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STATE OF CALIFORNIA  
NEW MOTOR VEHICLE BOARD  
**MINUTES**

The New Motor Vehicle Board (“Board”) held a General meeting on January 12, 2022, via Zoom and teleconference. Bismarck Obando, President and Public Member, called the meeting of the Board to order at 9:32 a.m.

Member Obando welcomed everyone and set forth the parameters for the meeting.

2. **ROLL CALL**

Board Members Present: Ramon Alvarez C.  
Anne Smith Boland  
Kathryn Ellen Doi  
Ryan Fitzpatrick (joined at 9:35 a.m.)  
Ardashes “Ardy” Kassakhian  
Bismarck Obando (absent 9:34 a.m. to 10:44 a.m.)  
Jacob Stevens

Board Members Not Present: Inder Dosanjh

Board Staff Present: Timothy M. Corcoran, Executive Director  
Dawn Kindel, Assistant Executive Officer  
Robin P. Parker, Chief Counsel  
Danielle R. Phomsopha, Senior Staff Counsel  
Suzanne Luke, Administrative Services Analyst  
Holly Victor, Mediation Analyst  
Lee Moore, Mediation Analyst  
Garrett Porter, (former) Legal Assistant  
Anthony M. Skrocki, Administrative Law Judge  
Stephen Smith, Administrative Law Judge

Mr. Corcoran noted that a quorum was established for general business and case management matters.

President Obando indicated that due to a conflict he would be absent for about an hour so Vice President Kassakhian would preside over a portion of the meeting. (Vice President Kassakhian presided over Agenda Items 3-4, 8-14, 18.a., and 19.a. President Obando presided over Agenda Items 5-7, 18.b., 19.b., and 20-21.)

3. **PRESENTATION OF RESOLUTION TO DANIEL P. KUHNERT, FORMER PUBLIC BOARD MEMBER**

At the December 7, 2021, General Meeting, the members unanimously moved to present Dan Kuhnert, former Public Member, with a Resolution in appreciation for his dedication and service to the State.

Vice President Kassakhian read the Resolution into the record:

Whereas, Member Daniel P. Kuhnert was appointed to the Board in February 2020, by Governor Gavin Newsom, to serve as a public member of the New Motor Vehicle Board; and,

Whereas, Member Kuhnert served on several committees and has served as Chair of the Policy and Procedure Committee and member of the Administration Committee, and distinguished himself thereby; and

Whereas, Member Kuhnert actively engaged in the Board's business by providing sound advice and leadership, was thoughtful, friendly and outgoing to staff and fellow members; and

Whereas, the foremost concern of Member Kuhnert is public service to the people of the State of California, being active in political and community affairs, with exemplary service and dedication in the best interest of his fellow citizens, which merits the highest praise and recognition, and

Whereas, Member Kuhnert has given with great unselfishness and dedication of his time and expertise to matters concerning the motor vehicle industry and helped direct and protect the welfare of the automotive industry in this State, which is vital to California's economy and public welfare, thereby enhancing the respect of the auto industry and public for the Board; and,

Therefore, be it resolved that each and every member of the New Motor Vehicle Board joins in expressing their profound appreciation to Member Daniel P. Kuhnert for his contribution to the Board, to the motor vehicle industry and to the people of the State of California.

Vice President Kassakhian indicated that the Resolution was dated December 7, 2021, and it is the Board's pleasure and privilege to present it to former Public Member Dan

Kuhnert. Mr. Kuhnert remarked that although his time on the Board was short, he appreciated his time, has an extreme appreciation for the hard work each Board Member is willing to put forward, and he is honored.

Member Doi commented that it was a pleasure to serve on the Board with Dan and as Board President at the time, she greatly appreciated Dan's enthusiastic and thoughtful participation in all of the Board matters heard. Dan's many contributions were appreciated.

Member Alvarez thanked Dan for his time and effort given to the Board.

Member Smith Boland remarked it was a pleasuring doing orientation with Dan, getting to know him, and serving on the Board together.

In closing, Vice President Kassakhian noted that he learned a great deal from Dan's perspective and experience.

4. **BOARD MEMBER EDUCATION CONCERNING STATEMENT OF INCOMPATIBLE ACTIVITIES (GOV. CODE § 19990; FISHER V. STATE PERSONNEL BD. (2018) 25 CAL. APP. 5th 1) BY JOHN T. MCGLOTHLIN, DEPUTY ATTORNEY GENERAL ASSIGNED TO THE BOARD - BOARD DEVELOPMENT COMMITTEE**

John McGlothlin, the Deputy Attorney General assigned to represent the Board, provided Board member education on statement of incompatible activities and Government Code section 19990. The message is that using public positions for personal benefit would abuse and harm the public trust.

By statute, each agency can also identify additional activities that would be incompatible with fulfilling its public mission. And for this purpose, the Board utilizes the DMV's Statement of Incompatible Activities, which discusses grounds for disciplinary action under Government Code section 19572. A violation of the incompatible activities can actually be grounds for disciplinary action that could include suspensions, demotions, and even dismissals.

The Incompatible Activities Statement that is used by the Board includes excerpts from section 19990 that lays out the specific enumerated activities that the statute identifies. Mr. McGlothlin identified the following examples: (1) Using the prestige of the office to obtain private gain; (2) Using State resources for personal use; (3) Disclosing confidential information without authorization; or (4) Accepting money or services from those doing business with Board.

Next, Mr. McGlothlin reviewed real-life examples taken from published court decisions that highlight how the courts have addressed certain issues that have come up with individuals working for California state agencies (not the New Motor Vehicle Board).

- The take away from the *Fisher v. State Personnel Board* case is that ignorance of the law is not a defense to Section 19990 and it does not matter if the misconduct does not become a subject of public knowledge and notoriety for disciplinary action to result.
- In *Orlandi v. State Personnel Board* the court found that some actions are so obviously incompatible with proper duties that it does not matter if it was not expressly prohibited in a written policy.
- In *Byrne v. State Personnel Board* the court frowned on accepting gratuities like a free drink in a bar by an Alcoholic Beverage Control Agent.
- Lastly, in *Nightingale v. State Personnel Board* the court found that you cannot intercede in the process to help friends obtain special treatment.

In closing, Mr. McGlothlin emphasized the importance of the public duties and expectations in Section 19990 as stated in the Statement of Incompatible Activities. He suggested that if members have a question or there is a gray area to reach out to the Board's Chief Counsel or Executive Director to obtain guidance and information.

Vice President Kassakhian thanked Mr. McGlothlin for his presentation and for putting everyone on notice. The takeaway here is not that we shouldn't have friends, but we should separate our official duties from any of our relationships that we may have outside of the Board.

Member Doi inquired as to whether all of the members have signed the Statement of Incompatible Activities. Mr. Corcoran indicated that staff would verify this and reach out individually if any member needed to sign the statement.

Ms. Parker thanked Mr. McGlothlin and his team for putting this presentation together. She noted that he took over for Michael Gowe (the former Deputy Attorney General assigned to the Board) and has been providing the Board with great counsel and advice.

5. **2022 ELECTION OF BOARD PRESIDENT AND VICE PRESIDENT - EXECUTIVE COMMITTEE**

This matter was postponed until after Agenda Item 20.

6. **ANNUAL REVIEW AND APPOINTMENT OF COMMITTEE MEMBERS TO THE ADMINISTRATION COMMITTEE, BOARD DEVELOPMENT COMMITTEE, FISCAL COMMITTEE, GOVERNMENT AND INDUSTRY AFFAIRS COMMITTEE, LEGISLATIVE COMMITTEE, AND POLICY AND PROCEDURE COMMITTEE, AND AD HOC COMMITTEE (IF APPLICABLE), BY THE INCOMING BOARD PRESIDENT**

This matter was postponed until after Agenda Item 20.

7. **APPOINTMENT OF BOARD MEMBER DESIGNEE IN COMPLIANCE WITH THE BOARD'S 1997 "REVISED BOARD POLICY REGARDING REPRESENTATION IN COURT ACTIONS" BY THE INCOMING BOARD PRESIDENT**

This matter was postponed until after Agenda Item 20.

8. **STATUS REPORT ON THE BOARD'S INTENDED MOVE TO DMV'S HEADQUARTERS IN SACRAMENTO - ADMINISTRATION COMMITTEE**

Miss Kindel provided an update on the Board's intended move to DMV's headquarters in Sacramento. She noted that the Board's offices will be moving to DMV's headquarters campus in Sacramento sometime early in 2023 before the current lease expires. DMV Facilities Operations recently hired a contractor to renovate the space and is working with Board staff on this project.

Miss Kindel indicated that any further information on the move will be in late spring or early summer when the contractor has an opportunity to identify what needs to be done with the space. At the next general meeting in Sacramento, Miss Kindel will try to set up a site visit so the members can visit the new space.

In response to Vice President Kassakhian's question, Miss Kindel indicated that the new location (4,000 sq. ft.) will have half the space as the current location (8,000 sq. ft.). In lieu of having large conference rooms for meetings, settlement conferences and hearings in the new space, the Board will utilize the conference rooms available on DMV's campus. They already have Wi-Fi, audio, and video so that is why it is possible to move to a smaller space.

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

9. **REPORT ON THE BOARD'S FINANCIAL CONDITION FOR THE 1<sup>st</sup> QUARTER OF FISCAL YEAR 2021-2022 - FISCAL COMMITTEE**

The members were provided with a memorandum from Tim Corcoran, Dawn Kindel and Suzanne Luke concerning the Board's financial condition for the 1<sup>st</sup> quarter of 2021-2022. Ms. Luke indicated that the Board started with an appropriation of \$1.87 million, ending with the current reserve balance of \$2.7 million. Ms. Luke reported that the Board expended 23% of its appropriated budget for the first quarter. Furthermore, there is no need for an adjustment to the fee structure at this time with the current reserve balance. However, as a result of the pandemic and resulting computer-chip shortages and shipping backlogs, new vehicle sales have slowed. Additionally, since a large portion of the Board's reserve fund will be allocated for construction and moving costs related to moving the Board's offices, staff will continue to closely monitor and report any need for adjustments of industry fees.

Invoices for the fee collection for the Arbitration Certification Program will begin once the pending regulations with the Office of Administrative Law have been approved. The fee

will be \$1.00 per vehicle.

In addition, the Board's annual manufacturer/distributor fee collection began in August of 2021. Ms. Luke reported that \$807,000 was collected from manufacturers and distributors.

As a follow up to the December 7, 2021, General Meeting question raised regarding the higher than usual budget expenditure, the following was presented in the memo as a comparison between last fiscal year 20-21 and the previous fiscal year 19-20 which show the areas with the most significant increase in expenses.

- Expenditures Fiscal Year 19-20  
Salaries – Part Time Staff (Administrative Law Judges): +3,815 balance remaining  
Facilities Planning: +6,196 balance remaining  
Professional Services (Attorney General): -11,473
- Expenditures Fiscal Year 20-21  
Salaries – Part Time Staff (Administrative Law Judges): -53,140  
Facilities Planning: -13,019  
Professional Services (Attorney General): -22,535

Ms. Luke noted that the increase to part time staff salaries is attributed to the increase in workload for the Administrative Law Judges (ALJs). Facilities Planning cost increases are associated with the Board's relocation efforts. Attorney General expenses are the result of various writs, appeals, and litigation brought against the Board.

In response to Member Doi's question, Mr. Corcoran indicated that the staff has tried to include projections to the best of its ability and additional information in its fiscal memos to provide clarity along with an ADA-compatible document for ease of posting online.

With regards to the increase of \$53,000 for ALJ salaries in Fiscal Year 20-21, Member Doi inquired about how many additional hearing days there were. Ms. Phomsopha noted that there were three merits hearings with 31 hearing days; the average is one hearing a year. Member Doi remarked that it might be good at each meeting to have these expenditures with the budgeted amount, expended amount, and the amount remaining. And, if there are areas like the ALJs salaries where there are significant overruns justified, that is also something to mention in the report. Mr. Corcoran indicated the staff would provide this.

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

10. **DISCUSSION REGARDING THE 2022 NEW MOTOR VEHICLE BOARD INDUSTRY ROUNDTABLE TO ENCOMPASS THE WORKSHOP ON EQUITY, JUSTICE AND INCLUSION - GOVERNMENT AND INDUSTRY AFFAIRS COMMITTEE**

Mr. Corcoran indicated that typically the Government and Industry Affairs Committee handles the Industry Roundtable. And, he does not necessarily suggest departing from that, but would suggest proceeding with a joint committee meeting of the Ad Hoc Committee on Equity, Justice and Inclusion and the Government and Industry Affairs Committee. This meeting would be open to the public and held via Zoom. This would allow the plans for the 2022 Industry Roundtable (focused on equity, justice and inclusion in the motor vehicle industry) to be worked on.

Member Alvarez thought this would make the meetings more efficient since there are members on both committees. Member Boland Smith commented that by combining those two events, the Board can get high-quality speakers and participation. Also, the staff can focus on one event versus trying to put together two big events. She was in support of this idea. Member Doi also supports the topic for the Industry Roundtable and combining the committees so that event can move forward.

Mr. Corcoran indicated that he expected that the joint committee meeting could be held before the March 30<sup>th</sup> General Meeting so the committees could come back to the full Board with the plans for the Industry Roundtable.

Member Doi clarified that the committees would just be combined for purposes of the Industry Roundtable but there might be other issues that either committee might want to consider separate and apart from that activity so she did not want to foreclose that. Vice President Kassakhian and Mr. Corcoran agreed.

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

11. **ANNUAL REPORT CONCERNING BOARD ADOPTED POLICIES - POLICY AND PROCEDURE COMMITTEE**

The members were provided with a memorandum from Tim Corcoran and Robin Parker concerning the annual review of Board adopted policies. As indicated in the memo, the new policies that were approved in 2021 pertain to:

- The Board Delegations were updated to reflect legislative changes (Assembly Bill 179; effective January 1, 2020) and staff promotions.
- The Board policy requiring the periodic publication of The In-Site was eliminated.
- The *Guide to the New Motor Vehicle Board, Informational Guide for Manufacturers and Distributors*, and *Export or Sale-for-Resale Prohibition Policy Protest Guide* were updated.
- The mission and visions statements were reviewed.

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

12. **CONSIDERATION OF 2022 RULEMAKING CALENDAR - POLICY AND PROCEDURE COMMITTEE**

The members were provided with a memorandum and 2022 Rulemaking Calendar from Tim Corcoran and Danielle Phomsopha. Ms. Phomsopha reported that the Rulemaking Calendar has already been approved by California State Transportation Agency in anticipation of this meeting. Ms. Phomsopha indicated that if the calendar is approved by the Board, it will be submitted to the Office of Administrative Law for publication in the California Regulatory Notice Register. The Rulemaking Calendar reports on proposed regulations the Board will promulgate that were approved at the last Board Meeting

Member Stevens moved to adopt the 2022 Rulemaking Calendar. Member Doi seconded the motion. The motion carried unanimously.

13. **ANNUAL REPORT ON THE ASSIGNMENT OF CASES TO BOARD ADMINISTRATIVE LAW JUDGES - POLICY AND PROCEDURE COMMITTEE**

The members were provided with a memorandum from Tim Corcoran and Danielle Phomsopha concerning the assignment of cases to Board ALJs in 2021. Ms. Phomsopha reported that there were five law and motion hearings, seven discovery hearings (rulings on objections), five mandatory settlement conferences, and three merits hearings for a total of 31 days. The merits hearings were all conducted virtually and went smoothly.

Member Stevens remarked that the ALJs are very busy, do a lot of work, and that he is grateful for them. Member Doi seconded that and also thanked Robin and Danielle because she knows they work really hard on all of these matters logistically as well as providing assistance to the ALJs.

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

14. **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.

Ms. Parker reported that she did not have any case management updates but provided a year-end wrap up of 2021 as follows: (1) There were 22 (60-day) notices of termination and no 15-day notices of termination; (2) Other notices for modification, establishments,



and relocations were light. It is not unusual for Board to get 300-to-400 modification notices and it only received 23; and (3) A total of 41 protests were filed, predominantly warranty, franchisor incentive program, performance standard, and retail labor rate and retail parts rate.

Ms. Phomsopha indicated that the hearing in two Ford establishment protests (*Airport Marina Ford* and *Central Ford*) set for January 18, 2022 did not go forward as the protests were dismissed at the Protestants' request. The related performance standard protest for *Central Ford* was also dismissed at Protestant's request. Three new protests were filed since the members received this written report. Two were establishment protests and one was a retail labor rate reimbursement protest.

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

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

No additional public comment was presented.

16. **CLOSED EXECUTIVE SESSION**

Pursuant to Government Code section 11126(a)(1), all members of the Board shall convene in a closed Executive Session.

**CONSIDERATION OF ANNUAL PERFORMANCE REVIEW FOR EXECUTIVE DIRECTOR - EXECUTIVE COMMITTEE**

This matter was postponed until the March 30, 2022, General Meeting.

17. **OPEN SESSION**

The members remained in open session.

After a brief break, Mr. Corcoran confirmed a quorum of the Public Members were still present.

18. **ORAL PRESENTATION BEFORE THE PUBLIC MEMBERS OF THE BOARD**

Vice President Kassakhian reminded the Dealer Members in attendance, that they may not participate in, hear, comment or advise other members upon or decide Agenda Items 18-19.

Vice President Kassakhian read the following statement "comments by the parties or by their counsel that are made regarding any proposed decision, ruling, or order must be limited to matters contained within the administrative record of the proceedings. No other information or argument will be considered by the Board. These are adjudicated matters that will be deliberated on in closed Executive Session. Therefore, pursuant to subdivision

(e) of Government Code section 11125.7, members of the public may not comment on this matter.

- a. SANTA MONICA MOTOR GROUP dba SANTA MONICA CHRYSLER JEEP DODGE RAM v. FCA US LLC  
Protest Nos. PR-2652-20, PR-2653-20, PR-2654-20, and PR-2655-20

Oral comments were presented before the Public Members of the Board. Robert Mayville, Esq. and Gavin Hughes, Esq. of the Law Offices of Gavin M. Hughes represented Protestant. Blake Gansborg, Esq., Mark Clouatre, Esq. and John Streeleman, Esq. of Nelson Mullins Riley & Scarborough LLP represented Respondent.

After conclusion of the oral comments, Ms. Parker noted that President Obando rejoined the meeting after the oral comments began and missed approximately 10 minutes. Therefore, absent a stipulation of counsel for both sides it is prudent if President Obando did not participate in this particular matter. Vice President Kassakhian asked if counsel have an issue with President Obando's participation. Mr. Gansborg indicated that he would defer to Ms. Parker's recommendation. Ms. Parker noted that she has no recommendation; it is strictly the parties' choice. The standard would be that if President Obando was not present for all of the oral comments then he should not participate absent the parties' agreement. Vice President Kassakhian asked counsel if they have a strong opinion either way. Mr. Mayville remarked that President Obando is very involved in Board actions, is always prepared, and Protestant has no problem stipulating to his involvement in the discussions concerning the Proposed Decision. Mr. Gansborg's concern is that President Obando missed the beginning of Respondent's presentation and inquired whether President Obando's participation was necessary to create a quorum. Ms. Parker indicated that the Board has a quorum without President Obando's participation. Vice President Kassakhian erred on the side of caution and President Obando was excluded from participation in the Proposed Decision.

President Obando presided over the Agenda Item 18.b.

- b. WESTERN TRUCK PARTS & EQUIPMENT COMPANY LLC DBA WESTERN TRUCK CENTER, a California limited liability company v. VOLVO TRUCKS NORTH AMERICA, a division of VOLVO GROUP NORTH AMERICA, LLC, a Delaware limited liability company  
Protest No. PR-2740-21

Oral comments were presented before the Public Members of the Board. Franjo Dolenac, Esq. and Victor Danhi, Esq. of Arent Fox LLP represented Protestant. Billy Donley, Esq. Will Geise, Esq., and Marcus McCutcheon, Esq. of Baker & Hostetler LLP represented Respondent.

Ms. Parker noted that Judge Skrocki, the assigned Administrative Law Judge that heard and considered this matter, was observing the Board Meeting but dropped off the meeting prior to this Agenda Item and is no longer observing the meeting.

19. **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, make technical or other minor changes, reject the proposed decision and remand the case, or reject the proposed decision and decide the case upon the record.

a. **CONSIDERATION OF PROPOSED DECISION**

SANTA MONICA MOTOR GROUP dba SANTA MONICA CHRYSLER JEEP DODGE RAM v. FCA US LLC  
Protest Nos. PR-2652-20, PR-2653-20, PR-2654-20, and PR-2655-20

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

The Public Members of the Board, excluding President Obando, deliberated in closed Executive Session. Member Stevens moved to adopt the Administrative Law Judge's Proposed Decision. Member Kassakhian seconded the motion. Member Doi agreed with the outcome but will write a concurrence on the burden of proof issue. This matter carried by a 2-to-1 vote.

b. **CONSIDERATION OF PROPOSED ORDER**

WESTERN TRUCK PARTS & EQUIPMENT COMPANY LLC DBA WESTERN TRUCK CENTER, a California limited liability company v. VOLVO TRUCKS NORTH AMERICA, a division of VOLVO GROUP NORTH AMERICA, LLC, a Delaware limited liability company  
Protest No. PR-2740-21

Consideration of the Administrative Law Judge's Proposed Order Granting Respondent's Motion to Dismiss, by the Public Members of the Board.

The Public Members of the Board including President Obando deliberated in closed Executive Session. Member Doi moved to adopt the Administrative Law Judge's Proposed Order. Member Obando seconded the motion. The motion carried unanimously.

20. **OPEN SESSION**

The Public Members returned to Open Session. Ms. Parker announced the decisions in Agenda Item 19.

Mr. Corcoran noted for the record that President Obando did not participate in the closed Executive Session for Agenda Item 19.a. (*Santa Monica Motor Group dba Santa Monica Chrysler Jeep Dodge RAM v. FCA US LLC*).

Mr. Gansborg asked for clarification as to the outcome. Ms. Parker indicated that the outcome of the Proposed Decision was unanimously approved by the Board. Member Doi would like to write a concurrence with regards to the Burden of Proof issue. The Decision may not be final and to counsel until the end of this week or next week depending on Member Doi's schedule. With regard to *Western Truck*, the Decision will be final either today or tomorrow.

5. **2022 ELECTION OF BOARD PRESIDENT AND VICE PRESIDENT - EXECUTIVE COMMITTEE**

Mr. Corcoran confirmed the Board still had a quorum for general business.

Member Obando read the following statement from the Board adopted Parliamentary Procedures:

The election of officers shall be a specific item of business on the agenda for the first General Meeting of each calendar year. At the time the matter is considered, any member may nominate any other member for the office of President and/or Vice-President. There are no restrictions on the number of members who may be nominated for either position during this process. At any time after at least one Board Member is nominated for each office, any member may move that the nomination of officers be closed. If the motion is seconded and carried by majority vote, the nominating process shall be deemed concluded. After the nominating process is concluded, the Members of the Board shall cast their vote for a nominated Member for each office. No Board Member may vote for more than one nominated Member for each office. The voting shall be done by oral poll. Any Board Member may abstain from voting for a nominated Member for either office.

Vice President Kassakhian moved to nominate Member Obando as President. Member Obando accepted this nomination. No other nominations for President were made. Vice President Kassakhian moved to close the nominations, with Member Fitzpatrick seconding the motion. This motion to close the nominations carried unanimously. Member Doi seconded the motion to nominate Member Obando as President. The motion to nominate Member Obando as President carried unanimously.

Member Alvarez moved to nominate Member Kassakhian as Vice President. Member Kassakhian accepted this nomination. No other nominations for Vice President were made. Member Stevens moved to close the nominations, with Member Doi seconding the motion. This motion to close the nominations carried unanimously. Member Fitzpatrick seconded the motion to nominate Member Kassakhian as Vice President. The motion to nominate Member Kassakhian as Vice President carried unanimously.

6. **ANNUAL REVIEW AND APPOINTMENT OF COMMITTEE MEMBERS TO THE ADMINISTRATION COMMITTEE, BOARD DEVELOPMENT COMMITTEE, FISCAL COMMITTEE, GOVERNMENT AND INDUSTRY AFFAIRS COMMITTEE, LEGISLATIVE COMMITTEE, AND POLICY AND PROCEDURE COMMITTEE, AND AD HOC COMMITTEE (IF APPLICABLE), BY THE INCOMING BOARD PRESIDENT**

After a brief discussion off the record, Mr. Obando made the following committee appointments:

**ADMINISTRATION COMMITTEE**

Ardy Kassakhian, Chair  
Ryan Fitzpatrick, Member

**BOARD DEVELOPMENT COMMITTEE**

Kathryn Ellen Doi, Chair  
Ramon Alvarez C., Member

**EXECUTIVE COMMITTEE**

Bismarck Obando, President  
Ardy Kassakhian, Vice President

**FISCAL COMMITTEE**

Anne Smith Boland, Chair  
Ardy Kassakhian, Member

**GOVERNMENT AND INDUSTRY AFFAIRS COMMITTEE**

Anne Smith Boland, Chair  
Ramon Alvarez C., Member  
Kathryn Ellen Doi, Member  
Ryan Fitzpatrick, Member

**LEGISLATIVE COMMITTEE**

Bismarck Obando, Chair  
Ardy Kassakhian, Member

**POLICY AND PROCEDURE COMMITTEE**

Inder Dosanjh, Chair  
Jake Stevens, Member

AD HOC DELEGATED COMMITTEE ON EQUITY, JUSTICE AND INCLUSION

Jake Stevens, Chair  
Ramon Alvarez C., Member  
Anne Smith Boland, Member  
Kathryn Ellen Doi, Member  
Inder Dosanjh, Member  
Bismarck Obando, Member

7. APPOINTMENT OF BOARD MEMBER DESIGNEE IN COMPLIANCE WITH THE BOARD'S 1997 "REVISED BOARD POLICY REGARDING REPRESENTATION IN COURT ACTIONS" BY THE INCOMING BOARD PRESIDENT

This matter was pulled from the agenda since the incoming President is a Public Member and the incoming Vice President is a Public Member. If both the incoming President and Vice President were Dealer Members this designation would be necessary to comply with the Board adopted policy.

21. ADJOURNMENT

Prior to adjourning the meeting, President Obando asked if any members of the public had any comments for the Board. No comments were made.

With no further business to discuss, the meeting was adjourned at approximately 1:04 p.m.

Submitted by



TIMOTHY M. CORCORAN  
Executive Director

APPROVED: Bismarck Obando  
Bismarck Obando  
President  
New Motor Vehicle Board