

A G E N D A

PUBLIC TRANSPORTATION COMMISSION

WEDNESDAY, MARCH 14, 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 9:09 a.m. The following Commission members were present:

<i>Commissioner Kevin White</i>	<i>Board of County Commissioners</i>
<i>Commissioner Brian Blair</i>	<i>Board of County Commissioners</i>
<i>Commissioner Ken Hagan</i>	<i>Board of County Commissioners</i>
<i>Councilwoman Mary Alvarez</i>	<i>City of Tampa</i>
<i>Councilwoman Linda Saul-Sena</i>	<i>City of Tampa</i>

Commissioners Rick Lott and Frank Chillura were absent due to scheduling conflicts.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Brian Blair led the Commission in the invocation and pledge of allegiance.

III. SWEARING IN OF WITNESSES

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

IV. AUDIENCE PARTICIPATION

V. REPORTS – For receipt and filing.

Motion to receive and file reports was made by Commissioner Blair, seconded by Councilwoman Alvarez and carried unanimously.

VI. CONSENT ITEMS

- A. February 14, 2007 Public Transportation Commission meeting minutes
- B. Approval of Public Vehicle Driver's Licenses – February, 2007
- C. Administrative Change Application for Name Change from Errands – Express Limo Services, Inc. to Express Limo Services, Inc.

Motion to approve the Consent Agenda was made by Councilwoman Alvarez, seconded by Commissioner Blair and carried unanimously.

VII. ATTORNEY'S REPORT

Chairman White asked if there was an attorney's report, County Attorney Orlando Perez responded there were none.

VIII. OLD BUSINESS

A. PTC Facility Discussion

Greg Cox addressed the Commission with a presentation regarding the PTC 2010 Facilities Update project which outlined the financial and facilities options that the PTC has when its lease expires in 2009. The estimated cost of this project is between \$1,000,000 and \$1,500,000. A discussion regarding the PTC's current facility and other facility options ensued. Commissioner Blair spoke about property at the Union Station that the PTC has inspected as a potential site. Since there was an issue with parking Commissioner Blair offered that the Mayor could be contacted to see if there is something that can be done about the parking situation.

Commissioner Blair made a motion to support the Director of the PTC in his pursuit of new facilities and instruct that he report back to the Commission with his findings as soon as possible.

The motion was seconded by Councilwoman Alvarez and carried unanimously. Commissioner Blair also made a motion that if the Director of the PTC does find that Union Station is a suitable facility, the PTC will write a letter asking the Mayor for her support with the effort. Motion died for lack of a second.

B. Limousine Permits – Impact on taxicabs

Pursuant to Councilwoman Saul-Sena's request from the February 14, 2007 PTC meeting, Mr. Cox submitted another briefing to the PTC regarding limousine permits' impact on taxicabs. Chairman White then asked for audience participation. Charles Smalling, a driver with Yellow Cab, Dave Shaw, a driver with Paradise Limousines, Louie Minardi, Owner of Yellow Cab, John Bailey, a taxicab driver and Jake Piascik of Dream Limousine then spoke regarding the matter.

Councilwoman Saul-Sena closed the discussion that based on the information that Mr. Cox presented at this meeting, she will not be pursuing going forward with a cap on limousine permits. Chairman White asked for a motion, the motion was moved by Councilwoman Alvarez and seconded by Commissioner Blair. The motion passed unanimously.

IX. NEW BUSINESS

A. Public Hearings

1. Limousine Service Applications.

a. Advantage Limousine of Lutz – Four (4) additional vehicle permits.

The Hearing Officer, Mr. Anthony J. Comparetto, has recommended approval of the four (4) additional unrestricted limousine vehicle permits. The company currently has two (2) vehicle permits and they are in service. Mr. Charles Smalling addressed the PTC regarding the number of limousine permits and his request for a cap. Councilwoman Alvarez stated that she is not going to move forward with a cap.

Motion to approve the four (4) additional vehicle permits requested by Advantage Limousine was made by Commissioner Blair, seconded by Councilwoman Alvarez and carried unanimously.

b. All Access Transportation, Inc. of Tampa – Two (2) additional vehicle permits.

Mr. Cox has reviewed the application for two (2) additional limousine permits and has found it to be in order and recommends approval. The company currently has three (3) vehicle permits and they are in service

Motion to approve the two (2) additional vehicle permits requested by All Access Transportation, Inc. was made by Councilwoman Saul-Sena, seconded by Councilwoman Alvarez and carried unanimously.

- c. Care On Wheels, Inc. of Pinellas Park – Certificate and three (3) vehicle permits.

The Hearing Officer, Mr. Paul J. Marino, has recommended approval of the certificate and three (3) unrestricted limousine permits.

Motion to approve the certificate and three (3) unrestricted limousine permits requested by Care on Wheels, Inc. was made by Councilwoman Alvarez, seconded by Councilwoman Saul-Sena and carried unanimously.

2. Restricted Taxi Cab Service Applications.

- a. Anytime Taxi, LLC of Valrico – Certificate and four (4) permits.

The Hearing Officer, Sidney W. Kilgore, has recommended approval of the certificate and four (4) restricted taxicab permits. The taxicabs would be restricted to the South East Zone. Deborah Piascik offered to answer any questions. There were none.

Motion to approve the certificate and four (4) restricted taxicab permits requested by Anytime Taxi, LLC was made by Councilwoman Saul-Sena, seconded by Councilwoman Alvarez and carried unanimously. Chairman White thanked Commissioner Blair for spearheading the pursuit of restricted permits.

3. Van Service Applications.

- a. Dream Limousine, LLC of Valrico – Certificate and one (1) permit.

The Hearing Officer, Sidney W. Kilgore, has recommended approval of the certificate and one (1) unrestricted van permit.

Motion to approve the certificate and one (1) unrestricted van permit requested by Dream Limousine, LLC was made by Councilwoman Alvarez, seconded by Councilwoman Saul-Sena and carried unanimously.

- b. Studio Limousine Service, Inc. of St. Petersburg – Certificate and three (3) permits.

The Hearing Officer, Paul J. Marino, has recommended approval of the certificate and three (3) unrestricted van permits.

Motion to approve the certificate and three (3) unrestricted van permits requested by Studio Limousine Service, Inc. was made by Councilwoman Alvarez, seconded by Councilwoman Saul-Sena and carried unanimously.

4. BLS Ambulance Service Applications.

- a. Lifefleet Southeast, Inc. D/B/A American Medical Response of Tampa, Florida–Two (2) additional vehicle permits.

Mr. Cox reviewed the application for two (2) additional BLS ambulance permits and has found it to be in order and recommends approval. The company currently has forty (40) vehicle permits and they are in service.

Motion to approve the application for two (2) additional BLS ambulance permits requested by Lifefleet Southeast, Inc. D/B/A American Medical Response of Tampa, Florida was made by Councilwoman Alvarez, seconded by Councilwoman Saul-Sena and carried unanimously.

In addition to their request for two (2) additional BLS ambulance permits, Lifefleet Southeast, Inc. D/B/A American Medical Response requested that an off-the-agenda item be reviewed which is a waiver from the five-year rule. It requires a supermajority vote.

Lifefleet Southeast, Inc. D/B/A American Medical Response was awarded a contract from the VA hospital to perform handicap services. They currently have new vehicles in production, but they are not completed yet. Lifefleet Southeast, Inc. D/B/A American Medical Response would like to be approved to get 120-day temporary permits to use some vehicles that are over five-years old in order to perform under their new contract with the VA hospital. Tom Maiolo offered to speak on behalf of Lifefleet Southeast, Inc. D/B/A American Medical Response.

Motion to approve the waiver for Lifefleet Southeast, Inc. D/B/A American Medical Response to be exempted from the five-year rule and to get 120-day temporary permits was made by Councilwoman Alvarez, seconded by Chairman White and carried unanimously.

B. Appeal of Public Vehicle Driver's License Denial

1. Abdelaziz Khamlli – Yellow Cab of Tampa

Mr. Abdelaziz Khamlli was denied a PVDL due to the contents of his criminal history report. He is appealing this staff denial to the Commission. He had applied to drive for Yellow Cab of Tampa and this company has indicated that they do not intend to employ Mr. Khamlli if this appeal is approved.

Mr. Khamlli addressed the Commission and stated that his DUI conviction was five years old and he brought a disposition back to the PTC. The PTC didn't allow Mr. Khamlli to have his license and told him to read the rules. Mr. Khamlli said that he didn't see anything in the rules that says he can't have a license if he's had a DUI and he wanted an explanation.

Chairman White informed Mr. Khamalli that it is likely due to a public safety issue that the application was denied. Orlando Perez summed up that portion of the rules regarding alcohol-related offenses and informed the PTC that there is no limit on how far back the PTC can look for criminal violations. Louie Minardi came forward on Chairman White's request and stated that Yellow Cab would most likely not hire this applicant or any other if their record comes back with some types of criminal history because insurance carriers won't cover them.

Motion was made to deny Mr. Khamalli's PVDL by Councilwoman Alvarez, seconded by Councilwoman Saul-Sena and carried unanimously.

2. Marion Branden Calhoun – Embassy Limousine and Sedan Service, Inc.

Mr. Marion Branden Calhoun was denied a PVDL due to the contents of his criminal history report. He is appealing this staff denial to the Commission. Embassy Limousine and Sedan Service, Inc. has indicated that they do not intend to employ Mr. Calhoun if this appeal is approved.

Chairman White asked Marion Branden Calhoun to approach the Commission. He explained that the offense happened when he was 24 years old. He'd purchased a stereo system from a friend who kept the receipt and accused him of stealing a stereo system for which he'd paid. Commissioner Blair asked about the other violations and Mr. Calhoun confirmed that they were all regarding probation violations for the same offense and explained the circumstances surrounding those violations. Mr. Calhoun has been managing a 7-Eleven for 13 years and hasn't had any offenses since.

Motion was made to approve Mr. Calhoun's PVDL by Commissioner Blair, seconded by Councilwoman Saul-Sena and carried unanimously.

3. Gebru G. Hambir - AAA Affordable Taxi, Inc.

Mr. Gebru G. Hambir was denied a PVDL due to his PVDL being previously permanently revoked (November 2006). He is appealing this staff denial to the Commission. The Commission previously permanently revoked Mr. Hambir's PVDL but this did not prevent him from reapplying.

Mr. Gebru G. Hambi's history and the events leading to his revocation were discussed at length with Mr. Cox giving a detailed summation of Mr. Hambir's offenses. Mr. Hambir addressed the Commission. Chairman White asked if there was anyone else in the audience who wanted to speak regarding this matter. There were no speakers. Chairman White expressed concern about drivers being able to reapply after being revoked and stated that the PTC may want to explore the possibility of drivers not being able to reapply for a certain time period after revocation.

Motion was made to deny Mr. Hambir's PVDL by Councilwoman Alvarez, seconded by Commissioner Blair and carried unanimously.

4. Giday Berhane Kidane – Yellow Cab Company of Tampa, Inc.

Mr. Giday Berhane Kidane was denied a PVDL due to the contents of his criminal history report. He is appealing this staff denial to the Commission. Mr. Kidane also falsified his application by indicating he had no criminal offenses. Yellow Cab Company of Tampa, Inc has indicated that they do not intend to employ Mr. Kidane if the PVDL is approved.

This appeal is to be continued at the April 11, 2007 PTC meeting.

5. Brian Lee Wade – Paradise Limousines

Mr. Brian Lee Wade was denied a PVDL due to the contents of his criminal history report. He is appealing this staff denial to the Commission. Paradise Limousines has indicated that they will continue to employ Mr. Wade if this appeal is approved.

This appeal is to be continued at the April 11, 2007 PTC meeting.

C. Administrative Hearings

1. Certificate Revocation - Med Evac, Inc. - BLS Ambulance Service, Inc.

This action was initially scheduled for the January PTC meeting but was continued due to a request for a stay of this action in the bankruptcy courts. This request for stay was denied. Med Evac, Inc. did not renew the BLS Ambulance Certificate or the six vehicle permits in September of 2006 as required. The Certificate expired and permits expired at that time. This revocation is an administrative action to complete the removal of the Certificate and permits.

Motion was made to revoke Med Evac, Inc.'s certificate and six vehicle permits by Councilwoman Saul-Sena, seconded by Councilwoman Alvarez and carried unanimously.

2. PVDL Revocation – Faicel A. Haggui, Red Top Cab, Inc.

Mr. Haggui's PVDL was temporarily suspended based on the incident that occurred on February 25, 2007 where he used his vehicle to attempt to cut off another taxicab several times while driving on I-275. Both vehicles were carrying customers. Mr. Haggui stated that he was "just playing, it was just a joke". Based upon this incident and the related history of incidents, warnings and citations in Mr. Haggui's file, the staff recommendation is to revoke the PVDL and to not allow reapplication for 3 years.

Attorney Douglas Blackie, attorney for Faicel Haggui, addressed the PTC. He stated that many of the offenses were minor or non-adjudicated. The recent revocation of Mr. Haggui was based on testimony from another driver, Timothy Taylor. Mr. Blackie briefly discussed Mr. Haggui's standing as an employee, then Mr. Haggui addressed the PTC himself: He gave his version of the incident and did admit getting in front of the other cab, but only to change lanes to go to Clearwater instead of St. Petersburg. Two witnesses to Mr. Haggui's character addressed the PTC. Commissioner Saul-Sena said the issue was about protection of the traveling public and the passengers that were in those cabs at the time. Orlando Perez, County Attorney suggested having a hearing officer review this case. Saul-Sena made a motion to send the matter to a hearing officer, and Commissioner Blair seconded. However, Mr. Cox said that to this point we have not

sent issues of this kind to a hearing officer. We have used a hearing officer to make determinations on citations. Blair made a motion that the facts should be validated in front of a hearing officer, Saul-Sena seconded. Councilwoman Alvarez stated that this is not just about one incident, Mr. Haggui needs to go to anger management because he needs to have more respect for the traveling public. Chairman White asked the PTC to determine if complete revocation is warranted. He submitted that maybe Mr. Haggui could be placed on six months suspension and one year probation with anger management classes. The issue being that no one from the public lodged a complaint, so it would be one driver's word against another's, so the license shouldn't be revoked. Louie Minardi spoke for Red Top stating that he explained to Mr. Haggui that he should go to anger management classes. He believes that Mr. Haggui realizes how important his license is to the livelihood of his family, but is in agreement that Mr. Haggui needs to learn some self-control. Red Top would be strict with Mr. Haggui if the PTC allows Mr. Haggui to go back to work.

Commissioner Blair made a substitute motion for a 90-day suspension concurrent with an anger management course and if Mr. Haggui shows a certificate of completion of an anger management class to the Director of the PTC on or before the 90-day suspension expires, Mr. Haggui can get his license back with a 24 month probation period.

The motion was seconded by Councilwoman Saul-Sena and passed unanimously.

D. Extraordinary Effort Awards

1. Khorshid Ibrahim -Checker Cab

Mr. Khorshid Ibrahim of Checker Cab is being awarded an Extra Ordinary Effort Award for his actions on December 7, 2006. After finding a wallet in his taxicab that contained cash and credit cards, Mr. Ibrahim took the time to locate a PTC Inspector about the wallet and as a result the owner was able to retrieve it and all its contents. Mr. Ibrahim's Extraordinary Efforts are the type of actions that we hope all taxicab operators would take and we are proud of his honesty and integrity.

Mr. Khorshid Ibrahim appeared in person to receive his award and pin and was duly recognized for his extraordinary effort before the PTC.

2. Denny Elkins-Bay Shuttle

Mr. Denny Elkins of Bay Shuttle is being awarded an Extra Ordinary Effort Award for his actions last year. Mr. Vasilios Avonitis wrote a letter explaining how Mr Elkins had found an envelop that contained numerous important documents in his taxicab and he located Mr. Avonitis' email address and subsequently mailed the documents to Mr. Avonitis. Mr. Avonitis wrote his letter to express his thanks for a person of such great integrity and that his actions has created such a positive impression of Florida. Mr. Elkins actions are the type of we hope all taxicab operators would take and we are proud of his integrity and values.

Mr. Denny Eklins appeared in person to receive his award and pin and was duly recognized for his extraordinary effort before the PTC.

X. ADJOURNMENT