

A G E N D A

PUBLIC TRANSPORTATION COMMISSION

WEDNESDAY, AUGUST 8, 2007

COUNTY COMMISSIONERS' BOARD ROOM

601 E. KENNEDY BLVD., 2ND FLOOR

9:00 A.M.

I. CALL TO ORDER

The meeting of the Public Transportation Commission was called to order by Chairman Kevin White at 9:14 a.m. The following Commission members were present:

*Chairman Kevin White,
Commissioner Ken Hagan
Commissioner Ken Raulerson
Councilman Frank Chillura
Councilman Thomas Scott
Councilman Joseph Caetano*

*Board of County Commissioners
Board of County Commissioners
City of Plant City
City of Temple Terrace
City of Tampa
City of Tampa*

Commissioner Brian Blair was absent due to scheduling conflicts. Chairman White welcomed Commissioner Raulerson to the PTC.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Ken Hagan led the Commission in the invocation and pledge of allegiance.

III. SWEARING IN OF WITNESSES

Chairman Kevin White performed a mass swearing in of the witnesses wishing to speak before the Commission.

IV. AUDIENCE PARTICIPATION

Kleanthis Andreadakis, former general manager of Executive Motion addressed the PTC. He stated that he was run out of the business by the PTC under the control of Mr. Cox. He spoke about the article that was written by reporter, Mike Deeson, of Channel 10 News, wherein a van driver made allegations against Mr. Cox. He said that what happened to the van driver was not an isolated incident and that Mr. Cox had also intervened in Mr. Andreadakis doing business with and driving for other companies by calling them and scaring them.

George Vallee, President of Airport Limo of Tampa Bay spoke next. He spoke about the waiver on the agenda that would allow a hybrid to be a luxury vehicle. He wanted to go on record that he was against the hybrid vehicle, Toyota Prius, being considered a luxury vehicle.

Charles Smalling, a Yellow Cab driver, stated that although he has approached the PTC many times about Mr. Cox, he feels that Mr. Cox doesn't regulate enough and that he is in defense of Mr. Cox.

Ndidi Osuji, a van driver, asked to bring his issue before the PTC. He says that he has been blackballed by Mr. Cox and his inspectors. He stated that Mr. Cox is preventing him from going business with other limousine and van companies by putting pressure on them and threatening to pull their certificates if they do business with him. He also said that he is the victim of selective enforcement and that his passengers have been harassed by the PTC inspectors. He said that he feels that the PTC office should be investigated.

- V. REPORTS – For receipt and filing.
 - A. Inspector’s Report – June 2007
 - B. Fiscal Year Status Report

Motion to receive and file the reports was made by Councilman Scott, seconded by Councilman Chillura and carried unanimously.

VI. CONSENT ITEMS

- A. June 13, 2007 Public Transportation Commission meeting minutes
- B. Approval of Public Vehicle Driver’s Licenses – June, 2007
- C. Administrative Change Application for Ownership Change from Caribe Bus, LLC.
- D. Administrative Change Application for Ownership Change from Luxor Transportation Corp.

Motion to approve the consent agenda was made by Councilman Chillura, seconded by Commissioner Lott and carried unanimously.

VII. ATTORNEY’S REPORT

No attorney’s report was filed.

VIII. OLD BUSINESS

- A. Waiver Request – (requires 5 affirmative votes) Request from TB Limo for waiver of Rule 1.15 (definition of limousine) requesting that a Toyota Prius Hybrid be permitted as a luxury vehicle. *Deferred from the 7/11/07 PTC meeting*

Mr. Cox stated that based on his interpretation of the rules, the Toyota Prius is not a luxury vehicle and recommended disapproval of the request. Moshe Leib addressed the PTC regarding the Waiver requesting that the PTC waive the definition of limousine to include a Toyota Prius Hybrid vehicle in his fleet. Mr. Leib described his business as a prearranged airport transportation service which is an integral part of interstate travel and cited Federal Statute Title 49, Section 13102, stating that taxicabs do not primarily service airports. He said that the waiver was submitted so that TB Limo would be able to use energy-efficient transfers from “transportation hubs” in Tampa. He stated that some of the luxury cars are 3.2 inches shorter than the Toyota Prius and 3.2 inches less in leg room in the back.

Chairman White asked if Mr. Leib had pictures of the vehicle and if it had any special features and Mr. Leib said that it had black leather seats.

Councilman Scott moved to proceed with staff's recommendation of denial of the waiver of a Toyota Prius being classified as a luxury vehicle, it was seconded by Councilman Chillura and carried unanimously.

B. Tampa Airport Authority Limousine Regulation Workshop Update

Mr. Cox briefed the PTC about the Airport Authority's recently held workshops wherein it was discussed with the industry and the public that the Airport Authority intends will probably move forward around September with the regulation of permitting vehicles that come to the airport to pick up. They are tentatively seeking to charge a fee of \$150.00 per vehicle per year.

C. Status Update of New Facility Search

Mr. Cox gave an update on the status of the new facility search. He described the facility as being a little larger than might be needed, but may be suitable twenty years from now. Mr. Cox stated that he has been working with the Hillsborough County Real Estate department and that the facilities are not in great abundance. He said that he is waiting for information back to see what the cost of leasing would be or whatever option would be most cost-effective. He sought continued approval to march forward in his search for a facility. Mr. White wanted clarification from Mr. Cox to verify that although the current facility is adequate, the need for a facility this size would be for a bigger classroom for new drivers. Mr. Cox confirmed. Chairman White asked Mr. Cox where the funds for the contingency fund came from and Mr. Cox said that it was kind of hard to figure out where they exactly came from and he explained that it had changed six or seven years ago. He said that the contingency fund was there to cushion the PTC in case of a financial emergency. He explained that the due to parking congestion and construction, the PTC also needs more space to inspect vehicles. Finally, he stated that more records storage room would be necessary. Chairman White said that he wanted to further discuss the matter later on in the meeting.

IX. NEW BUSINESS

A. Public Hearings

1. Limousine Service Applications

- a. AAA On Time Transport, LLC d/b/a A Signature Transport of Holiday, FL – one (1) vehicle permit**

AAA On Time Transport, LLC d/b/a A Signature Transport of Holiday, FL applied for a limousine certificate and one (1) vehicle permit. Hearing Officer, Sidney Kilgore, has recommended approval.

Motion to approve the limousine certificate and one (1) vehicle permit for AAA On Time Transport, LLC d/b/a A Signature Transport was made by Councilman Chillura, seconded by Councilman Scott and carried unanimously.

- b. La Liberty Sedan and Limousine, Inc. of New Port Richey, FL – two (2) additional vehicle permits**

La Liberty Sedan and Limousine, Inc. of New Port Richey, FL has applied for a two (2) additional vehicle permits. Mr. Cox has recommended approval.

Motion to approve the two (2) vehicle permits for La Liberty Sedan and Limousine, Inc. was made by Councilman Chillura, seconded by Councilman Scott and carried unanimously.

- c. Olympus Limo, Inc. of New Port Richey, FL –two (2) additional vehicle permits

Olympus Limo, Inc. of New Port Richey, FL has applied for two (2) additional vehicle permits. Mr. Cox has recommended approval.

Motion to approve the application for two (2) additional vehicle permits for Olympus Limo, Inc. was made by Councilman Scott, seconded by Commissioner Raulerson, and carried unanimously.

- d. Sterling Limousine of Tampa of Lutz, FL – two (2) additional vehicle permits

Sterling Limousine of Tampa of Lutz, FL has applied for two (2) additional vehicle permits. Mr. Cox has recommended approval.

Motion to approve the application for two (2) additional vehicle permits for Sterling Limousine of Tampa was made by Councilman Caetano, seconded by Commissioner Raulerson, and carried unanimously.

- e. VIP Car Service of Riverview, FL – certificate and one (1) vehicle permit

VIP Car Service of Riverview, FL has applied for two (2) additional vehicle permits. Mr. Cox has recommended approval.

Motion to approve the application for two (2) additional vehicle permits for VIP Car Service of Riverview was made by Councilman Scott, seconded by Councilman Chillura, and carried unanimously.

2. Van Service Applications

- a. AAA On Time Transport, LLC d/b/a A Signature Transport of Holiday, FL – certificate and one (1) vehicle permit

AAA On Time Transport, LLC d/b/a A Signature Transport of Holiday, FL applied for a van certificate and one (1) vehicle permit. Hearing Officer, Sidney Kilgore, has recommended approval.

Motion to approve the van certificate and one (1) vehicle permit for AAA On Time Transport, LLC d/b/a A Signature Transport was made by Councilman Chillura, seconded by Commissioner Raulerson and carried unanimously.

- b. Yolanda’s Tampa Transporte Corp. of Tampa, FL – certificate and one (1) vehicle permit

Yolanda’s Tampa Transporte Corp. of Tampa, FL applied for a van certificate and one (1) vehicle permit. Hearing Officer, A. J. Comparetto, has recommended approval.

Motion to approve the van certificate and one (1) vehicle permit for Yolanda's Tampa Transporte Corp. was made by Councilman Chillura, seconded by Councilman Scott and carried unanimously.

B. Legislative Change to the PTC Special Act Discussion

Mr. Cox said that he'd placed the legislative change to the special act on the agenda to give the PTC an opportunity to give him feedback or if there is a direction they wanted to take. He mentioned the regulation of the nonconsensual towing industry and support for the PTC to take on the regulation of nonconsensual towing. The PTC would have to amend the special act to do this and Mr. Cox wanted to find out what the PTC wanted to do, if anything. Chairman White acknowledged that this issue is a growing concern. Councilman Caetano spoke of a complaint he received about a mother whose son used her car and when it was towed, she had to come back into town with a notarized affidavit releasing the vehicle to her son because the towing company wouldn't accept a faxed copy. Commissioner Raulerson asked Mr. Cox if any cost analysis was done and the answer was that there hadn't been one, but he gave a rough estimate of the cost of adding two to four additional inspectors. He also stated that the added revenue of the fees might offset the cost. Commissioner Raulerson requested that a cost analysis be done. Chairman White also said that he was receiving complaints from the Sheriff's office that they are tired of answering complaint calls because a citizen is complaining about the towing company not wanting to release their vehicles.

Motion to direct PTC staff to pursue the legislative discussion and to provide backup data which includes a cost analysis and a written response from the Sheriff's office, that shows a list of nonconsensual towing complaints, to substantiate the reason for the legislation was made by Councilman Caetano, seconded by Councilman Scott.

C. Introduction of Rule Change Proposals

1. Taxicabs, Limousines, Vans, Handicabs and Basic Life Support Ambulances

A packet was handed out to the PTC members for their review regarding the rule change workshops and the changes to the rules.

2. Wreckers

A packet was handed out to the PTC members for their review regarding the rule change workshops and the changes to the rules.

D. Supplemental Requests from Commissioner White

There was a newscast on Channel 10 News on August 7, 2007 wherein some concerns were brought to light concerning Mr. Cox and Commissioner White addressed those issues at this meeting.

1. Contingency Fund: new facility vs. equipment at the PTC

Chairman White felt that the contingency fund might be better used to help improve the efficiency of the PTC office.

2. Hostile Workplace complaints

Chairman White had received calls from employees about the office being a hostile workplace. After Chairman White addressed the concerns a few weeks ago, he met with Mr. Cox and talked about some needed changes and Mr. Cox agreed to do a self-evaluation. To date, Chairman White has not received any positive phone calls regarding the matter.

3. Complaint of Ndidi Osuji

Chairman White received a call from Ndidi Osuji stating that he was a licensed, valid PVDL holder, but that Hillsborough County had been blackballing him throughout the industry. Chairman White called Mr. Cox and he denied that he had not done the things Mr. Osuji alleged. Chairman White's staff contacted Mr. Osuji and relayed that information to him. Two days later, Chairman White received a phone call with the name and number of a certificate holder. Mr. White called the certificate holder and that individual corroborated Mr. Osuji's statement. Commissioner White paraphrased the conversation. The certificate holder said that he did not hire Mr. Osuji because of that conversation. Discussions ensued about who would be doing the investigation and comments were offered to Mr. Cox.

Chairman White passed the gavel to Vice Chair Chillura and made the following motions:

First, the County Attorney's office was asked to assist in deciding who the proper investigatory agencies should be to launch an investigation of the allegations against Mr. Cox and coordinate with the investigating agencies. The motion was seconded by Councilman Scott and passed unanimously.

Second, Chairman White made a motion for a 30-day suspension of Mr. Cox from his duties at the Director of the PTC, with pay. The motion was seconded by Councilman Scott and passed unanimously.

Third, Chairman White made a motion to have the PTC's contingency fund investigated and audited by the BOCC's Internal Auditor. The motion was seconded by Councilman Scott and passed unanimously.

Fourth, Chairman White moved to assign an Interim Director. The PTC appointed Chief Inspector Cesar Padilla, effective immediately, as the Interim Director. Chairman White asked if Chief Padilla would be willing to accept the responsibilities and duties temporarily and Chief Padilla agreed that he would. The motion was seconded by Councilman Scott and passed unanimously.

X. ADJOURNMENT

There being no further business, the meeting of the Public Transportation Commission adjourned at 10:45 a.m.

Jacqueline E. Calleja, Administrative Specialist