transportation Ordinance of Hillsborough County.

2. Taxicab/Limousine Meeting

Mr. Jackson advised the board he has been working with the taxicab, limo, van, and handicab industry for their input on transitioning their services to the County under some sort of ordinance. Mr. Jackson is also in communication with the County Administrator, Doug Beldon, and Dexter Barge to keep everyone informed on the status of the ordinance.

3. Towing Association Luncheon and Request for Recommendations

Mr. Jackson advised the board he has met with towing companies and Steve Michelini in regards to transitioning into the county.

4. Meeting with County Administrator and Other County Stakeholders

Mr. Jackson informed the board his focus and duty is to assist in a fluid transition of PTC into Hillsborough County assuming Tallahassee dissolves the PTC.

5. Matt Blair – Legislative Affairs

Mr. Jackson briefed the board with an update from Matt Blair the PTC's Lobbyist. Mr. Blair's evaluation of the current TNC Bill in Tallahassee will most likely pass, which will cause the dissolution of the Special Act.

Councilman Maniscalco motioned to accept report, it was seconded by Commissioner Kilton, and unanimously approved.

VII. OLD BUSINESS

A. TNC Emergency – Permanent Rules

Audience Participation resumes with the below individuals:

1. *Steven Anderson*
2. *Thomas Smith*
3. *Louie Minardi*

Mrs. Oster advised the board of two items up for consideration:

1. *Stay or renew the adoption of the Emergency Rules.*
2. *Adopt or stay the Permanent Rules until after the Legislative Session.*

Commissioner Miller motioned to approve the emergency rules, and stay the permanent rules until after the legislative session. It was seconded by Commissioner Hagan.

Mrs. Oster advised the board the following language to be included into the motion to protect appellate rights:

“Move to abate or stay all action in furtherance of the adoption and certification of the permanent TNC Rules until the current legislative session ends, provide Lyft and Uber agree to toll any time frames and periods associated with the processing of those permanent rules under Florida’s Administrative Procedures Act, and waive any defense or claim asserting a failure of the PTC to timely take action in furtherance of adoption and certification of those permanent rules, which defense claim would be available but for the tolling of the time periods agreed to herein”.

Commissioner Miller withdrew his original motion, then motioned to include all the language from the County Attorney Mrs. Oster, it was seconded by Councilman Maniscalco.

VIII. NEW BUSINESS

A. Proposed FY 17 Permit Fee Reduction for Taxicab, Limousine and Vans

Mr. Jackson recommended to the board reducing the FY 17 permit fees to only 10% of the original cost. All Certificate Holders who have not paid would have until May 1, 2017 to pay the reduced rate. Any Certificate Holder who has already paid, will receive a refund on the amount overpaid.

Councilman Maniscalco motioned to approve Mr. Jackson’s recommendation, it was seconded by Councilman Pogorilich, and unanimously approved. (Closed)

B. Yellow Cab Request for “Origination Fee” or “Special Rate” under Chapter 1-9.001

Yellow Cab is requesting the board approve an Origination Fee or Special Rate in order to charge up to a \$5.00 additional fee during special events, or specific locations (Airport, Seaport).

Councilman Pogorilich motioned to approve an Origination Fee or Special Rate under 1-9.001, it was seconded by Councilman Maniscalco. (Closed)

Councilman Pogorilich motioned to waive the 60 day notice, it was seconded by Councilman Maniscalco. (Closed)

C. Waiver Request

1. Yellow Cab – 2006 Dodge Caravan

Councilman Maniscalco motioned to approve waiver requests for the 2006 Dodge Caravan, is was

seconded by Councilman Pogorilich, and unanimously approved. (Closed)

2. Yellow Cab – 2011 Nissan Altima

Councilman Maniscalco motioned to approve waiver requests for the 2011 Nissan Altima, is was seconded by Councilman Pogorilich, and unanimously approved. (Closed)

3. United Cab of Tampa – 2005 Ford Crown Victoria

Councilman Maniscalco motioned to approve waiver requests for the 2005 Ford Crown Victoria, is was seconded by Councilman Pogorilich, and unanimously approved. (Closed)

D. Public Hearings

1. Limousine Certificate

a. Affordable Medical Transportation, LLC

Councilman Pogorilich motioned to approve hearing officer's recommendation for a company certificate and 2 Non-Luxury Limousine permits, it was seconded by Councilman Maniscalco, and unanimously approved. (Closed)

2. Van Certificate

a. SuperVan Ride Sharing Services, LLC

Councilman Maniscalco motioned to approve hearing officer's recommendation for a company certificate and 1 van permit, it was seconded by Councilman Pogorilich, and unanimously approved. (Closed)

E. Public Vehicle Driver's License – Applicant Review

1. Tyree Strickland – Represented by Christopher Mays, Mayko Services

Councilman Pogorilich motioned to approve Mr. Strickland's PVDL with a six month probation period, it was seconded by Councilman Viera, and unanimously approved. (Closed)

IX. ADJOURNMENT

Commissioner Higginbotham adjourned the meeting at 10:07 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.hillsboroughcountypctc.com

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