

**BOARD OF TRANSPORTATION
COMMISSIONERS**

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CITY OF LOS ANGELES
CALIFORNIA



KAREN BASS
MAYOR

DEPARTMENT OF TRANSPORTATION

100 S. MAIN STREET, 10th FLOOR
LOS ANGELES, CA 90012

LAURA RUBIO-CORNEJO
GENERAL MANAGER

3

MINUTES
MAY 9, 2024
10:00 AM

CONVENED

The Board of Transportation Commissioners convened a regular meeting on Thursday, May 9, 2024 at 10:09 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 Jazmin Ortega, Cris Liban, Selika Talbott, Vigen Davidian, Douglas Tohom, and Raymond Regalado; Ken Husting, Principal Transportation Engineer (PTE); and Michael Nagle, Deputy City Attorney (DCA) and Kevin Dufner, Deputy City Attorney (DCA)

Absent: Commissioner Erin Pak

ITEM NO. 3 - MINUTES

Commissioner Davidian moved, seconded by Commissioner Talbott to approve the Minutes of March 14, 2024. Commissioner Ortega abstained due to her absence at the meeting. Minutes APPROVED.

ITEM NO. 4 – COMMISSION BUSINESS

Commissioner Liban announced that it is Asian American Native Hawaiian Pacific Islander (NHPI) History month with a lot of celebrations across the City, and recognized all the NHPI City employees as well as LADOT staff.

ITEM NO. 5 – COMMUNICATIONS

No communication reported.

ITEM NO. 6 – GENERAL MANAGER’S REPORT

Ken Husting, PTE, provided the following reports on behalf of AGM Jay Kim.

- LADOT’s proposed budget currently going through City Council Budget & Finance Committee and is still in the process. LADOT is re-evaluating its core services.
- Recent DASH bus driver incident, and how LADOT is looking into various safety improvements for bus drivers as well as the patrons.

Comments, questions, and answers were provided.

- Commissioner Liban commented that the LA Metro Board approved an emergency procurement for enclosures in LA Metro buses and suggested that this could be something the Department can look into as a mitigation.
- Mr. Husting briefly shared about some partial barriers in the DASH buses and that the Department is evaluating and making it more robust.
- Commissioner Ortega asked what means the drivers have to ask for help.
- Mr. Husting did not have the answer and offered to get back with a response.
- Commissioner Davidian asked if there are any recording devices on either the Commuter Express or DASH.
- Mr. Husting did not have the details and offered to get back on what the buses currently have.
- Commissioner Liban requested a report back on the implications of eliminated positions once the detail of the budget is complete.
- Mr. Husting acknowledged the request and will report back.

NEIGHBORHOOD COUNCIL COMMENT

There were no comments.

PUBLIC FORUM

There were no public comments.

CONSENT ITEM

ITEM NO. 7 – Recommend Approval of the Application of Rapid Trans, Inc. for Three Unrestricted Non-Ambulatory Passenger Vehicle Permits

Commissioner Talbott moved, seconded by Commissioner Tohom to approve Item No. 7. Unanimously APPROVED.

ACTION ITEM

ITEM NO. 8 – Establishment of Preferential Parking District No. 316 in the Del Rey Neighborhood of Council District 11

Public comments were taken.

Dorothy Tate, Supervising Transportation Planner, presented the report.

Questions, answers, and comments were provided.

- Commissioner Davidian asked how the budget situation would impact the additional enforcement.
- Mr. Husting stated that when a PPD is established there are more enforcement in that area.
- Commissioner Davidian asked if the fines from the enforcement go to the General Fund.
- Mr. Husting confirmed that the fines go to General Fund and added that the PPDs are paid for by the permits we charge and suppose to be self sufficient based on the permits.
- Commissioner Ortega asked how the restrictions are divided or imposed.
- Ms. Tate discussed how each block can have different restrictions specific to the request and how to best resolve parking issues.
- Commissioner Tohom asked if the sale of the permits will be delayed given the staffing issues or will it happen in a timely fashion.
- Mr. Husting shared that the Parking Permits Division is not proposed to lose any staff and so once adopted by City Council, it should be a normal process.
- Commissioner Tohom asked how long it would take to implement once it goes to the Coastal Commission.
- Mr. Husting stated that the Coastal Commission can be very responsive, they have several requests that come their way, but could also take several months even up to a couple of years and added that there is no guarantee Coastal will approve it or how long it will take.
- Commissioner Liban asked what has been the challenge in the 72-hour parking limit.
- Mr. Husting talked about the biggest challenge - not enough officers to keep track of the 72-hour violations, and explained what neighbors should do and who to contact if they believe there is a 72-hour violation.
- Commissioner Talbott commented on how it is not a resolution if the cost of getting a ticket is cheaper than to park at the airport and wanted to ensure that the residents are not having personal contact with people who are flapping the law as no one knows how that person is going to respond.
- DCA Nagle added how a parking officer would still have to cite, mark or identify that vehicle after receiving a call and it would still take at least 72 hours.
- Mr. Husting pointed out how the parking officer can cite each day that there is a violation.
- Commissioner Liban asked what the timing and next steps were once this item is out of the Commission.

- Ms. Tate explained the process in detail once approved by the Commission and added that it could take about a month.
- Commissioner Liban asked how much more time assuming the Coastal Commission approves.
- Ms. Tate explained how the process is similar to that of the City Council upon approval and described the next steps from approval to installation that will take approximately three months.
- Mr. Husting stated that we would have to wait for the Coastal Commission as they may or may not approve it, but will do the best to expedite the process.
- Commissioner Davidian asked if there was a way DOT or the City could expedite this through the Coastal Commission with a letter from the Mayor's Office.
- Mr. Husting stated that there is not much DOT can do, but if there is an elected official that could reach out to Coastal Commission to express the importance of this PPD, maybe that could have some sway.
- Commissioner Liban encouraged the members of the community that were present at the meeting to lobby.
- Commissioners Ortega and Liban thanked the public for coming out to speak and to show strength.

Commissioner Ortega moved, seconded by Commissioner Talbott to approve Item No. 8. Unanimously APPROVED.

ITEM NO. 9 – Establishment of Preferential Parking District No. 319 in the Van Nuys Historical Preservation Ordinance Zone South of Vanowen Street in Council Districts 2 and 6

Felix Valde, Management Analyst, presented the report.

Questions, answers, and comments were provided.

- Commissioner Ortega asked how it impacts the request being that it is a historical preservation zone.
- Mr. Valde explained how the request was already vetted through Councilmember Krekorian's office and that staff was just given the name.
- Commissioner Davidian commented on the boundaries indicated on the map and asked how the boundaries were established given the surveys and petitions.
- Mr. Valde discussed the rules that allow for major boundaries.
- Commissioner Davidian asked if this will impact the Van Nuys Elementary School that is within the boundary.
- Mr. Valde explained how it will not impact the school and added that schools are allowed to purchase visitors permits equal to their frontage parking.
- Commissioner Tohom asked how it was determined to do the parking study between 12pm and 3pm.
- Mr. Valde explained how it was based on staff's time and to see what the impact is throughout the day.
- Commissioner Tohom asked what is causing alot of the parking issues in the area.
- Mr. Valde pointed out that there are primarily commercial businesses along Van Nuys, and there are areas that can be easily exploited for free parking.

- DCA Dufner added that two blocks south of Victory is the Van Nuys Civic Center and court houses and that attorneys, jurors, and staff will frequently park in the neighborhood.

Commissioner Davidian moved, seconded by Commissioner Tohom to approve Item No. 9. Unanimously APPROVED.

ITEM NO. 10 – Consolidation and Conversion of Temporary Preferential Parking District No. 115 into Preferential Parking District No. 215 and Amendment of its Boundaries in the Greater Wilshire/Hancock Park Neighborhood of Council Districts 5 and 13

A public comment was taken.

Felix Valde, Management Analyst, presented the report.

Questions, answers, and comments were provided.

- Commissioner Liban asked what happens next.
- Mr. Valde explained the next steps.
- Commissioner Talbot asked for the timeframe.
- Mr. Valde stated that maybe anywhere from four to eight weeks depending on when Council approves it.
- Commissioner Liban asked if the community will be informed of the changes ahead of time.
- Mr. Valde discussed how the community will be given a transitional time in case there are some who already purchased their permit and that parking enforcement will be notified of the transitional time as well.
- Commissioner Ortega asked which part of the expansion is new.
- Mr. Valde stated that it is about 50 feet of one house and added that there were a lot of restrictions when they created 115.
- Commissioner Tohom asked whether or not it is better to put temporary signs before permanent signs, what are the best practices.
- Mr. Valde talked about how that was avoided in the past and added they could be temporary but was not sure what a temporary sign entails.
- Mr. Husting talked about what was done in some cases as a stopgap measure to get it done quicker (put stickers over the sign but stickers wear out), but generally would like to have permanent signs.
- Commissioner Davidian asked if the signs are fabricated in-house or any chance they could be contracted out.
- Mr. Husting confirmed that signs are fabricated in-house and contracted out, but generally try to fabricate in-house for better quality control.
- Commissioner Regalado asked if there are any other methods to let the residents know there is a change.
- Mr. Valde explained how residential notices are sent out including renewals.

Commissioner Ortega moved, seconded by Commissioner Tohom to approve Item No. 10. Unanimously APPROVED.

ITEM NO. 11 – Recommended Penalty Assessment of \$2,490 and Permanent Revocation of Secure Med Tranz (ID #2676) Due to Multiple Violations of the Los Angeles Municipal Code Sections

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

Questions, answers, and comments were provided.

- Commissioner Liban asked Ms. Barker to clarify if her update was in real time since the report showed a penalty of \$2490 but she stated \$2960, and if voted on, will it be part of the permanent record.
- Ms. Barker confirmed Commissioner Liban's statement was correct and that it was her recommendation.
- Commissioner Liban commented on not having paid the previous and asked how much it was.
- Ms. Barker confirmed that it is included in the assessment.
- Provided the Commission approve the recommendation, Commissioner Ortega asked how we would know if they will not continue to transport patients.
- Ms. Barker reassured that once his permit is revoked, every time his company is seen picking up, we can arrest the driver and the attendant, and if it gets bad enough, we could have the City Attorney's Office issue a warrant after the company.
- Commissioner Tohom asked if the penalty that may be imposed collected only if the company comes back to apply for more permits.
- Ms. Barker stated that she has no legal authority to attach an assessment to the company and asked DCA Nagle to confirm.
- Commissioner Davidian commented on how ironic that we have a mechanism to collect parking tickets but we do not have one for such a critical thing.
- Commissioner Liban asked if the company could still apply in the future, and what impact would the revocation of this company's permit have to services in general.
- Ms. Barker stated that they can always apply but it does not mean they will get anywhere, and that this is not a big company with only one vehicle in service at this time.
- Commissioner Talbott asked when the last communication between Ms. Barker and a representative of the company was.
- Ms. Barker reported how she sent him a hearing notice back in April, indicating he needed to come in and at least attempt to provide proof as to why we should not take him to the Board. She has not heard from him since the last time this was on the Board back in 2023 and added that he does not communicate.

Commissioner Talbott moved, seconded by Commissioner Tohom to approve Item No. 11. Unanimously APPROVED.

Commissioner Davidian moved, seconded by Commissioner Liban to enter into Closed Session. Unanimously APPROVED.

EXECUTIVE SESSION

ITEM NO. 12 – Appeal of Jean-Pierre Chance Concerning the Department’s February 1, 2024 Denial of His Application for a New Driver Permit, Pursuant to Board Order 600, Rule D1 – Permanent Disqualification

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

Appellant Jean-Pierre Chance was present and addressed the Board.

Questions, answers, and comments were provided.

- Commissioner Liban asked Ms. Barker to clarify if her recommendation to the Board was to grant the appeal.
- Ms. Barker stated that the appellant is part of a DASH bus driver and they are very short of personnel, and since he was forthcoming, she will be happy with whatever the Board decides.
- DCA Nagle suggested that it would be helpful if the appellant explained what the prank/offense was.
- Appellant Chance explained the prank/offense in detail.
- Commissioner Davidian asked how long he served.
- Appellant Chance stated that he served for a year and talked about how he turned his life around to provide for his family.
- Commissioner Ortega asked the appellant if he had anything else happen after this, why he was sentenced to two years, and if he had an attorney.
- Appellant Chance shared the series of events from when he first went to court and all the other court hearings that took place. He added that he had a public defender.
- Commissioner Liban expressed his appreciation for Mr. Chance’s candor.

Commissioner Liban moved, seconded by Commissioner Talbott to grant the appeal of Jean-Pierre Elijah Chance. Unanimously APPROVED.

ITEM NO. 13 – Appeal of Jessica Regalado Concerning the Department’s February 23, 2024, Cancellation of Her Motor Bus Driver Permit #630860, Pursuant to Board Order 600, Rule D1 – Permanent Disqualification

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

Appellant Jessica Regalado was present and addressed the Board.

Questions, answers, and comments were provided.

- Commissioner Liban asked the appellant to explain and share the circumstances of her conviction.
- Appellant Regalado shared the circumstances of her conviction: involvement with her boyfriend and a firearm; her expungement in the process; felony dropped to a misdemeanor; and want to get her passenger endorsement back and permit so she can support her children.
- Commissioner Davidian asked if this issue was revealed recently.

- Ms. Barker confirmed Commissioner Davidian's statement was correct and explained why she had to cancel her permit.
- Commissioner Davidian asked the appellant if she was not aware that she needed to disclose her record.
- Appellant Regalado discussed why she falsely answered her application, how she thought her expungement was in the process, and found out it was not.
- Commissioner Talbott asked the appellant if she was represented by counsel or had an attorney for this matter.
- Appellant Regalado stated that she did and added she has the paperwork that it was in the process with everything they approved, and was granted the misdemeanor.
- DCA Dufner commented that based upon the records, it looked like they settled it for two felony convictions, both were probation but one also included jail time. He added that 365 actually indicates that it was prison eligible.
- Commissioner Talbott asked the appellant if she was still in a relationship with this person.
- Appellant Regalado confirmed she is no longer in a relationship with that person.
- Commissioner Liban asked about the permit disqualification, if it makes a difference between prison and jail time.
- Ms. Barker stated that whatever is listed on the DOJ report, if it goes contrary to the rules, that is what she follows.
- Mr. Husting recommended that the Commission allow the counsel to do a quick review of the paperwork before making a decision.
- Commissioners Liban and Talbott agreed to a quick review by the counsel .
- DCA Dufner asked the appellant when her record was expunged.
- Appellant Regalado stated that it was in 09.
- After DCA Dufner's quick review of the Minute Order of the case in question, he shared his take away and reported that it appears as though an expungement motion pursuant to penal code section 1203.4 was granted as to count 9 of the case in 2012, but was not sure why we are still seeing the records that our investigator received from DOJ in the form that they are.
- Commissioner Ortega asked to clarify if there is an expungement for a count that the appellant was not convicted on.
- DCA Dufner confirmed Commissioner Ortega's statement was correct and that it is what the record seemed to reveal.
- Commissioner Talbott asked the appellant if she was represented by counsel or had an attorney during her expungement.
- Appellant Regalado stated that she did.
- Commissioner Liban asked if the attorney explained what was being expunged.
- Appellant Regalado stated that the attorney mentioned that the count was for a firearm and that the attorney would help her expunged it.
- Commissioner Liban asked to clarify if the two convictions the appellant served time for related to firearms.
- Commissioner Talbott commented that she only did time for one.
- DCA Dufner shared his thoughts that it was what the court intended to do, but the records do not show that clearly and explained what the charge indicates.
- DCA Dufner stated that he recalled the appellant mentioning there was something she was currently working on with an attorney in the criminal courts or that she had some paperwork currently filed.

- Appellant Regalado confirmed that she has been trying to uplift the expungement, which she thought was already expunged and that is why she went back to clear it up.

Commissioner Liban moved, seconded by Commissioner Talbott to grant the appeal of Jessica Regalado. Unanimously APPROVED.

ITEM NO. 14 – Appeal of Michael Ray Tutson Concerning the Department’s February 23, 2024, Cancellation of His Motor Bus Driver Permit #630625, Pursuant to Board Order 600, Rule D1 – Permanently Disqualified and Los Angeles Municipal Code § 71.06 – Falsification of Application

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

Appellant Michael Ray Tutson was not present.

Questions and answers were provided.

- Commissioner Liban asked if the appellant can reapply if the appeal was not granted.
- Ms. Barker explained the process and stated that she cannot deny the appellant the ability to apply.
- Commissioner Ortega referenced the appellant’s statement on the report about no case filed and asked to clarify that if it does not appear, it does not exist.
- Ms. Barker discussed MV Transportation’s very narrow background check.
- Commissioner Davidian asked Ms. Barker if she had any idea why the appellant was not present.
- Ms. Barker stated that she did not know, she rarely gets communication after she sends out the letter, and that the letter was not returned unopened.
- Commissioner Liban asked the City Attorney if it mattered that the appellant filed in LA City Court House but was convicted in San Diego.
- DCA Dufner stated that he did not think it mattered.
- Commissioner Talbott asked if the Board needed to vote on the appeal if the appellant was not present.
- DCA Nagle confirmed that the appellant does not need to be present for the Board to vote and that the Board could choose to put it off for a month.

Commissioner Liban moved, seconded by Commissioner Ortega to deny the appeal of Michael Ray Tutson. Unanimously APPROVED.

ITEM NO. 15 – Appeal of Anthony Lynn Truman Concerning the Department’s February 28, 2024, Cancellation of His Driver Motor Bus Driver Permit #631212, Pursuant to Board Order 600, Rule D1 – Permanent Disqualification and Los Angeles Municipal Code § 71.06 – Falsification of Application

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

Appellant Anthony Lynn Truman was present and addressed the Board.

Questions, answers, and comments were provided.

- Commissioner Liban asked the appellant to detail the circumstances of the conviction and the reason why the Board should grant his appeal.
- Appellant shared what occurred at a Block Buster video store in 1999, there were two of them, and he took the charges for his friend and served time.
- DCA Nagle asked the appellant if he ever had the gun.
- Appellant Truman stated that he did not have the gun.
- Commissioner Talbott asked if there was a trial.
- Appellant Truman stated that there was no trial because he did not want to mention his friend's name so he took the deal and served two years.
- Commissioner Liban asked about the other convictions - carrying a loaded firearm.
- Appellant Truman stated that it was in 1990 and a grand theft auto in 1987 or 1988 and he was 15 or 16.
- Commissioner Liban asked about disobeying the court.
- Appellant Truman stated that it was probably for the child support.
- Commissioner Liban asked what the appellant has been doing for the last 25 years since his last conviction.
- Appellant Truman talked about his residential and commercial property management freelance for Hollywood Realty and a couple of properties in Los Angeles and described his duties.
- Commissioner Tohom asked if the appellant still works for Hollywood Realty along with MV.
- Appellant Truman stated that he does; shared his associate degree from East LA College and a bachelor degree from Cal State LA.
- Commissioner Liban asked Ms. Barker if a company endorsement is needed.
- Ms. Barker stated that MV does not submit them and have never endorsed their drivers.
- Commissioner Davidian pointed out that this is another case where the record is just revealed now and was not disclosed, and asked how long ago was the application, which did not disclose this.
- Ms. Barker responded that she received it in February and denied him immediately.
- Commissioner Talbott asked the appellant if he applied for an expungement.
- Appellant Truman stated that he did, paid \$600 but found out the company was fake.
- Commissioner Tohom asked that if an individual needs to get a renewal, does the applicant have to disclose at the renewal process, and if this happens often.
- Ms. Barker confirmed that every time you submit an application you have to disclose your conviction history and it is on the application.
- Commissioner Tohom asked how often is a permit renewed.
- Ms. Barker stated that it depends, sometimes the DOJ is late, and explained the process and the rules to renew.
- Commissioner Talbott asked if an appeal has been granted and the appellant subsequently applied for a renewal, would they have to go through this process where it will be denied and have to come back to the Board.
- Ms. Barker stated that once the Board grants an appeal, it is granted unless something new comes from the DOJ.
- Commissioner Regalado asked the appellant what his degrees are.

- Appellant Truman stated that his degree is in business management and his associate is in marketing back in 1997 and 2002.

Commissioner Liban moved, seconded by Commissioner Davidian to grant the appeal of Anthony Lynn Truman. Unanimously APPROVED.

ITEM NO. 16 – Appeal of Willie James Agnew’s March 7, 2024 Denial of His Application for a Motor Bus Driver Permit, Pursuant to Board Order 600, Rule D1 – Permanently Disqualified and Los Angeles Municipal Code § 71.06 – Falsification of Application

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

Appellant Willie James Agnew was present and addressed the Board.

Questions, answers, and comments were provided.

- Commissioner Liban asked the appellant to outline why the Commission should grant his appeal.
- Appellant Agnew talked about the mistakes he made when he was young and in his early twenties; last conviction in 2008 for burglary and attempted robbery for which he served time; got out and went to school for alcohol and drug counseling; and doing positive things with his life, got married, and have kids.
- Commissioner Davidian asked to confirm if it happened between the age of 19 and 24 years, how many years he served in prison, and if married and have kids.
- Appellant Agnew confirmed that he was between 19 and 24 years old when it happened and he is now 40 years old; served time under five years total; and shared the ages of his kids.
- Commissioner Tohom asked the appellant if his four years employment with MV all in the City or at different locations.
- Appellant Agnew confirmed that all four years are in the City.
- Commissioner Talbott asked the appellant if he tried to get an expungement.
- Appellant Agnew stated that he has not, but will definitely look into it.
- Commissioner Tohom asked the appellant when he started working for MV.
- Appellant Agnew stated he believed it was in March 21, 2020.
- Commissioner Davidian asked Ms. Barker for the approximate number of MV employees that worked for the City of LA.
- Ms. Barker stated that she did not know and would have to ask Transit.
- Appellant Agnew shared how he moved up to train people to go out on routes.
- After checking with the Chief of Transit, Mr. Husting reported that Transit have roughly 400 buses and 500-600 drivers with MV.

Commissioner Liban moved, seconded by Commissioner Talbott to grant the appeal of Willie James Agnew. Unanimously APPROVED.

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

DCA Dufner reported on the Executive Session as follows:

- Item 12, appeal was granted
- Item 13, appeal was granted
- Item 14, appeal was denied

- Item 15, appeal was granted
- Item 16, appeal was granted

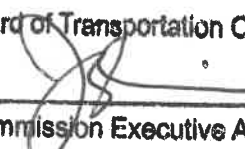
Commissioner Ortega announced that this was her last meeting as she will be stepping down from the Commission after seven years. She thanked the Mayor's Office for her appointment; Mayor Bass for her reappointment; DOT staff; City Attorney's Office; fellow Commissioners; and wished the best to everyone moving forward.

Commissioner Liban expressed how Commissioner Ortega will be missed and thanked her for serving the City. He entertained a motion in honor of her service to the City and the great work everyone is doing.

ADJOURNMENT – PURSUANT TO GOVERNMENT CODE SECTION 54956.7

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

The meeting adjourned at 12:43 PM.

Approved: 6/13/2024
Board of Transportation Commissioners

Commission Executive Assistant