



California Tow Truck Association's Towing Regulatory Oversight Council

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T-ROC Meeting Minutes

Selection of CTTA Representatives on the CHP Tow Service Agreement Advisory Committee

January 7, 2014

CO-CHAIRS

Casey Horvath, *Corona*
Terry Warford, Jr., *Sacramento*

MOTOR CLUB

Quinn Piening, *Fremont*
Jim Kruger, *Long Beach*

PRIVATE PROPERTY

Burt Dean, *San Jose*
Steve Hendrickson, *San Diego*

LAW ENFORCEMENT

Tracy Koehler, *San Francisco*
Jody Campbell, *Santa Ana*

HEAVY DUTY

Dino Tomassi, *Santa Clara*
Greg Baker, *Northridge*

LARGE FLEET

Steve Sgarlato, *Campbell*
Dave McDanell, *Bakersfield*

SMALL FLEET

Earl Peterson, *Corning*
Arlan Wite, *Colton*

RURAL

Rick Stewart, *Willow Creek*
John Coulter, *San Luis Obispo*

EDUCATION

Jesse Enriquez, *Burbank*

ALLIED ASSOCIATIONS

Dan Charlebois, *U.C.M.C.S.*
Jon Nissley, *O.P.G. (Los Angeles)*

Call to order.

ROLL CALL: Greg Baker absent.

DISCUSSION – PURPOSE OF MEETING: The T-ROC Co-Chairs called the meeting to dutifully select the CTTA representatives on the CHP Tow Service Agreement Advisory Committee (TSAAC). It was established that in order to fulfill its selection obligations, the T-ROC must initially establish rules for its selection process which comply with all applicable T-ROC Operating Principles and General Meeting Rules. The T-ROC Co-Chairs turned the discussion over to General Counsel for additional background, authority, and questions.

DISCUSSION – BACKGROUND & AUTHORITY: The CTTA Board promulgated the "T-ROC Operating Principles" in May 2013, in which it delegated its authority to the T-ROC on all regulatory matters, including CHP TSA matters. The T-ROC's General Meeting Rules specify that "No substantive action on any regulatory matter may be taken without an affirmative vote of three quarters of the appointed Council Members."

DISCUSSION – RULES FOR TSAAC SELECTION PROCESS: The T-ROC Co-Chairs discussed the need for a full, fair, and open selection process, whereby the selected representatives were duly qualified, accounted for the geographic differences of the state, represented a balanced cross section of the towing industry, and were consensus picks that received at least a three quarters vote of the T-ROC.

MOTION – RULES FOR TSAAC SELECTION PROCESS: Based upon the Operating Principles enacted by the CTTA Board of Directors and the T-ROC General Meeting Rules promulgated by the T-ROC, the T-ROC Co-Chairs moved for approval of the following rules for selection of CTTA's representatives to the CHP's Tow Service Agreement Advisory Committee (TSAAC):

CTTA's three TSAAC representatives shall be allocated as follows: Northern region, Southern Region, and At-Large. In order to stand for election for either the Northern or Southern seat, the nominee must be from the appropriate region of the State. Anyone can stand for election for the At-Large seat. However, no CTTA designee may hold more than one TSAAC seat at any given time.

Any member of the TROC can nominate any individual (including themselves), for any seat (provided the nominee meets the requirements discussed above.) After each T-ROC member is given an opportunity to nominate, nominations shall then be closed and discussion and debate shall commence on the nominees.

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MOTION – RULES FOR TSAAC SELECTION PROCESS: (cont.): Staff will compile a “ballot” for that particular seat (North, South, or At-Large.) The TROC will then discuss each nominee for the seat. Each TROC member will have an opportunity to speak for 1 minute for or against any of the names on the ballot for that seat. After each TROC member has had an opportunity to speak, a vote will be taken. Because the TROC is designed to provide a forum for a free and open exchange of ideas, there is no secret ballot in this process. All votes are open and transparent. Remember, this is a selection process based on merit: who does the TROC believe is the most qualified representative?

The method of voting will be as follows. Prior to each vote, staff will compile an alphabetized list of all TROC members. Then, staff will draw a random letter of the alphabet from a hat containing the 26 letters of the alphabet. That letter will determine where the roll call vote will start. So, if the letter “G” is drawn out of the hat, the roll call would commence with Mr. Hendrickson (whose last name starts with “H,” since there is no TROC member whose name starts with the letter “G”). Mr. Hendrickson would declare his vote from the names contending for the first seat. Each TROC member may vote for only one of the nominees on the ballot for that seat. Following Mr. Hendrickson would be Mr. Horvath, and roll would be called in alphabetical order through Z and back through F. The purpose of this randomized roll call voting is to prevent the same person from having to declare the first vote during each round of voting.

Once the entire TROC has had an opportunity to cast a vote, the votes will be tallied. If one nominee garners three-quarters of the votes, the voting for that seat is concluded. If not, the nominee who garnered the fewest votes will be eliminated from the ballot. Any remaining candidate will be given an opportunity to remove their name from the ballot. If more than one nominee remains, a second vote will be taken, with each TROC member being allowed to vote for one of the remaining nominees. For each round of voting, a new random letter of the alphabet will be drawn from the hat. Voting continues in this way, with nominees being eliminated, as many times as necessary until one nominee garners three quarters of the vote.

Once a candidate is selected for the first of the three seats, the process is repeated for each of the remaining seats, including an alternate for each seat. However, if only one candidate is running for election, any T-ROC member may make a motion for the roll call voting to be suspended and a simple call for a unanimous voice vote is taken.

MOTION UNANIMOUSLY PASSED.

ELECTION – NORTH REPRESENTATIVE: Consistent with the selection process detailed above, nominations were taken for the North representative, which included Quinn Piening, Rick Stewart, Terry Warford, Jr, and Steve Sgarlato. Prior to the closing of nominations, Mr. Piening and Mr. Sgarlato’s names were withdrawn. Discussion was had and closed. Roll call voting commenced and Terry Warford, Jr. was selected as the North Representative by the requisite three quarters vote.

ELECTION – ALTERNATE FOR THE NORTH REPRESENTATIVE: Consistent with the selection process detailed above, nominations were taken for the North-Alternate representative, which included Rick Stewart. Discussion was had and closed. Consistent with the rules for one candidate, Casey made a motion for the roll call voting to be suspended and a simple call for a unanimous voice vote is taken. By a unanimous voice vote, Rick Stewart was selected as the Alternate for the North Representative.

ELECTION – SOUTH REPRESENTATIVE: Consistent with the selection process detailed above, nominations were taken for the South representative, which included Jody Campbell and John Coulter. Discussion was had and closed. Roll call voting commenced and John Coulter was selected as the South Representative by the requisite three quarters vote.

ELECTION – AT-LARGE REPRESENTATIVE: Consistent with the selection process detailed above, nominations were taken for the At-Large representative, which included Jody Campbell, Tracy Koehler, Quinn Piening, and Jim



Kruger. Prior to the closing of nominations, Mr. Kruger’s name was withdrawn. Discussion was had and closed. Roll call voting commenced and Jody Campbell was selected as the At-Large Representative by the requisite three quarters vote.

ELECTION – ALTERNATE FOR THE AT-LARGE REPRESENTATIVE: Consistent with the selection process detailed above, nominations were taken for the At-Large-Alternate representative, which included Quinn Piening. Discussion was had and closed. Consistent with the rules for one candidate, Terry made a motion for the roll call voting to be suspended and a simple call for a unanimous voice vote is taken. By a unanimous voice vote, Quinn Piening was selected as the Alternate for the At-Large Representative.

ELECTION – ALTERNATE FOR THE SOUTH REPRESENTATIVE: Consistent with the selection process detailed above, nominations were taken for the South-Alternate representative, which included Dave McDanell, Jim Kruger, and Casey Horvath. Prior to the closing of nominations, Mr. Kruger and Mr. Horvath’s names were withdrawn. Discussion was had and closed. Consistent with the rules for one candidate, Terry made a motion for the roll call voting to be suspended and a simple call for a unanimous voice vote is taken. By a unanimous voice vote, Dave McDanell was selected as the Alternate for the South Representative.

MOTION – TSAAC REPRESENTATIVES: Consistent with the selection process detailed above, the T-ROC Co-Chairs made a motion for the T-ROC members to certify that the following individuals were selected as CTTA’s 2014 Representatives on the CHP Tow Service Agreement Advisory Committee by an election consistent with the adopted rules with each receiving at least a three quarters vote.

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| NORTH: | Terry Warford, Jr. |
| NORTH – Alternate: | Rick Stewart |
| SOUTH: | John Coulter |
| SOUTH – Alternate: | Dave McDanell |
| AT-LARGE: | Jody Campbell |
| AT-LARGE – Alternate: | Quinn Piening |

MOTION UNANIMOUSLY PASSED.

As Co-Chairs of the T-ROC, the undersigned certify that the foregoing is true and correct.

Dated: January 9, 2014

Casey Horvath, T-ROC Co-Chair

Terry Warford, Jr., T-ROC Co-Chair