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STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD
MINUTES

The New Motor Vehicle Board (“Board”) held a General meeting on August 9, 2024, at the Department of Motor Vehicles (“DMV”) Headquarters in Sacramento in the Assembly Room.

Ardashes (“Ardy”) Kassakhian, President and Public Member, called the meeting of the Board to order at 10:04 a.m.

2. **ROLL CALL**

Board Members Present: Anne Smith Boland
Ashley Dena
Kathryn Ellen Doi
Ardashes “Ardy” Kassakhian
Jacob Stevens

Board Members Not Present: Bismarck Obando
Brady Schmidt

Board Staff Present: Timothy M. Corcoran, Executive Director
Kim Vaye, Assistant Director and Equity Officer
Robin P. Parker, Chief Counsel
Jason Rose, Senior Staff Counsel
Suzanne Luke, Senior Administrative Services Analyst
Alejandro Martinez, Legal Program Analyst
Navpreet (Penny) Bhatti, Administrative & Consumer Services Analyst
Rabia Sadiq, Staff Support and Public Services Analyst

Mr. Corcoran indicated that a quorum was established for general business.

3. **PLEDGE OF ALLEGIANCE**

President Kassakhian led the members and staff in the Pledge of Allegiance.

4. **INTRODUCTION AND WELCOME OF NEWLY HIRED ASSISTANT DIRECTOR AND EQUITY OFFICER, KIMBERLEE VAYE**

President Kassakhian welcomed newly hired Assistant Director and Equity Officer Kimberlee Vaye. Mr. Corcoran provide the members with Ms. Vaye's background:

Kim Vaye started with the State of California in 2010 with the Department of State Hospitals and worked within the California Department of Corrections and Rehabilitations in 2019 as a music therapist, supervising rehabilitation therapist, and program director. She then worked with the California Department of Transportation as a Discipline Services Manager where she led the Caltrans District 10 Equity Diversity Inclusion task force. As the task force lead, Kim worked with internal staff and external partners to advance equity in the workplace and within District 10 communities.

Kim's work at Caltrans inspired her to pursue an opportunity to work at the California Commission on the Status of Women and Girls where she was a program director partnering with the office of the first partner and California partners project on the California equal pay pledge and starting the commission's first statewide Youth Advisory Counsel. At the commission, Kim created spaces where people could discuss practices and policies affecting women and girls, ensure individual voices were heard and empower everyone to speak their minds while working towards collective action.

Prior to state service, Kim worked in Minneapolis as a music therapist working with families to disrupt intergenerational cycles of poverty, adversity and trauma within culturally relevant mental health and educational programs.

Kim holds a Bachelor of Science in music therapy, a Master of Arts in music therapy and a Master of Science in management and leadership. Kim is also an ambassador for growing unity, inclusion, diversity and equity with the Greater Stockton Chamber of Commerce.

Ms. Vaye commented that she's had the privilege of meeting with staff from California State Transportation Agency (CalSTA), DMV, some Board members, and Board staff. These meetings and conversations have given Kim a sense of the Board, its areas of responsibility, and its strengths and weaknesses. Kim began working with the Board staff to increase communication amongst themselves and with the Board's colleagues at DMV to create effective and efficient processes in all areas of responsibility including fiscal, personnel, facilities, and support. Kim looks forward to working with everyone to achieve the goals and objectives in the Strategic Plan and advise the Ad Hoc Committee on Equity, Justice and Inclusion.

Member Stevens was part of the interview committee with CalSTA Undersecretary Tollefson and noted that Kim "wowed" them.

5. **APPROVAL OF THE MINUTES FROM THE APRIL 25, 2024, GENERAL MEETING, AND JUNE 28, 2024, SPECIAL MEETING**

Member Doi moved to adopt the April 25, 2024, General meeting minutes and June 28, 2024, Special Meeting Minutes. Member Dena seconded the motion. The motion carried unanimously.

6. **PRESENTATION OF RESOLUTION TO RYAN FITZPATRICK, FORMER DEALER BOARD MEMBER**

At the April 25, 2024, General meeting, the members unanimously moved to present Ryan Fitzpatrick, former Dealer Member, with a Resolution in appreciation of his dedication and service to the Board and the State of California. Mr. Fitzpatrick indicated that he was going to cherish the Resolution as he cherished his time on the Board. He learned so much from the members. Ryan stated that Mr. Corcoran was amazing.

President Kassakhian thanked Mr. Fitzpatrick for his input, fresh perspective, and passion for the industry. President Kassakhian learned a lot from Ryan and wished him great success in all his endeavors.

7. **PRESENTATION OF RESOLUTION TO THE CALIFORNIA NEW CAR DEALERS ASSOCIATION TO COMMEMORATE THEIR 100TH ANNIVERSARY**

At the April 25, 2024, General meeting, the members unanimously moved to present a Resolution to the California New Car Dealers Association (CNCDA) to commemorate their 100th Anniversary. Anthony Bento, Chief Legal Officer, and Autumn Heacox, Director of Communications and Marketing, received the Resolution on CNCDA's behalf.

President Kassakhian congratulated the CNCDA on its important milestone.

Mr. Bento thanked the Board for the Resolution. He remarked about the many changes in California over the past 100 years and looked forward to the future.

Mr. Corcoran remarked that in three different governmental roles all dealing with the motor vehicle industry, he's had the pleasure and opportunity to work with CNCDA. And specifically with Mr. Bento who has been honest and goes above and beyond.

President Kassakhian stated that he looks forward to working together with CNCDA to educate the public about the industry, the Board, and the DMV.

8. **APPOINTMENT OF VICE CHAIR TO THE AD HOC COMMITTEE ON EQUITY, JUSTICE AND INCLUSION, BY THE BOARD PRESIDENT**

At Member Doi's suggestion, President Kassakhian appointed Jake Stevens as the Vice Chair of the Ad Hoc Committee on Equity, Justice and Inclusion.

9. **INTRODUCTION AND WELCOME OF CHRISTINA SPAGNOLI, ASSISTANT CHIEF DEPUTY DIRECTOR, DEPARTMENT OF MOTOR VEHICLES - BOARD DEVELOPMENT COMMITTEE**

President Kassakhian welcomed Assistant Chief Deputy Director Christina Spagnoli of the Department of Motor Vehicles. Mr. Corcoran provided the members with her background:

Christina Spagnoli was appointed Assistant Chief Deputy Director in February 2024. She oversees department governance, process improvement, performance management, organizational change management, and risk management while ensuring organizational efficiencies.

Christina brings more than 17 years of experience to the DMV working in politics, policy, and the public sector. Before joining the DMV team, Christina served as Senior Advisor to the Secretary and as Deputy Secretary of Legislative Affairs, at the Government Operations Agency.

Christina earned a Bachelor of Arts in English from Sacramento State University and is alumni of the Panetta Institute for Public Policy and Jesse M. Unruh Assembly Fellowship.

Assistant Chief Deputy Director Spagnoli remarked that she was happy to be at the meeting because of the Board's shared goal of serving Californians. She noted the members have strong backgrounds in business mixed with public service which makes sure constituents are served in dispute resolution. Christina shared her background and strong interest in community involvement. Based on her own experience, she understands the impact of a system not working when vulnerable and living paycheck-to-paycheck. For her, public service is important in terms of giving back, to be effective, and influence policy.

In response to Member Doi's question, Assistant Chief Deputy Director Spagnoli touched on several top projects she was working on including process improvement by not only identifying problems but identifying solutions organization wide and enterprise wide. Her team is also looking at process improvements in implementing Assembly Bill 60 (undocumented Californian's seeking a driver's license). Additionally, Christina is looking internally at DMV's employee experience and meeting their needs as expressed in various communications and surveys. Making sure employees receive the support they need and continually improving processes, so they are not stretched too thin.

Mr. Corcoran noted how his conversations with Christina reflect her spirit of embracing organizational change management and how to make sure employees are happy and fulfilled in their jobs so they can best represent DMV.

There was no Board action as this matter was for information only.

10. **CONSIDERATION OF PRESENTATION OF RESOLUTION TO ANTHONY M. SKROCKI, DESIGNATED LAW AND MOTION ADMINISTRATIVE LAW JUDGE**

Member Stevens moved to present a Resolution to Administrative Law Judge Anthony M. Skrocki in recognition of his contribution to the New Motor Vehicle Board. Member Doi seconded the motion. The motion carried unanimously.

11. **DISCUSSION AND CONSIDERATION OF THE BOARD'S MISSION AND VISION STATEMENTS - EXECUTIVE COMMITTEE**

The members were provided with the Board's current Mission and Vision Statements. Mr. Corcoran stated that each year the Board reviews its mission and vision statements but typically the statements are not amended. Since it has been about five years since the last substantial amendment and there are a number newer Board members and staff, it is a good time to review the statements. The last time the statements were amended, it began with the creation of an ad hoc committee and appointment of two members so they could participate in formulating a draft that would be brought to the full board for discussion.

Member Doi suggested the Board look at the statements with an equity, justice and inclusion lens in light of Ms. Vaye's new role as the Board's Equity Officer.

12. **DISCUSSION AND CONSIDERATION OF CREATING AN AD HOC COMMITTEE TO REVIEW THE BOARD'S MISSION AND VISION STATEMENTS, BY THE BOARD PRESIDENT**

President Kassakhian created an Ad Hoc Committee to review the Board's Mission and Vision Statements consistent with the recently adopted Strategic Plan 2024-30.

13. **APPOINTMENT OF MEMBERS TO THE AD HOC COMMITTEE TO REVIEW THE BOARD'S MISSION AND VISION STATEMENTS, BY THE BOARD PRESIDENT**

President Kassakhian appointed himself as chair of the Ad Hoc Committee to Review the Board's Mission and Vision Statements and Member Stevens as a member.

14. **CONSIDERATION OF NOMINEE FOR THE SOLON C. SOTERAS EMPLOYEE RECOGNITION AWARD RECIPIENT AS RECOMMENDED BY THE BOARD DEVELOPMENT COMMITTEE**

At the July 18, 2000, General Meeting, the members adopted an Employee Recognition Award Program to recognize staff for their accomplishments. The program was renamed the Solon C. Soteris Employee Recognition Award. The Board Development Committee recommended this year's Solon C. Soteris Employee Recognition Award be awarded to Administrative Law Judge Anthony M. Skrocki and Chief Counsel Robin Parker in recognition of their exceptional leadership and contributions in developing legacy training materials, documents, videos, and resources for the benefit of the Board's current and future staff, attorneys, Administrative Law Judges, and stakeholders.

Mr. Corcoran commented that most often this award is referred to as the employee of the year award. This year, it might be more accurately titled the Lifetime Achievement Award and not just for the contributions of one, but for two individuals that are so important to the Board and have given so much.

Member Doi added that as the attorney member of the Board for the last 10 years, the work Judge Skrocki and Robin have done to support the adjudicative function of the Board is so valuable and excellent. As the Board moves to a different model, they laid the groundwork for the continued excellence of the product that comes out in the decisions, the consistency, and the credibility of the Board.

Ms. Parker thanked Mr. Corcoran and the members for this nomination.

Member Stevens moved to adopt the Committee's recommendation. Member Smith Boland seconded the motion. The motion carried unanimously.

Ms. Parker indicated that at the next Board meeting, the Resolution and this Employee Recognition Award will be presented to Judge Skrocki virtually.

15. **UPDATE ON BOARD DEVELOPMENT ACTIVITIES - BOARD DEVELOPMENT COMMITTEE**

The members were provided a memo from Tim Corcoran concerning Board development activities. Mr. Corcoran noted that with the Committee's suggestions, the following additional topics were added to the memo:

- Presentations from dealer and manufacturer attorneys on common disputes between, and differing perspectives of, franchisees and their franchisors.
- Presentation on industry strategies to assure ZEV profitability, by dealer and manufacturer representatives.
- Presentation on implementation of alternative fuel vehicles in mass transit.
- Presentations highlighting local efforts to make communities ZEV-ready, which is already incorporated into the Board's Strategic Plan.

There was no Board action as this matter was for information only.

16. **REVIEW AND CONSIDERATION OF BOARD DELEGATIONS IN COMPLIANCE WITH THE 1996 PERFORMANCE AUDIT CONDUCTED BY BUSINESS, TRANSPORTATION & HOUSING AGENCY - EXECUTIVE COMMITTEE**

The members were provided with a memorandum from Tim Corcoran and Robin Parker updating the Board delegations that were originally adopted in 1997 in compliance with the 1996 Performance Audit conducted by Business, Transportation & Housing Agency.

As indicated in the memo, the revised delegations pertain to:

- Legislative changes effective January 1, 2023 (Assembly Bill 2956) deleting obsolete references to appeals in Section 3008. (Stats. 2022, Ch. 295)

- The discretion given to the Executive Director to remove an Administrative Law Judge from an assignment log based on performance. (April 28, 2023, General Meeting)
- Recruitment and hiring practices designed and implemented with the goal of filling at least 44% of Board public contact positions with bilingual employees who have passed the Department of Motor Vehicles' Bilingual Verbal Proficiency Examination. (September 21, 2023, General Meeting)
- Review by the Ad Hoc Committee on Equity, Justice, and Inclusion of all new and revised policies prior to Board action in order to further institutionalize equity within Board programs. (September 21, 2023, General Meeting)
- Legislative changes effective January 1, 2024 (Assembly Bill 473) that added three new protests to Section 3065.3. (Stats. 2023, Ch. 332)
- The Board adopted Strategic Plan June 2024-30. (April 25, 2024, General Meeting)
- The discretion granted to the Executive Director to take action responsive to the objectives. (April 25, 2024, General Meeting)
- Personnel duties in the Delegation of Administrative Duties were updated to reflect the newly created Assistant Director and Equity Officer position.

Member Stevens moved to adopt the Board delegations as amended. Member Smith Boland seconded the motion. The motion carried unanimously.

17. **REPORT ON THE BOARD'S FINANCIAL CONDITION AND RELATED FISCAL MATTERS - FISCAL COMMITTEE**

- a. Report on the Board's Financial Condition through the 3rd quarter of Fiscal Year 2023-2024.
- b. Report concerning the Board's collection of its Annual Board Fee.
- c. Status report concerning the Board's collection of the Arbitration Certification Programs' annual fee.
- d. Discussion and consideration of the Board's proposed budget for the current fiscal year.

The members were provided with a memo from Tim Corcoran, Kim Vaye, and Suzanne Luke. Mr. Corcoran read the following statement:

First, I want to say that the issue I am going to bring to your attention here today is serious but has been identified in time to be addressed without harm to the Board's stakeholders and constituents.

Second, this issue was initially identified approximately three weeks ago, and fact-finding activities have been underway since that time with new information revealed each day. As recently as three days ago we have discovered new, significant details. This means our understanding of the root cause has only this week become clear and, therefore, the plans to

mitigate the concern, while well underway, are being finalized. While I have a great deal of information to share today, and good reason to be optimistic about our plans to resolve these issues fully, a comprehensive solution will be presented at our next General Meeting in November.

Third, and importantly, the fault lays entirely with me. This Board, and the public, rely on me as the Board's Chief Executive Officer, to deliver timely and accurate information. Arguably, this fundamental truth is most critically applicable to my presentation of the Board's financial reports. These reports communicate our organizational health, assuring we can continue providing our essential governmental services without fail. I have provided erroneous information to you. No caveat and no excuses.

With that said, I will now walk you through what we know, what it means, and our planned next steps.

As you know, we present to the Board on a quarterly basis a report in memo format on the Board's Financial Condition. To avoid confusion later, as this terminology is similar to the name of another financial document that is key to this discussion, I am going to refer to these memos as the Fiscal Reports.

In these Fiscal Reports, I share with the Board several key data points:

- Beginning Balance;
- Revenue (fiscal year-to-date);
- Total Resource Balance;
- Total Revenue Received in Prior fiscal year;
- Fiscal year Expenditures displayed by fiscal quarter;
- Total Appropriation;
- Amount of Appropriation Remaining; and
- Percentage of Appropriation Remaining.

While all the data is valuable for the purpose of monitoring the Board's financial health, one number is particularly critical, the Beginning Balance, because it's depletion below a certain threshold signals the need to begin considering adjustments to revenue, expenditures, or both. Historically, we have enjoyed a relatively steady Beginning Balance equal to or greater than our entire annual appropriation or budget. This means that as long as our revenue each year matches our expenditures, that Beginning Balance amount would remain in the account at the end of the fiscal year assuring a quite healthy reserve for economic uncertainties. In other words, if the Beginning Balance equals our entire annual budget, we would be able to operate for an entire year without collecting any revenue at all. To have an entire year in reserve is unusual. A very high target compared to many other agencies who more typically look for up to three months in reserve. But, based on our unique business model, this "12 months in reserve" target is reasonable with workload directly related to the number of protests filed and more to the point, the number of merits hearings afforded. Our temporary

costs can fluctuate more dramatically than that of other agencies because of retired annuitants, Administrative Law Judge hours, or in some cases now Office of Administrative Hearing (OAH) billings.

Next, Mr. Corcoran displayed charts and fiscal memos presented at prior Board Meetings (September 21, 2023, December 8, 2023, and April 25, 2024) to illustrate the above along with other key data points to determine if or when action is needed to shore up the fund, adjust spending and/or seek a budget change proposal.

Mr. Corcoran stated the Board's next steps as follows:

1. Continue working with DMV Budgets to develop a fee increase proposal, which is accomplished through a regulatory action. We have been advised, since we anticipate an increased cost of doing business with OAH serving as at least one of our merits hearing providers, to project those additional costs so that the new fee amount contemplates this increased spending as well as addressing the current shortfall. Per the guidance of the Board's Fiscal Committee, we will prepare a proposal for the Board's consideration at the November General Meeting. DMV is actively engaging the Department of Finance to inform and receive guidance to assure as efficient process as possible. Stakeholders/fee-payers associations such as those representing dealers, manufacturers, and distributors will be contacted to advise of this necessity and to seek support in the event a regulation change is ultimately pursued.
2. Further, beyond the obvious checks and balances that must be implemented, there is a substantial opportunity to overhaul our entire internal budgeting and accounting processes. We have historically been reliant on external expertise and consult to answer even relatively simple questions from the Board on state budget and accounting processes. This emergency has afforded me, and the entire Board leadership and administrative staff a very robust education. Work is underway to create detailed allotments, recurring reporting processes, expense tracking procedures, balancing processes, and improved quarterly reporting to the Board. An external audit will be incorporated into the process as well in consult with DMV Budget and Accounting leadership, to assure that our reports to the Board are routinely scrutinized for accuracy by an independent expert. All of this will be developed under the guidance and observation of the Board's Fiscal Committee.

President Kassakhian stated that this situation was the result of an accounting and clerical error, but no money was spent inappropriately.

President Kassakhian asked Mr. Corcoran to explain where the erroneous figures came from. Rather than sourcing Fund Condition Statements directly from the Department of Finance, staff were instead relying on contacts within DMV to provide the data. At one point starting in April 2023, staff began sourcing it from the incorrect DMV personnel and instead received figures obtained from accounting software used only for agency-level

expenditure and revenue tracking. This system does not record account transfers, debits or deposits outside the agency. Specifically, statewide debits such as Supplemental Pension Payments, transfers for Covid Response Funding, and most significantly Statewide General Administrative Expenditures, also known as Pro Rata. Therefore, the figure obtained from DMV and then presented in Fiscal Reports as the Beginning Balance for each report since April 2023, were entirely incorrect.

In response to President Kassakhian's follow-up question, Mr. Corcoran indicated that no funds were missing. Every dollar that was received, spent or transferred is accounted for. This is not a case of missing funds. This is a case of misreporting. Staff reported an inaccurate beginning balance in fiscal reports to the Board, and that erroneous figure was substantially higher than the actual amount as reflected in the official fund condition statement. The fiscal report provided today shows the accurate fiscal year 2023-24 beginning reserve balance of \$1,818,000. Note, however, that the deficit continues to grow, and the Department of Finance shows the current fiscal year as beginning with \$1,478,000.

Member Stevens appreciated the update and is confident the Board can address this now that it is identified but it sounds like the Board needs to discuss its current fees and the process to achieve a fee increase. Mr. Corcoran explained the primary funding sources and indicated that spending cuts are insufficient to offset the shortfall. Revenue is not meeting the current annual appropriation let alone the additional expenditures the Board anticipates. The Board's fees do not have an automatic increase to keep up with inflation. Therefore, the only way to adjust the Board's fees is a regulatory action.

In response to Member Doi's question, Mr. Corcoran indicated that the Board's fees have not been adjusted in decades, and inflationary pressures along with various personnel-related costs implied there may be a need to pursue both a fee increase and budget augmentation. DMV's budgeting team shared the same concern. Mr. Corcoran stated that although highly dependent on outside factors but with proper coordination already underway it is possible to secure an appropriate regulatory fee adjustment with an effective date within 12 months of Board approval. President Kassakhian stated the fee increase is mission critical.

Mr. Corcoran concluded that the Board needs a fee that will build back the reserves and stabilize the fund for as many years as possible. The Board is not in the business to make a profit but needs to fund its operations with enough reserve to carry it through times of economic uncertainty. At the November meeting, a specific proposal will be proposed for Board consideration. President Kassakhian and Member Doi suggested more frequent review of the Board's Annual Fees.

There was a brief discussion on the rulemaking process, potential public comments, and meeting with stakeholders before developing the regulation.

President Kassakhian thanked Mr. Corcoran for his candor and requested the Fiscal Committee and Board be apprised of the next steps.

There was no Board action as this matter was for information only.

18. **DISCUSSION CONCERNING PENDING LEGISLATION - LEGISLATIVE COMMITTEE**

- a. Pending Legislation of Special Interest: None
- b. Pending Legislation of General Interest:
 - (1) Assembly Bill 1777 (Assembly Member Ting) - Autonomous vehicles.
 - (2) Assembly Bill 2286 (Assembly Members Aguiar-Curry, Friedman, and Kalra) - Vehicles: autonomous vehicles.
 - (3) Assembly Bill 2401 (Assembly Member Ting) - Clean Cars 4 All Program.
 - (4) Assembly Bill 3061 (Assembly Member Haney) - Vehicles: autonomous vehicle incident reporting.
 - (5) Senate Bill 915 (Senator Cortese) - Local government: autonomous vehicle service.
 - (6) Senate Bill 961 (Senator Wiener) - Vehicles: safety equipment.
- c. Pending Federal Legislation of General Interest: None

The members were provided with a memo from Tim Corcoran and Jason Rose concerning pending legislation. Mr. Rose reported that there is no legislation of special interest that directly affects the Board's laws or functions.

Mr. Rose discussed the bills of general interest that concern autonomous vehicles as follow:

- Assembly Bill 1777 is an autonomous vehicle bill that allows citations to the manufacturer or operator of the vehicle if there is no driver. If there is a driver, then the driver would be cited.
- Assembly Bill 2286 requires autonomous vehicle manufacturers to report collisions if there is bodily harm, property damage, or death.
- Assembly Bill 3061 requires autonomous vehicle manufacturers to report collisions, traffic citations, or disengagements.
- Senate Bill 915 authorizes cities with populations of 250,000 or greater or cities that share a border with those cities to enact ordinances regulating certain aspects of autonomous vehicle service operations.

Next, bills unrelated to autonomous vehicles were discussed by Mr. Rose as follows:

- Assembly Bill 2401 (Clean Cars 4 All Program) encourages incentives to retire older vehicles and to specifically provide outreach to low income and disadvantaged communities where they find a lot of older vehicles (20-plus years or older).
- Senate Bill 961 is a passive intelligence speed assistance device bill. When

speeds exceed 10 miles per hour over the limit, the driver gets a flashing light or an alert.

The last day for each house to pass bills before the final recess is August 31, 2024, and the last day for the Governor to sign or veto bills is September 30, 2024.

There was no Board action as this matter was for information only.

19. **EXECUTIVE DIRECTOR'S REPORT**

- A. Administrative Matters.
- B. Case Management.
- C. Judicial Review.
- D. Notices Filed Pursuant to Vehicle Code sections 3060/3070 and 3062/3072.
- E. Other.

Mr. Corcoran provided the members with a report on Administrative Matters that identified all pending projects, the Board staff and committee assigned, estimated completion dates, and status.

Mr. Corcoran discussed the upcoming Industry Roundtable on March 27, 2025. He indicated that the State of the Industry discussion with Brian Maas and Curt Augustine did not occur in 2024 but hoped to get this scheduled in February 2025. The 50th Anniversary business cards for Board Members and Staff have been ordered and are forthcoming.

Lastly, Mr. Corcoran stated that the Board's planned move to DMV's childcare center (named for former DMV Director Doris Alexis) is no longer an option. DMV is considering re-opening the childcare center for its employees as an affordable option. Alternative space for Board staff is being explored at DMV and other sister departments under the CalSTA umbrella. Considering the fiscal restrictions discussed earlier, pursuing a lease is not viable.

Member Doi commented that she supports the idea of on-site childcare but does feel like the Board's staff have been extremely patient in working in the accommodations they currently have so she strongly encouraged Assistant Chief Deputy Director Spagnoli to consider the morale of the Board's staff and find workable space. Assistant Chief Deputy Director Spagnoli noted Member Doi's comments and understands the importance.

Ms. Parker indicated that the Public Members at the June 28, 2024, Special Meeting adopted the first Proposed Decision submitted by OAH. The deadline for either party to file a petition for writ of administrative mandate is August 12, 2024. Putnam Ford will file a petition for administrative mandate, which staff anticipated as the administrative record has been requested. The members will be updated once the Board is served. The hearing in the Putnam Ford warranty case was held for three days in the week of August 5, 2024. The hearing will resume on August 12, 2024.

Mr. Rose reported that Protest No. PR-2840-23 *Western Auto Experts v. Forest River* was dismissed. In three other protests dismissals are pending. A Motion to Dismiss was filed and set for hearing on October 3, 2024 (PR-2812-22 *San Luis Obispo Hyundai LLC dba Hyundai San Luis Obispo v. Hyundai Motor America*). A new incentive program protest was filed the morning of the meeting.

In response to President Kassakhian's question, Ms. Parker indicated that a Proposed Decision will be considered in *Putnam Kia* at the November 1, 2024, meeting.

There was no Board action as this matter was for information only.

20. **PUBLIC COMMENT** (Gov. Code § 11125.7)

No additional public comment was presented.

21. **ADJOURNMENT**

With no further business to discuss, the meeting was adjourned at 11:52 a.m.

Submitted by



TIMOTHY M. CORCORAN
Executive Director

APPROVED:



Ardashes ("Ardy") Kassakhian
President
New Motor Vehicle Board