

CRIS LIBAN  
PRESIDENT

SELIKA TALBOTT  
VICE PRESIDENT

JAZMIN ORTEGA  
DOUGLAS TOHOM  
VIGGEN DAVIDIAN  
ERIN PAK

JASMIN SAN LUIS  
ACTING COMMISSION EXECUTIVE ASSISTANT



**KAREN BASS**  
MAYOR

100 S. MAIN STREET, 10<sup>th</sup> FLOOR  
LOS ANGELES, CA 90012

LAURA RUBIO-CORNEJO  
GENERAL MANAGER

**# 3**

**MINUTES**  
**January 11, 2024**  
**10:00 AM**

**CONVENED**

The Board of Transportation Commissioners convened a regular meeting on Thursday, January 11, 2024 at 10:06 AM in Los Angeles, CA.

**ADMINISTRATIVE ITEMS**

**ITEM NO. 1 – WELCOME**

President Liban called the meeting to order and welcomed all those present noting that those wishing to testify before the Board must fill out a speaker's form. He informed the audience that if anyone is a registered lobbyist, City ordinance requires that it should be indicated on the speaker's form.

**ITEM NO. 2 – ROLL CALL**

Present: Commissioners Cris Liban, Selika Talbott, Vigen Davidian, and Erin Pak; Ken Husting, Acting Assistant General Manager (AGM); and Kevin Dufner, Deputy City Attorney (DCA)

**Arrived after roll call** – Commissioner Douglas Tohom

**ITEM NO. 3 - MINUTES**

Commissioner Davidian moved, seconded by Commissioner Talbott to approve the Minutes of December 14, 2023. Unanimously APPROVED.

**ITEM NO. 4 – COMMISSION BUSINESS**

Commissioner Liban greeted everyone a Happy New.

**ITEM NO. 5 – COMMUNICATIONS**

No communication reported.

**ITEM NO. 6 – GENERAL MANAGER'S REPORT**

Ken Husting, Acting Assistant General Manager, provided the following report:

- Update on the presentation to the Board of Transportation Commissioners about the basic responsibilities as a Commissioner.
- Current LADOT employee in-person work day policy and upcoming changes to the telecommuting policy in the Spring.

Questions and answers were provided.

- Commissioner Davidian asked if the two-day per week policy mentioned would be at the discretion of the employee or management.
- Mr. Husting responded that it is still up to management to decide and briefly talked about the importance of the hybrid schedule and the team building effort to Department management (specifically to newer employees).
- Commissioner Liban asked if there has been any impact to customer service with the one-day a week minimum requirement that is currently in place.
- Mr. Husting stated that he has not heard of any impact to customer service or any complaints.
- Commissioner Liban acknowledged that Commissioner Tohom has joined the meeting.

#### **NEIGHBORHOOD COUNCIL COMMENT**

There were no comments.

#### **PUBLIC FORUM**

There were comments provided.

#### **CONSENT CALENDAR**

**ITEM NO. 7 – Recommend Approval of Application of Bella Vista Home Health Inc. for One Unrestricted Non-Ambulatory Passenger Vehicle Permit**

**ITEM NO. 8 – Recommend Approval of Application of Best Line Transportation, Inc. for Three Unrestricted Non-Ambulatory Passenger Vehicle Permits**

Commissioner Pak moved, seconded by Commissioner Tohom to approve Item Nos. 7 and 8. Unanimously APPROVED.

Commissioner Talbott moved, seconded by Commissioner Davidian to enter Executive Session. Unanimously APPROVED.

#### **EXECUTIVE SESSION**

**ITEM NO. 9 – Appeal of Chequita Capanna-Neal Concerning the Department’s November 9, 2023, Cancellation of Her Motor Bus Driver Permit #629482, Pursuant to Los Angeles Municipal Code §71.06 – Falsified Application**

Patricia Barker, Sr. Transportation Investigator, provided the report. Ms. Barker reported that there are four appeals and only one appellant appeared and asked that

the Board act on the other three to clear the calendar. She also asked that the Board uphold the Department's decision on this appeal.

Questions, answers, and comments were provided.

- Commissioner Liban asked to clarify if upholding the recommendation meant to continue the denial of the application although it is eligible to hold a permit.
- Ms. Barker confirmed Commissioner Liban's statement was correct.
- Commissioner Pak wanted confirmation that in all other cases identical, the Board should deny first in order for the applicant to reapply.
- Commissioner Liban confirmed Commissioner Pak's statement was correct.
- Ms. Barker discussed the issue of some companies not reviewing their applicants prior to submitting and explained her process.
- Commissioner Talbott asked if there was a reason companies use staff services as vetting rather than doing it themselves.
- Ms. Barker talked about how some companies benefit from Department staff doing the vetting and added that if she had the authority, she would require certain companies to pre-vet. She added that her ambulance companies do it as part of their hiring process.
- Commissioner Talbott briefly commented that it seemed like a processing issue.
- Commissioner Tohom asked when the appellant's last communication with staff was.
- Ms. Barker stated that it was on November 14<sup>th</sup>.
- Commissioner Liban asked how the burden of vetting can be reduced for staff.
- Ms. Barker shared how she felt it would not be possible to reduce the burden from staff due to the lack of understanding of the process from a lot of the companies.
- Commissioner Pak asked if the larger companies that have come before the Board have a lower percentage of this type of incident.
- Ms. Barker confirmed that the larger companies have a lower percentage of this type of incident. She discussed why some companies may not be vetting the applications as well as they could; suggested how the Department could make vetting part of the process; a company to get a DOJ and they review the DOJ; and asked DCA Dufner if she has the right to let the company know what is and is not acceptable to the City of Los Angeles.
- DCA Dufner stated that he would have to look into it.
- Commissioner Pak reiterated the discussion at the December meeting about making a commitment to review the ordinance that are outdated and to make the process easier for the Department, business and patient friendly, and also to enhance the permitting and enforcement process.
- Commissioner Liban asked if there was an overview of requirements for a new applicant company.
- Ms. Barker described in detail what is included in every application package and offered to provide an application packet to the Commissioners.
- Commissioner Liban asked if there was an opportunity to make the application in another language,
- Ms. Barker discussed how she has kept the rule of being able to speak, read, and understand enough English to communicate for drivers and attendants.
- Commissioner Tohom asked if it would be beneficial to have quarterly in-person information sessions with new companies.

- Ms. Barker confirmed that the team who works on the applications hold in-person meetings with the applicants to go over every page prior to approving their application.
- Commissioner Talbott talked about her concerns why as a Commission, they should be careful on how to define language requirements and making blanket statements for people who are driving; discussed benefits to some small companies utilizing government services to do their vetting and how it affects the work and the cost to the government; and suggested finding ways to address processing in order to reduce the amount of work that could be better all around.
- Ms. Barker suggested to have an expulsion period or pay a fine along with the application fee.
- Mr. Husting shared his conversation with the Deputy City Attorney about the suggested raised application fee should they need to resubmit, and stated that they do not have an answer whether it is the Department or Board decision and that it needs more investigation. He added that if the Board wants to make a recommendation, they could do so but staff could not say because they do not have enough information on what it needs to make that change.
- Commissioner Liban asked DCA Dufner what the next steps were or the action for the Commission.
- DCA Dufner suggested that if the Board would like to discuss this further with DCA Nagle and himself it needs to be an agenda item for a future meeting so they could prepare and advice the Commission.

Commissioner Pak moved, seconded by Commissioner Talbott to deny the appeal of Chequita Capanna-Neal for falsifying the application and acknowledging that she will have the opportunity to reapply with the correct information. Unanimously APPROVED.

**ITEM NO. 10 – Appeal of Jorge Carranza Concerning the Department’s November 30, 2023 Denial of His Driver Permit Application, Pursuant to Los Angeles Municipal Code §71.06 – Falsified Application**

Patricia Barker, Sr. Transportation Investigator, presented the report.

Appellant Carranza was present and addressed the Board.

Questions and answers were provided.

- Commissioner Davidian asked how long the process takes for the reapplication.
- Ms. Barker stated that she can not speak for staff who process them and explained what she does when she receives the applications for her review.
- Mike Evans, representative of Ride On Time, was present and addressed the Board about Mr. Carranza’s job performance.
- Commissioner Tohom asked to clarify if Mr. Carranza can still reapply if his appeal was denied.
- Ms. Barker confirmed that Mr. Carranza can definitely reapply and will need to submit a truthful application and pay the fee again.
- Commissioner Tohom asked if Mr. Carranza rescinds his appeal and application, could he reapply without the Board denying his application.

- Ms. Barker explained how Mr. Carranza can reapply if the Board denies his appeal.
- Commissioner Liban reiterated the Commission's next steps - the Commission need to ask the appellant if he wants to rescind and if he does not want to rescind, then the Board would have to act on this item.
- Ms. Barker explained that the appellant can withdraw his appeal if he wishes, and explained what the appellant would need to do.
- Commissioner Liban asked DCA Dufner if it is an option to ask the appellant if he wants to rescind.
- DCA Dufner stated that it is an option and reminded the Commission that they took a similar action at a previous meeting. He suggested a more efficient mechanism in the future for the company and the appellant.
- Commissioner Liban asked Mr. Carranza if he would like to continue with his appeal or rescind it.
- Mr. Carranza stated that he would like to withdraw his appeal and reapply.

Commissioner Talbott moved, seconded by Commissioner Davidian to accept Mr. Jorge Carranza's withdrawal of his appeal. Unanimously APPROVED.

**ITEM NO. 11 – Appeal of Tobias Miller Concerning the Department's November 30, 2023 Denial of His Ambulance Driver Permit Application, Pursuant to Los Angeles Municipal Code §71.06 – Falsified Application**

Patricia Barker, Sr. Transportation Investigator, presented the report and informed the Board that the applicant does qualify but chose to appeal. The appellant was not present and Ms. Barker asked that the Board act on the appeal report in order to clear the calendar.

Question and answer were provided.

- Commissioner Tohom asked when the last communication with the appellant was.
- Ms. Barker stated that she received the last communication from the appellant on December 5<sup>th</sup>.

Commissioner Tohom moved, seconded by Commissioner Liban to deny the appeal of Mr. Tobias Miller. Unanimously APPROVED.

**ITEM NO. 12 – Appeal of Harold Edwin Jackson Concerning the Department's December 7, 2023 Cancellation of His Motor Bus Driver Permit #629760, Pursuant to Board Order 600, Rule D1 – Permanent Disqualification**

Patricia Barker, Sr. Transportation Investigator, presented the report. She informed the Board that the appellant was not present and asked that the Board take action on this matter.

Questions and answers were provided.

- Commissioner Liban asked what would happen if the appellant applies again given that he was permanently disqualified.

- Ms. Barker stated that he would be denied again and referred to Board Order 600, Rule D1 regarding his convictions.
- Commissioner Davidian stated that this is a similar case from the last meeting where if it was a case of black and white denial, and asked why it is still an option to appeal.
- Commissioner Talbott stated that the issue was the “shall” and the “600” and if it is a “shall”, why is it coming before the Commission. She added that the Commission does not have the authority to do anything differently than what is brought before the Board.
- DCA Dufner explained why we have appeals even if the Board does not have the discretion to grant the appeal.
- Commissioner Talbott suggested that perhaps there should be a review of the 600 ordinances to see whether or not they should be brought before the Board since the Commission does not have the authority to do something.
- Commissioner Davidian agreed with Commissioner Talbott’s statement and that this needs to be reviewed for future process.
- DCA Dufner stated how the Board’s request and concerns were valid.
- Commissioner Tohom asked when Mr. Jackson will be notified once the Board takes action.
- Ms. Barker explained the process once the Board takes action.

Commissioner Tohom moved, seconded by Commissioner Talbott to deny the appeal of Harold Edwin Jackson. Unanimously APPROVED.

Commissioner Tohom moved, seconded by Commissioner Talbott to return to Regular Session. Unanimously APPROVED.

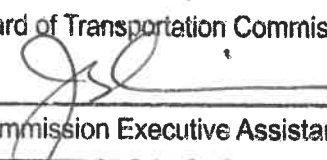
DCA Dufner reported on the Executive Session results:

- Item No 9, the Board denied the appeal
- Item No 10, the appeal was withdrawn
- Item No 11, the appeal was denied
- Item No 12, the appeal was denied

**ADJOURNMENT – PURSUANT TO GOVERNMENT CODE SECTION 54956.7**

With no further business to come before the Board, Commissioner Tohom moved, seconded by Commissioner Talbott to adjourn the meeting. Unanimously APPROVED.

The meeting adjourned at 11:16 AM.

Approved: 2/8/2024  
Board of Transportation Commissioners  
  
Commission Executive Assistant