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LAURA RUBIO-CORNEJO  
GENERAL MANAGER

# 3

**MINUTES**  
**JUNE 13, 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**

Vice President Talbott 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 Douglas Tohom, Selika Talbott, Vigen Davidian, Erin Pak, and Raymond Regalado; Jay Kim, Assistant General Manager (AGM); and Michael Nagle, Deputy City Attorney (DCA) and Kevin Dufner, Deputy City Attorney (DCA)

Absent: Commissioner Cris Liban

**ITEM NO. 3 - MINUTES**

Commissioner Davidian moved, seconded by Commissioner Tohom to approve the Minutes of May 9, 2024. Commissioner Pak abstained due to her absence at the meeting. Minutes APPROVED.

**ITEM NO. 4 – COMMISSION BUSINESS**

No business reported.

**ITEM NO. 5 – COMMUNICATIONS**

No communication reported.

## **ITEM NO. 6 – GENERAL MANAGER’S REPORT**

AGM Jay Kim, provided the report.

- Budget Adoption Highlights: all departments took a cut; LADOT lost 59 positions, mostly parking enforcement officers and some parking meter technicians; and reductions on speed hump program and sign and shop crews. He offered to have a Budget team member come back to report on the details of how the reductions will impact the Department’s operation moving forward.

Comments were provided.

- Commissioner Talbott stated how it was a good idea to have staff come back and talk about the impact on the loss of the positions, issues reflecting safety, and traffic enforcement.
- Commissioner Davidian seconded Commissioner Talbott’s request given the critical nature in the coming years with the Olympics and World Cup and possible negative impacts to Department programs.

## **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 Medi Transp, Inc for Three Unrestricted Non-Ambulatory Passenger Vehicle Permits**

### **ITEM NO. 8 – Recommend Approval of the Application of Medresponse, LLC for Three Unrestricted Private Ambulance Vehicle Permits**

Commissioner Pak moved, seconded by Commissioner Davidian to approve Items No. 7 and No. 8. Unanimously APPROVED.

## **ACTION ITEM**

### **ITEM NO. 9 – LADOT Parking Lot 658 Affordable Housing Agreement and Transfer to LAHD**

Public comments were taken.

Diego De La Garza, Project Assistant - Parking Facilities Division, presented the report.

Questions, answers, and comments were provided.

- Commissioner Pak inquired about discussion regarding replacement of the parking spaces that would be lost and asked to clarify if the occupancy rates of parking lots have 34% usage rate.
- Mr. De La Garza confirmed that the occupancy rate is at 34% during peak hours and weekends and that the City has no requirement for replacement parking.
- AGM Kim provided some context regarding a motion passed in Council which took away the Department's ability to provide replacement parking.
- Eric Claros with LAHD stated that the project is providing 47 parking spaces for the residents and that affordable housing does not require parking.
- Commissioner Davidian asked for the total number of spaces that will be lost.
- Mr. De La Garza responded that 60 spaces will be lost from one lot.
- Mr. Claros pointed out that Lot 658 was the only lot being discussed currently, and there is no immediate loss of spaces in the other lots.
- Commissioner Davidian asked if community outreach was done.
- The members of the public in the audience exclaimed that no community outreach was done.
- Mr. Claros disagreed with the public; shared that the developer committed to a lot of community outreach; and explained the effects of increasing parking and the number of years it has taken to get to this point.
- Commissioner Tohom asked AGM Kim how this project is different from the Koreatown lot brought to the Commission in the past meeting which included replacement parking on a City-owned lot for affordable housing.
- AGM Kim stated how he did not recall the exact condition of the Koreatown lot and explained how for this consideration, the Department do not have the same oversight.
- Mr. De La Garza shared that he prepared the Koreatown lot report two months ago and explained how that process was different due to its occupancy rate and funding source.
- Commissioner Tohom asked AGM Kim what other services (DASH, CityRide) or opportunities can the neighborhood use when this parking lot is removed.
- AGM Kim explained how the Department can not commit to provide other public transit services to address this issue due to the funding gap and shared there are other lots within the proximity.
- Commissioner Talbott talked about poor improper signage or no signage at all in the neighborhood and asked if this can be addressed when it comes to permitted parking or signage in the community.
- To address Commissioner Talbott's question about redirecting some of the public traffic towards underutilized lots, AGM Kim confirmed that there is an opportunity and the possibility for signage.
- Commissioner Talbott asked if a preferential parking district could be enacted in this community that would give them greater access to parking within the streets of their neighborhood.
- Mr. De La Garza stated that it is a possibility and has to be initiated by the community in partnership with the council office.
- Commissioner Regalado asked to clarify if there are other potential project sites that could occur in the general area but no plans at this time.
- Mr. Claros clarified and discussed the five sites offered for affordable housing with no plans for the other four lots other than Lot 658.

- Commissioner Regalado asked if there is a possibility of forward thinking plans that could be looked at as alternatives.
- Mr. Claros reiterated that they are not doing this one at a time; explained why this lot is the most feasible at this time; and discussed the next steps for the other four lots.
- Commissioner Pak asked if the area of the lots were reviewed to consider if there are parking variances given and how that would impact the overall neighborhood traffic issues.
- Mr. Claros discussed how they looked into the surrounding areas and any other sites that would be affected or had another project with similar situation because of a parking variance; not aware of any parking variances that would be affected; and offered to make his contact available if there are any concerns about the project being developed and what happens to those variances.
- Commissioner Pak asked if any building owners have reached out to him recently regarding how the development will affect their buildings and their existing variances.
- Mr. Claros confirmed that no one has contacted him.

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

**ITEM NO. 10 – Recommendations Re: 2024-25 Private Ambulance Service Rate Adjustment and Adoption of New Methodology for Future Adjustments**

Public comments were taken.

Jarvis Murray, Program Manager of Private Ambulance Service, presented the report.

Questions, answers, and comments were provided.

- Commissioner Davidian asked when the City rates were adjusted last.
- Mr. Murray stated that it was adjusted in 2022 and noted that they began working on it mid 2021 or earlier and it took nearly a year for the rate to come; and therefore, the numbers were based upon prior year numbers.
- Commissioner Davidian asked to clarify if open to negotiation or in the future to adopt based on discussion the process that the County has for negotiated rates.
- Mr. Murray confirmed that we are open to the discussion and most importantly that it is very clear that an adjustment needs to happen for the industry and that the methodology is the real issue.
- Commissioner Davidian asked why the County rates are so much higher than the City rates.
- Mr. Murray stated that he could not say but he has the County code section which explains how they manage their rates and he went over their latest code section.
- Based on Mr. Murray's knowledge, Commissioner Davidian asked if he knew what percentage of the time the County actually negotiate their maximum lower rate.
- Mr. Murray stated that he could not say and that it is an industry question and it is part of their business and how they manage.

- When there is negotiation, Commissioner Pak asked Mr. Murray if he was privy as part of the LA City government the mean and median rates that the County ends up allowing for the operators at the County level.
- Mr. Murray stated that they are not privy to it and discussed in detail how they use to attempt to calculate the prior rates and the difficulties that came along with it.
- Commissioner Pak commented on the challenge to bring things to parity and stated that equal is not enough but equitable is required to make sure that the residents of Los Angeles has safe access to the ambulance services.
- Commissioner Tohom asked if there was any outreach done to the hospitals.
- Mr. Murray confirmed that there was no outreach done to the hospitals prior to sending them the report and this meeting.
- Based on the research done, Commissioner Regalado asked if the type of service or quality of service is impacted when there are rate shifts depending on the area being served.
- Mr. Murray stated that their primary concern is that they are able to continue to fund the service and discussed the impacts that they are concerned about.
- Commissioner Regalado stated that because the County is charging potentially more, the businesses that are servicing Los Angeles, asked if we are limiting those services in Los Angeles because they rather serve Los Angeles County versus the City of Los Angeles.
- Mr. Murray stated that the question is better addressed by the industry directly, and shared his understanding that Los Angeles is the place where you can do relatively well because of that.
- Commissioner Pak asked the City Attorney if the Commission could ask a question to the audience.
- Commissioner Talbott asked if Mr. Murray has any data, aside from what was he discussed, that would show what is truly being paid as a base rate or an average rate in the County compared to the City.
- Mr. Murray stated that he did not have specific data and could only confirm that it is generally less than the maximum rate that side of the County.
- Commissioner Talbott asked if there have been instances where somebody negotiates with the County for rate but finds themselves in a position in the County rate that they negotiated is less than the City rate, and find themselves in a position where they are charged the City rate which is more.
- Mr. Murray responded that they are not aware of any instances and shared that once in a while they would get a question related to a local RFP from a hospital looking for service that may be looking for rates lower than the City rates.
- Commissioner Talbott asked if there is a complaint mechanism within the Department regarding issues with rate enforcement.
- Mr. Murray confirmed that the ambulance industry/association will reach out for any and all issues related to whether it's their business, insurance, drivers, and problem with permitting and enforcement.
- Commissioner Talbott shared her thoughts on a mechanism as an opportunity to be able to address the stakeholder issues on a regular cadence, which she thought would be helpful for the Department in running day to day operations.
- DCA Dufner shared the best way for the Commissioners to get their questions or issues addressed by the industry and that is to post questions to the Department and to Mr. Murray and ask for a report back where Mr. Murray will post those

questions to the industry so everyone has the opportunity to respond with some time.

- Commissioner Pak proposed to alter the motion.
- Commissioner Tohom referred to an item in the staff report by which the City uses the County's annual percentage change to determine rate adjustments for the future City ambulance service, and asked that by the example in report if the County raises its rates by 2%, then the City would raise it by 2%.
- Mr. Murray confirmed Commissioner Tohom's statement was correct and added that the County reviews their rates annually.
- Commissioner Tohom shared his theory that the gradual rate increase of 2%, 3%, and 4% in three years rather than 30% jump every three years would be a 10% increase and could be more matched.
- Mr. Murray explained how the idea was not to wait three years, it would be 2% next year and 2% throughout the following year, and added how it has been part of the problem as the Department that we end up being late to the game in terms of making these changes.
- Commissioner Pak recommended amending the motion into two parts: 1) accept the recommendation 24-25 private ambulance rate adjustments; 2) delay the adoption of new methodology until after the Commission have the opportunity to ask some questions, including some time for Mr. Murray's office to set a more definitive baseline, at least to make an effort to reach out to the County to see if they have the mean and median rate for all the categories for 23 and understand that the rates may be very different based on who is negotiating with them (Kaiser has more leverage than a privately owned small entity); let the Commission know what the nuances are and some point of reference; and if we should consider merging with the County regarding rate adjustment or not.
- Commissioner Tohom restated Commissioner Pak's recommendation and asked to clarify that by splitting it, Item 2 find that the Department's schedule rates and charges, that would be accepting the 24-25 rates, and that the second motion was to come back with a methodology break down and not approve a future methodology change.
- Commissioner Pak concurred with Commissioner Tohom's statement and added that it will give the industry the opportunity to meet, would get a better response rate, see what they are looking for, and why they are recommending one way or the other.
- For clarity and understanding, DCA Dufner asked Commissioner Pak if her motion to amend was to remove Finding 3 from this item and postpone that for a later date but proceed with the rest of it.
- Commissioner Pak confirmed that DCA Dufner's statement was correct.
- DCA Dufner further asked if Commissioner Pak proposed to just agendaize an item that deals specifically with that issue for a future Commission meeting.
- Commissioner Pak confirmed that DCA Dufner's statement was correct.
- DCA Dufner asked Mr. Murray if the tentative resolution address that methodology in it at all.
- Mr. Murray stated that he believed it does and because it is tentative, he asked if it would have to come back for final.
- DCA Dufner agreed that it would have to come back for final if that is how Mr. Murray intended to proceed with it.

- Commissioner Tohom asked if the rate increases is contingent on the change of methodology for this item.
- DCA Dufner stated that the rate increases uses the methodology.
- Mr. Murray confirmed DCA Dufner's statement is correct.
- Commissioner Pak stated that she was not eluding to that and thought that if the Commission vote and accept the first part of the motion that the 24-25 proposed rate would be accepted, but going forward and right now what is set in place is the 2% year over year increases and that component, we would have a discussion to see if we are going to adopt that methodology with the built in structure.
- DCA Dufner clarified that the current year already uses the methodology and so the current finding would be using that methodology and that is baked into the resolution as is written.
- Commissioner Pak asked if the recommendation was to accept everything or vote on the motion in its entirety or not.
- Commissioner Talbott questioned the method because she did not know if they could break this up the way it was written and if that was the choice the Commission is making then essentially the Commission is making the choice to not approve a rate adjustment.
- DCA Dufner reiterated his recommendation to proceed as Commissioner Talbott suggested and that the Board could agendaize this topic for future discussions.
- Commissioner Talbott stated how she would like to continue the discussion raised by Commissioner Pak for better understanding of what the County is doing; would have the authority once we review what their rates are on average, the mean and medium; and make a determination as to whether any future changes to the methodology that exists should be made
- Mr. Murray agreed with Commissioner Talbott's statement about future discussion.
- Commissioner Davidian asked for clarity that if the Board voted on the entire package, the recommended rates are not being locked for another three years and that for 24-25, adopt the rates in Table 1 but we reserve the right to modify after the deliberation.
- Commissioner Talbott stated that it was her understanding that we would have the ability to modify and asked the City Attorney to confirm.
- DCA Dufner confirmed that Commissioner Talbott's statement was correct.
- Commissioner Davidian asked to clarify that voting on No. 3 does not preclude from agendaizing this item for the subsequent years and to come back for further adjustments.
- DCA Dufner confirmed Commissioner Davidian's statement is correct because if Mr. Murray intends to come back with a final resolution that is going to be approved by the Board and the Council, we can make sure the resolution is crafted that way. He asked Mr. Murray if that works for him.
- Mr. Murray concurred and asked if the next resolution would be the final and not a new tentative.
- DCA Dufner confirmed that the next resolution would be the final.

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

Commissioner Talbott announced that the Board will take a couple of minutes recess.

**ITEM NO. 11 – Establishment of Preferential Parking District No. 304 in the Country Club Park Community in Council District 10**

Public comments were taken.

Dorothy Tate, Supervising Transportation Planner, presented the report.

A question and answer were provided.

- Commissioner Tohom commented that the parking study was done almost five years ago and asked if anything significant has changed since then.
- Ms. Tate stated that residents eluded to it and has gotten worse.

Commissioner Pak moved, seconded by Commissioner Davidian to approve Item No. 11. Unanimously APPROVED.

**ITEM NO. 12 – Appeal of Joshua Abraham Duran Concerning the Department's Monetary Penalty Assessment of \$100 Pursuant to Board Order 580 § 3(a)**

Pat Barker, Sr. Transportation Investigator, presented the report. She informed the Board that Mr. Duran was not present; he was properly notified; and asked the Board to approve the Department's recommendation to assess the \$100 fine.

Commissioner Tohom moved, seconded by Commissioner Regalado to approve Item No. 12. Unanimously APPROVED.

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

**EXECUTIVE SESSION**

***Taken out of order***

**ITEM NO. 14 – Appeal of Jason Sterling Patterson Concerning the Department's April 12, 2024, Denial of His Application for a Non-Ambulatory Wheelchair Passenger Vehicle Driver Permit, Pursuant to Board Order 600, Rule D1 – Permanent Disqualification**

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

Sammy Sweise, Director of Operations for Oasis, was present and addressed the Board. He described what occurred and spoke about Appellant Patterson's character.

Appellant Jason Sterling Patterson was present and addressed the Board.

Questions, answers, and comments were provided.

- For caution, Ms. Barker shared an incident that happened the second time she encountered the appellant and asked that if the Board wished to entertain and



approve his appeal that it must be made known to him why he can not repeat what he did at the dialysis center.

- Appellant Patterson explained the circumstances that occurred at the dialysis center.
- Commissioner Tohom asked to clarify the 2003 conviction.
- Appellant Patterson explained the circumstances of 2003 conviction.
- Commissioner Talbott asked for the appellant's age at that time and if he had an attorney.
- Appellant Patterson stated that he just turned 21 and had two lawyers.
- Commissioner Tohom expressed his concerns about the incident Ms. Barker shared and her stipulations.
- Mr. Sweise described in detail the appellant's positive characteristics.
- Commissioner Talbott shared her position on rehabilitation after 20 something years.
- Commissioner Pak made a comment to Mr. Sweise about how vital it is that he does not put Appellant Patterson in the same position again, if the Board granted the appeal.
- Mr. Sweise agreed to Commissioner Pak's comments.

Commissioner Talbott moved, seconded by Commissioner Pak to grant the appeal of Jason Sterling Patterson. Unanimously APPROVED.

**ITEM NO. 13 – Appeal of Desmond Checotah Edmond Concerning the Department's April 4, 2024, Denial of His Application for a New Motor Bus Driver Permit, Pursuant to Board Order 600, Rule D1 – Permanent Disqualification**

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

Appellant Desmond Checotah was present and addressed the Board.

Questions, answers, and comments were provided.

- Commissioner Talbott asked the appellant to talk about his conviction history and the circumstances.
- Appellant Checotah explained the circumstances which involved his ex-girlfriend.
- Commissioner Talbott asked how old the ex-girlfriend was and the number of years he was incarcerated.
- Appellant Checotah responded that she was 14 and for 29 years.
- Ms. Barker discussed the background investigation system with the company contracted with the City for DOT applicants; has not had any problems with the appellant; and that she has to abide by the rules and regulations and that the Department ask the Board to abide by the recommendations of the Board report but whatever the Board decides is fine with the Department.
- Commissioner Talbott asked the appellant to talk about the circumstances of his life since he has been released.
- Appellant Checotah described his circumstances and how his perspective on life totally changed.
- Commissioner Talbott asked about the appellant's living situation and if he had family.

- Appellant Checotah shared his current living situation and where most of his family is located.
- Commissioner Pak asked if this was his first job since he was released.
- Appellant Checotah shared his previous jobs since his release.
- Commissioner Tohom asked the appellant when he was released.
- Appellant Checotah stated that he was released April 14, 2022.
- Commissioner Talbott shared her thoughts as to why this was a weighing decision; the gravity of the offense; and her strong position on rehabilitation and the opportunity for people, especially when they are very young, to find themselves in a position where they support themselves and their family having made restitution and served time and to be a valuable member of society.
- Appellant Checotah shared with the Commissioners some documents of his outstanding employee certificates from MV.
- Commissioner Tohom asked how the appellant came upon the job.
- Appellant Checotah shared how he found this job through a resource center job flyer.
- Commissioner Tohom expressed similar feelings about the gravity of the crime committed.
- Ms. Barker talked about how she does not have the right to advise a company to release an employee based on the decision made by the City.
- Commissioner Regalado shared his experience in the past dealing with individuals that had been incarcerated and the opportunity for employment after incarceration and its difficulties.
- Commissioner Pak commented on employment opportunities following release from the jail system; how to become an example to others; and how all privileges and opportunities come with responsibilities.

Commissioner Regalado moved, seconded by Commissioner Pak to grant the appeal of Desmond Checotah. Unanimously APPROVED.

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

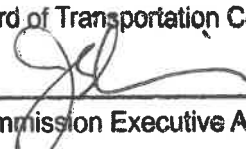
DCA Dufner reported on the Executive Session as follows:

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

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

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

The meeting adjourned at 12:58 PM.

Approved: 7/11/2024  
Board of Transportation Commissioners  
  
Commission Executive Assistant