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STATE OF CALIFORNIA  
NEW MOTOR VEHICLE BOARD  
**A G E N D A**  
**GENERAL MEETING**

Milton Marks Conference Center  
Lower Level – San Diego A/B/C Room  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688  
(415) 865-4200

July 15, 2014

Please note that Board action may be taken regarding any of the issues listed below. As such, if any person has an interest in any of these issues, he or she may want to attend.

The Board provides an opportunity for members of the public to comment on each agenda item before or during the discussion or consideration of the item as circumstances permit. (Gov. Code § 11125.7). However, comments by the parties or by their counsel that are made regarding any proposed decision, order, or ruling must be limited to matters contained within the administrative record of the proceedings. No other information or argument will be considered by the Board. Members of the public may not comment on such matters.

1. **10:00 a.m. -- Meeting called to order.**
2. **Roll Call.**
3. **Pledge of Allegiance.**
4. **Approval of the Minutes from the April 9, 2014, Special Meeting, and April 9, 2014, General Meeting.**
5. **Consideration of presentation of Resolution to Mary Garcia, retiring Branch Chief, Occupational Licensing, Department of Motor Vehicles.**
6. **Update concerning the Board's compliance with the 1996 Performance Audit conducted by Business, Transportation & Housing Agency, and the resultant Corrective Action Plan - Executive Committee.**

7. **Review and consideration of Board delegations in compliance with the 1996 Performance Audit conducted by Business, Transportation & Housing Agency - Executive Committee.**
8. **Consideration of nominee for the Solon C. Soteras Employee Recognition Award recipient as recommended by the Board Development Committee.**
9. **Annual discussion and consideration of the methods for determining Board fees - Fiscal Committee.**
10. **Board financial condition report for the 3<sup>rd</sup> quarter of fiscal year 2013-2014 - Fiscal Committee.**
11. **Status report concerning the Board's collection of the Arbitration Certification Programs' annual fee - Fiscal Committee.**
12. **Discussion and consideration of the Board's proposed budget for fiscal year 2014-2015 - Fiscal Committee.**
13. **Report on the 11<sup>th</sup> New Motor Vehicle Board Industry Roundtable - Government and Industry Affairs Committee.**
14. **Consideration of the 2014 edition of the *New Motor Vehicle Board Administrative Law Judges' Benchbook* - Policy and Procedure Committee.**
15. **Discussion concerning pending legislation - Policy and Procedure Committee.**
  - a. Pending Legislation of Special Interest:  
Assembly Bill 988 (Assembly Member Jones)
  - b. Pending Legislation of General Interest:
    - (1) Assembly Bill 1732 (Assembly Member Stone)
    - (2) Senate Bill 686 (Senator Jackson)
  - c. Pending Federal Legislation of General Interest: None
16. **Consideration of revisions to proposed regulatory amendments to Section 551.21 of Title 13 of the California Code of Regulations (Sanctions - Bad Faith Actions) - Policy and Procedure Committee.**
17. **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.

18. **Selection of Board meeting dates for the remainder of 2014.**
19. **Public Comment. (Gov. Code § 11125.7)**
20. **Oral Presentation before the Public Members of the Board.**

SANTA CRUZ NISSAN, INC., dba SANTA CRUZ NISSAN v. NISSAN NORTH AMERICA, INC.

Protest No. PR-2358-13

21. **Closed Executive Session deliberations.**

Pursuant to Government Code section 11126(c)(3), Vehicle Code section 3008(a), and Title 13, California Code of Regulations, sections 581 and 588, the Board convenes in closed Executive Session to deliberate the decisions reached upon the evidence introduced in proceedings that were conducted in accordance with Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

Pursuant to Government Code section 11517(c)(2), the Board could adopt the proposed decision/proposed order, make technical or other minor changes, reject the proposed decision/proposed order and remand the case, or reject the proposed decision/proposed order and decide the case upon the record.

**Consideration of Proposed Decision.**

SANTA CRUZ NISSAN, INC., dba SANTA CRUZ NISSAN v. NISSAN NORTH AMERICA, INC.

Protest No. PR-2358-13

Consideration of the Administrative Law Judge's Proposed Decision, by the Public Members of the Board.

22. **Open Session.**
23. **Adjournment.**

To request special accommodations for persons with disabilities at this or any future Board meeting or to request any accommodation for persons with disabilities necessary to receive agendas or materials prepared for Board meetings, please contact Nicole Angulo at (916) 445-1888 or [nangulo@nmvb.ca.gov](mailto:nangulo@nmvb.ca.gov).