

TEXAS DEPARTMENT OF MOTOR VEHICLES

AUTO BURGLARY AND THEFT PREVENTION AUTHORITY

BOARD OF DIRECTORS MEETING

9:02 a.m.
Wednesday,
January 18, 2017

Lone Star Room
Building 1
4000 Jackson Avenue
Austin, Texas

BOARD MEMBERS:

Carlos Garcia, Chair
Tommy Hansen
Ashley Hunter
Linda Kinney
Armin Mizani
Wynn Reynolds
Ken Ross

STAFF:

Bryan Wilson, Director
David Richards, General Counsel

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P R O C E E D I N G S

1
2 MR. GARCIA: Good morning, everybody. I'd like
3 to get this ABTPA Board meeting started. First of all,
4 good morning again. My name is Carlos Garcia, and I am
5 pleased to open the Board meeting of the Automobile
6 Burglary and Theft Prevention Authority. It is 9:02 a.m.
7 and I am calling the Board meeting for January 18, 2017 to
8 order, and I want to note for the record that the public
9 notice of this meeting, containing all items on the
10 agenda, was timely filed with the Office of Secretary of
11 State on Monday, January 9, 2017.

12 Before we begin today's meeting, please place
13 all cell phones and other communication devices in the
14 silent mode.

15 If you wish to address the board during today's
16 meeting, please complete a speaker's card at the
17 registration table. To comment on an agenda item, please
18 complete a yellow card and identify the agenda item. If
19 it is not an agenda item, we will take your comments
20 during the public comment portion of the meeting.

21 And now I'd like to have roll call of the board
22 members.

23 Board Member Hunter?

24 (No response.)

25 MR. GARCIA: Board Member Reynolds?

1 MR. REYNOLDS: Present.

2 MR. GARCIA: Board Member Ross?

3 MR. ROSS: Here.

4 MR. GARCIA: Board Member Hansen?

5 MR. HANSEN: Here.

6 MR. GARCIA: Board Member Mizani?

7 MR. MIZANI: Here.

8 MR. GARCIA: Board Member Kinney?

9 (No response.)

10 MR. GARCIA: And let the record reflect that I,
11 Carlos Garcia, am here too, so we do have a quorum. And
12 also let the record reflect that we have two members who
13 at this time are absent today.

14 We don't have any public comments. Anybody
15 signed up for public comments? I know we have one but
16 that's for an agenda item and we'll address it at that
17 time. If we don't, then we will move forward with our
18 agenda.

19 So moving on to agenda item 1.B, the approval
20 of transcript from October 12, 2016 board meeting as
21 minutes. This is an action item, I do need a motion and a
22 second.

23 MR. REYNOLDS: I make a motion to approve the
24 minutes from the last meeting on October 12, 2016.

25 MR. HANSEN: I'll second it.

1 MR. GARCIA: We have a motion by Board Member
2 Reynolds and a second by Board Member Hansen regarding to
3 approval of transcripts from October 12, 2016 board
4 meeting. Any discussion?

5 (No response.)

6 MR. GARCIA: If there is none, all in favor say
7 aye.

8 (A chorus of ayes.)

9 MR. GARCIA: All opposed?

10 (No response.)

11 MR. GARCIA: Motion carries.

12 Public comments. I guess we didn't have
13 anybody signed up for public comments.

14 Agenda item 1.D, comments from the chairman and
15 board members, commendations and congratulations. I'll
16 open it up to any of the board members for any comments at
17 this time.

18 (No response.)

19 MR. GARCIA: If there is none, then we would
20 like to recognize the following individuals for their
21 dedicated service, not only to their agencies but also to
22 ABTPA: Officer Ernesto "Ernie" Arredondo, El Paso Auto
23 Theft Task Force, from 1989 to 2016; Senior Police Officer
24 James Woods, Houston Automobile Crimes Task Force, from
25 1984 to 2016; Captain David Mitchell, Dallas County, North

1 Texas Auto Theft Task Force, from 1987 to 2017; Sergeant
2 Shane McCoy, Harris County Sheriff's Office Auto Theft
3 Unit, from 1987 to 2016.

4 So thank you to all those individuals for your
5 efforts throughout the years in making this program a
6 success and making your departments stand out.

7 Moving on to agenda item 2 on briefing and
8 action items, agenda item 2.A, discuss and authorize staff
9 to issue the FY18-19 request for applications. 2.A is
10 issues for current and future funding cycles, and we'll
11 start off with 2.A.1, the continued, modified and new
12 grant categories.

13 Go ahead, Mr. Wilson.

14 MR. WILSON: Thank you. For the record, my
15 name is Bryan Wilson, and I'll be presenting several items
16 for your consideration and discussion that started over
17 the last two years about reformatting some of the
18 conditions and features of our current grant processes as
19 we move forward. The first item is the new structure of
20 grant applications, really kind of capsulizing what has
21 been done in the history of ABTPA overall to restructure
22 grant applications into three categories: continued,
23 modified and new.

24 We spent quite a bit of time over the last
25 eight-nine months since our strategic planning, talking

1 about ways to recognize the hardened resources, the highly
2 trained motor vehicle theft investigators. Instead of
3 even acting like we're going to play apple cart upside
4 down every year or every two years, to recognize that
5 jurisdictions, the cities, the counties that participate
6 in this program have spent a lot of resources of their
7 own, as well as state resources, building up
8 infrastructure, building up quality individuals to serve
9 in this capacity and to serve the state and their local
10 communities. And so we wanted to look at a way to
11 recognize in the grant program the effort that's already
12 been put forth by this agency, as well as the local
13 governments.

14 And one way to do that, after much discussion
15 with Chief Garcia and other members, as well as the
16 grantees, is to come up with a new method for making a
17 grant application, what's called continued, modified and
18 new, and that's described on page 12 in your board packet,
19 and I'll kind of give a general description. And if the
20 board approves this in the RFA, then what we would issue
21 is a call for grant applications that would have to fit
22 into these categories.

23 So anybody who's currently getting a grant now
24 would make application within 5 percent of any of the
25 features of their current grant, whether staff, match,

1 ABTPA funding, and if they're currently receiving an FY17
2 grant, they would fill out the form pretty much looking
3 like, within the 5 percent variant, what their grant looks
4 like now. And that recognizes that we already have
5 investigators, we already have support staff, we have
6 cars, we have leases, and all the things that go with it.

7 The board would still have to make some choices
8 about does that meet the statutory requirement, are there
9 elements of that grant that need to be modified. The
10 board still ultimately has the decision how much to give
11 those grantees, but it starts with kind of an idea that we
12 already have spent a lot of money at the local and state
13 level in building these programs.

14 Then at the time when we get our appropriation,
15 the board will come back later, they'll apply the point
16 systems that we put in place between now and then, or
17 continue the point systems that we currently have, and if
18 we have the current funding, then I guess the presumption
19 would be -- it doesn't bind the board on doing that, but
20 the presumption will probably be that we'll examine the
21 programs that we already have with the parameters that the
22 board will decide at their discretion, and they're allowed
23 legally to decide as long as it meets the statutory
24 requirements.

25 The modified would be acknowledging that

1 current grantees would be in a good position to expand
2 their program or make modifications, and they would come
3 in and apply. First they would fill out their continued,
4 and then I'm just making up examples, they would want five
5 more officers to cover a bigger area or they might want to
6 add jurisdictions into their grant, they would already
7 have filled out their continued, and then they would say
8 we'd like to expand or we need more equipment or we need
9 more resources, so here's what we would do in addition to
10 our continued grant.

11 And then the last type of grant would be the
12 new, someone that we don't currently have infrastructure
13 in place, we don't have specifically trained motor vehicle
14 investigators that have been paid for by ABTPA. And in
15 those cases the potential applicant would come in and say
16 I'd like to start an auto theft program or spin off of one
17 that is already in existence, or whatever. I don't know
18 what they would look like, but we don't currently have
19 those resources, those hardened resources in place, and
20 they would make application for a new grant.

21 And then the board could then take in this
22 schema, could take in order based on funding and based on
23 priorities that you set -- and you're appointed by the
24 governor to do this work -- you would make choices about
25 what we have available and what we've already invested in.

1 So I'm proposing, I've put in there in the board book on
2 page 12: Consider adopting a grant application process
3 for FY18 RFA that allows for funding considerations in
4 three funding categories or application categories.

5 MR. GARCIA: Okay, board members, this is where
6 we discuss further or somebody makes a motion and somebody
7 seconds it.

8 MR. HANSEN: I would like to have a discussion
9 or comment for the grantees.

10 MR. GARCIA: Sure. Yes, sir.

11 MR. HANSEN: Tommy Hansen.

12 I know a lot of you are skeptical about this
13 but there's been a lot of thought gone into this, and
14 those that have been here for a while understand that,
15 first of all, we never know what our money is going to be
16 sometimes because of what goes on downtown, and that's a
17 topic for later in the meeting. However, we're always
18 asked for certain things and we want additions and it gets
19 all convoluted into our regular grant application, and
20 then if we get some of that or we get part of that or we
21 don't get any of that or we get cut, or however it breaks
22 down, then we have to go back and totally modify the
23 original application and almost go through the whole
24 process again with the commissioners or your city council
25 and all this all over again because that's changed.

1 And what this does is streamlines the process
2 that pretty much gives you credit. If you've got an
3 operation going on now and you're doing what you're
4 supposed to be doing and you're generating the numbers and
5 your successful and you're meeting the criteria, then, you
6 know, I don't see any obstacles here.

7 The secondary allows you if you need trucks or
8 you need equipment or whatever you may need over and
9 above, and if you get it, fine, if you don't, then you
10 don't have to go back and modify your original grant,
11 business moves forward. So it really streamlines and it
12 makes it very clear if all your new stuff is not
13 convoluted into your original grant application that you
14 already have now and your staffing and your equipment or
15 whatever you're already operating. We're not mixing all
16 the new into the old, so this gives a much clearer picture
17 if you're asking for something new, the board nor even
18 your own staff has to filter through and read through the
19 main grant to try to pick out what's the new stuff.

20 This separates that and it makes it a whole lot
21 easier and streamlines this process for everybody in this
22 room, because I know that's been a big complaint from
23 everybody, particularly your bookkeepers or your counties
24 and cities of how this grant works. So this is a step
25 forward, in my personal opinion, having been on your side

1 of this table as well for many years, to streamline some
2 of this process for all of us. And I think it takes some
3 steps out of it, particularly if we do get some new money
4 this year, wonderful, that's great, but if we don't, then
5 we're going to continue to move forward. So I want
6 everybody to understand.

7 New grant, that's self-explanatory. The only
8 way you would have to do that if you're an existing
9 program is if you're going to completely and totally
10 change your mode of operation and you're going to shut it
11 down and start over again, and I don't think anybody in
12 this room is going to take that headache on, but that's up
13 to you. And if we get more new money, then we may have
14 some applicants that can work forward.

15 But this is the concept behind this. And I was
16 hoping more of you, I assume since you've done the
17 meetings with Mr. Wilson's staff that you understand it
18 since not too many people signed up to stand up here and
19 talk about this. And I'm going to encourage that after
20 this, if we move forward with this concept, that obviously
21 we're going to have to have a workshop for everybody,
22 hands on to make sure everybody gets it.

23 MR. WILSON: Absolutely.

24 MR. HANSEN: But this is the thought process
25 behind this.

1 Thank you, Mr. Garcia.

2 MR. GARCIA: Thank you, Board Member Hansen.

3 Any other discussion by the board members?

4 (No response.)

5 MR. GARCIA: If there is none, at this time
6 then I'd like to see a motion and a second, approving or
7 disapproving.

8 MR. MIZANI: Mr. Chairman, I make a motion to
9 approve item 2.A.1.

10 MR. GARCIA: Have a motion on the floor by
11 Board Member Mizani.

12 MR. REYNOLDS: I'll second it.

13 MR. GARCIA: We have a second by Board Member
14 Reynolds. Any further discussion?

15 (No response.)

16 MR. GARCIA: If there is none, all those in
17 favor say aye.

18 (A chorus of ayes.)

19 MR. GARCIA: All opposed?

20 (No response.)

21 MR. GARCIA: Motion carries.

22 Moving on to agenda item 2.A.2, which is the
23 biennial application process. Mr. Wilson.

24 MR. WILSON: Thank you. This is Bryan Wilson
25 for the record again.

1 What we're asking for consideration -- and
2 again, this has been part of our discussion with the task
3 forces for several months, as well as the meetings that
4 we've looked at our processes, and we actually did a trial
5 run. I really didn't plan it this year but when we
6 carried forward the '16, when we realized we didn't get
7 any new money and there was no major reason to do whole
8 new applications, we kind of did a dry run, took the '16
9 applications, allowed jurisdictions to make some slight
10 modifications to get their budgets in line and validate
11 themselves within their own governments, and then just re-
12 awarded based pretty much on the '16 with slight changes.

13 So really, we're kind of institutionalizing
14 that process. Every two years grant applicants will be
15 able to make an application. The board still has to make
16 choices about awarding. Again, I'm just making up an
17 example, but if somebody bought ten trucks in year one of
18 the grant application and they only have ten people,
19 they're not going to get ten new trucks the second year,
20 so the board has to make choices even in the second year.

21 That's why it's not a two-year award cycle, it's a two-
22 year application cycle, and then the parts that would be
23 wasteful or inappropriate to carry forward in the second
24 year, in other words, kind of startup costs or major
25 equipment purchases, things like that, would need to be

1 removed for the applications moving forward in the second
2 year.

3 So if they added new staff, say in their
4 modified application, so they had ten officers, they added
5 five more, as an example -- again, I'm just making up
6 specific examples and what the intention is and getting it
7 on record so we have a record to come back to -- but the
8 grant application intention is if somebody applied for
9 modified grant and added five new officers, that would, of
10 course, carry over into the second year as long as they
11 were the kind of officers that were supported, not
12 temporary positions. So that would carry forward and in
13 the second year they would get the award for those salary
14 and staff positions. But big one-time purchases would not
15 automatically carry forward.

16 So as a result, and I laid that out in this
17 board request, but as far as modifications that people get
18 salary changes during that two-year period, we still have
19 a grant adjustment process. People are taking advantage
20 of their 5 percent. We've made it real clear that we're
21 not going to do every little adjustment that comes along
22 that the board has already set a rule of 5 percent, so
23 people have the ability to move money at their discretion
24 without coming to the state every single time they need a
25 new postage stamp or a new paper clip or whatever. We've

1 fixed that, I think, pretty well, and now they recognize
2 when there's major changes that are greater than 5
3 percent, and that would still be available under this
4 process. So during the two years if you got into a notice
5 moment that you didn't have the right category, you could
6 still come back to the director and ask for a budget
7 adjustment.

8 Are there any questions?

9 MR. GARCIA: Any questions or comments by any
10 of the board members?

11 (No response.)

12 MR. GARCIA: If there is none and there are no
13 public comments on this, then we do need a motion to
14 authorize and a second.

15 MR. HANSEN: I make a motion that we move
16 forward with 2.A.2.

17 MR. REYNOLDS: I'll second.

18 MR. GARCIA: A motion on the floor by Board
19 Member Hansen and a second by Board Member Reynolds to
20 approve the biennial application process. Any additional
21 discussion?

22 (No response.)

23 MR. GARCIA: There is none. All in favor say
24 aye.

25 (A chorus of ayes.)

1 MR. GARCIA: All opposed?

2 (No response.)

3 MR. GARCIA: Motion carries.

4 Moving on to agenda item 2.A.3, total program
5 budget. Before Mr. Wilson, Mr. Richard Hale.

6 MR. HALE: Thank you, Board, Mr. Wilson. My
7 name is Richard Hale with the Sheriffs Combined Auto Theft
8 Task Force.

9 I'm here today to talk about agenda item 2.A.3
10 which is the total program budget, and from my
11 understanding and discussions about this, this particular
12 category encompasses what Mr. Wilson was talking about
13 earlier where instead of writing checks from like five
14 different checkbooks, we're going to be writing a check
15 from one checkbook which is a much better accounting
16 process.

17 Along with that, some of the concerns I have in
18 working with the grant is that we use seized funds under
19 the grant category to use in program income, and most of
20 the grantees, I would assume, are using a majority of
21 their grant award for salaries, and so their direct
22 operating expenses that they have every day, the
23 categories they use to buy equipment, supplies, et cetera,
24 come from the seized account. And so therefore, since
25 that category is a fluctuating account that one month to

1 the next month we may seize certain items under Chapter 47
2 and we may not. Currently that account I obligated for
3 match to the grant and it's also utilized for program
4 income.

5 So I would urge the board when you financially
6 look at the future of funding some of the grants that you
7 consider that those seized funds accounts be separated
8 from the grant because we don't know what percentage
9 they're going to be on a consistent basis, and then when
10 you make the grant award, if we are successful at the
11 legislative level to get the funding that we need, that
12 you program into the grant those direct operating expenses
13 because you can quickly find yourself behind the eight
14 ball in your seized fund account if you have to use that
15 for match.

16 So that today I would ask that under the total
17 program budget that you consider plugging that component
18 in and separating those two for those that use program
19 income out of their seized account. I would assume there
20 are several grantees in the room that operate under that
21 model and that that model kind of be steered away from and
22 that those funds be held separately. And then of course,
23 they do belong to the state and if we had to use them, we
24 would use the current processes available to the grantees
25 to ask for those expenditures.

1 And I'd be happy to answer any questions that
2 you may have about that.

3 MR. GARCIA: Board members, questions for Mr.
4 Hale?

5 MR. HANSEN: Tommy Hansen.

6 You and I discussed this, and several other
7 people in the room too, and you're right and I totally
8 agree, I think the profits or seized funds have
9 historically been our rainy day account, they have been
10 our lifesaver to many of the programs, and I don't really
11 feel that they should be a part of the match. I'm going
12 to be disputed legally on that, but I agree with that,
13 that that should be used because there are a lot of
14 certain things that the grants will not pay for that come
15 up and that is the only way that we can accomplish that
16 particular detail is by using seized funds. And there is
17 no rhyme or reason to seized funds, and I get that. You
18 can have a year where you may not have anything.

19 And I know that a lot of programs, that account
20 comes out of, say, if they're buying new vehicles and they
21 sell the old ones, that money goes in there, but when
22 we're in tight times or we're not getting money to buy new
23 vehicles, we're not selling any vehicles and we're not
24 having any program income. Because for a lot of the task
25 forces, depending on how they're designed, they're not

1 going to get seizures, that's not part of their normal
2 operating procedure of what they do every day.

3 So I do think that that needs to be up for
4 discussion some more.

5 MR. HALE: Thank you. And the other component
6 to that would be renewal of the grant process that we just
7 went through where we just basically were awarded the same
8 amount that we were the year before where we didn't have
9 an opportunity to say what we would match. So we were
10 essentially matching the same amount that we did the year
11 before, and that account may not have had enough money in
12 it at the time, so we really didn't have an opportunity to
13 do that. So when you go to a biennium application
14 process, that becomes even more crucial based on what
15 money you may have available to meet that match and have
16 the direct operating expenses that you may need. So I
17 think it's a crucial component that needs to be considered
18 moving forward.

19 MR. GARCIA: Would this require some type of a
20 rule change?

21 MR. WILSON: No. I don't think he's arguing
22 against the total program budget, it's just how we handle
23 program income.

24 MR. GARCIA: I understand that.

25 MR. WILSON: Okay. I just want to be sure. So

1 I don't think that affects this what he's talking about.
2 Part of the request for applications is setting up the
3 processes that go around it.

4 But I do want to say a couple of things, if you
5 don't mind. This is Bryan Wilson, for the record.

6 Number one, only about three or four grantees
7 have significant amounts of program income, so this is
8 kind of a non-issue for many of the grant programs. And
9 we call it program income because that's what the statute
10 calls it, and it's any money generated as a result of a
11 program being funded, so it includes 68(a) fee
12 inspections, it includes seized assets, I think there's
13 been cash -- it seems I was in Houston or somewhere this
14 past year and there was some cash seized -- so it can be
15 anything that is a direct result of generation of the
16 activities funded by the state.

17 So the first thing is it's a non-issue for many
18 of them just because the program balance is so small, it's
19 really tiny. The second thing is this was a major audit
20 finding a couple of years ago in 2014 that we didn't have
21 appropriate controls for the program income.

22 And so we didn't change how they're allowed to
23 use it, so under a normal funding model, if somebody
24 generates funds that we were 80-20, just say for instance,
25 then under the Texas Uniform Grant Management Standards,

1 that would be 80 percent state funds and 20 percent at the
2 discretion of the jurisdiction. So in many cases what the
3 normal process in many grants is you would reduce the
4 grant award. So if I gave Travis County a half million
5 dollars in grant funds and they generated \$100,000 in
6 program income, I would reduce their award by \$80,000 so
7 they would have \$420,000. That's what the rules say we're
8 supposed to do. We don't do that, we never have, so I
9 didn't change that. I said we actually allow the
10 jurisdictions to use that money, the three or four that
11 generate it, they can use it for cash match, physically
12 100 percent as if it belonged to the jurisdiction.

13 So we have a very generous policy, in my
14 opinion, much more generous than what the state law is or
15 the program rules. And it's my policy. This board has
16 chosen, that was the practice, I wrote it into the grant
17 administrative manual, that's what we've been doing, and I
18 have no intention under the total program budget
19 consideration of changing anything about that.

20 The final issue is just really about at no
21 point is it ever supposed to be a slush fund. That's
22 illegal in Texas, contingency funds are illegal -- well,
23 there's my attorney, but as far as I know, they're not
24 allowed. County commissioners, city councils have the
25 authority to budget funds and state entities must budget

1 funds. You can't have my just-in-case fund, it's not
2 allowed under Texas law.

3 But again, they've held that money in abeyance,
4 they hold it many times in separate accounts, and then
5 they call and say I'd like to do a budget adjustment and I
6 would like to spend \$20,000 on a pickup, \$5,000 on bait
7 equipment, whatever it is, and my standard is always
8 reasonable and necessary as determined by the local
9 jurisdiction. These guys are sick and tired of me saying
10 reasonable and necessary. But the reality is if they
11 demonstrate in writing that it's reasonable and necessary
12 for their operation of the program, they're pretty much
13 going to get it. I mean, it has to be pretty big flashing
14 red lights that I'm in trouble here for me, and even then,
15 I'd probably bring it to you. My staff gets mad at me
16 sometimes because I don't like to say no. When a police
17 officer, if Lieutenant Richbourg is saying this is
18 something that needs to be done, I'm not in a good
19 stead -- Chief Garcia, you heard some of that yesterday --
20 I'm not in a good stead to tell people who are
21 professional law enforcement folks that they can't do what
22 they need to do.

23 So anyway, that's the last issue is that you
24 can't have contingency, but it gets brought into the
25 budget as directed or requested by the jurisdiction. Now,

1 Travis County in the past has used that money for match in
2 lieu of county money. I want to be clear about this.
3 Others have as well, the ones that carry cash balances.
4 Nothing in this program proposal is asking for change of
5 that process.

6 MR. GARCIA: Mr. Hale.

7 MR. HALE: I'm in total agreement with what Mr.
8 Wilson just said, however, the problem is that because of
9 the fluctuating balances in the account -- I wouldn't call
10 it a slush fund, but it can drop depending on what happens
11 in your grant year, and so you may fall short in that
12 grant cycle because of things that are out of your
13 control, and therefore, that makes it, to me, kind of
14 sketchy. And it has been used in the past for that
15 reason, and so all I'm simply asking is looking for the
16 funding moving forward, if you're able to move toward
17 those direct operating expenses being included in the
18 grant award as opposed to that seized fund account being
19 as a funding source totally for program income because it
20 can become problematic if you don't have those funds to
21 meet your match. And I don't think any grantee wants to
22 be in that status.

23 That's simply what I'm talking about. It's a
24 consideration request, it's a conversation.

25 MR. HANSEN: And if I understand this right,

1 Mr. Richards, the problem I think we're getting at is if
2 we have this amount of money -- and it's going really go
3 forward if we're going to go to this new grant process --
4 if you have this amount of money in the first year,
5 seizure money that's going to go towards your operating
6 expenses, then in the second year you don't have that.
7 Say you had no seizures and you're down \$50-, \$60,000,
8 then that's going to put you back into a bind for the
9 second year of that grant application. Is that what I'm
10 getting what you're saying?

11 MR. HALE: Yes, sir.

12 MR. HANSEN: So then that would really put the
13 responsibility for that to be brought to the attention of
14 the board that last year \$80,000 of their operating
15 expenses as seized money but this year they didn't have
16 it, they didn't get any awards, so now they're short
17 \$80,000. Is it right to cut the program \$80,000, or would
18 it be more suitable that we try to find a way to keep them
19 at that level that they are? Does that make sense?

20 MR. WILSON: Yes. Actually, we had that
21 happen, not related to program income but just related to
22 county match. We had that happen twice when you awarded
23 the '17 awards back in, what was that, May of last year.
24 I brought you a slate of things and I said, Well, these
25 two programs cannot currently meet their match. Like I

1 said, in this case it did not have to do with program
2 income. We had a change in Brownsville, we had a change
3 in Beaumont where they had bought a bunch of equipment
4 with their match last year but they didn't want to buy new
5 equipment and they wanted to reduce their match. And
6 that's what we do, we bring it to the board and say:
7 Well, these two want to lower their match by a certain
8 percentage. And the board voted to say okay. I mean,
9 they were pretty small amounts and that's fine.

10 But that's what the board is for is to say --
11 whether it's program income or just a particular county is
12 having a budget crisis, whatever that problem is, we would
13 say: Okay, they need to lower their match by \$60-,
14 \$70,000. But again, I do want to point out that isn't
15 related to the total program budget, that's just about
16 match issues and how we administer the grant, but it's not
17 related to what's before you on the total program budget.

18 MR. HANSEN: So this would boil down to that
19 it's up to the grantees to make sure there's
20 communication, that if you've had a dramatic drop in your
21 second year in your program income, that that needs to be
22 recognized so we can find a remedy for that which would
23 fall back on here.

24 MR. HALE: The proper funding.

25 MR. HANSEN: Does that make sense?

1 MR. RICHARDS: Absolutely.

2 MR. HALE: Thank you.

3 MR. GARCIA: Thank you, sir, Mr. Hale.

4 Any additional discussion by the board members
5 on total program budget.

6 MR. WILSON: Can I lay this out real quick?

7 MR. GARCIA: Yes, sir.

8 MR. WILSON: So let me lay this concept out for
9 you real quick. We're on page 16. And one of the things
10 I just want to make sure is currently we have less than 25
11 percent of our grantees that are able to complete a
12 substantiated expenditure report, and it's really brought
13 home how we manage. Because right now what an application
14 entails is that they chop up their expenditures into
15 little buckets, regardless of how they're related to each
16 other, and what we're really trying to move to in this
17 total program budget concept is that you just tell me
18 every year how much money you need, tell me how much match
19 you're going to provide. And I did say every year, so
20 there's an application done every two years but then every
21 year you have to re-up that in a total program schema, and
22 you tell me how much that you want to give in match.

23 And then cities and counties keep things --
24 I've been to twelve of them now -- and they keep things in
25 object codes and classifications, so if you have a grant,

1 the budget people usually assign a number to that grant.
2 You know, it's like 4608 in Dallas, or it might be 5201 in
3 Houston, or whatever, but they assign a number, and then
4 that's how they track in their books. Under the total
5 program budget, we've never done this, but it's how many
6 grants operate is you just tell me how much money you
7 need, how much you're going to put up as a percent or as a
8 total dollar value, and then all of your reimbursement are
9 based on your actual costs for that time period less your
10 match. So if it's 80-20 and you spend \$100,000 in that
11 quarter, I'm giving you \$80,000, that's all I'm giving you
12 because that was our agreement.

13 So now the books begin to reflect the direct
14 costs that the city and the county is tracking because
15 they track personnel, they track fringe very clearly,
16 there's no question that they track how much they pay
17 their people or how much the fringe percentage. And so I
18 just want to be able to pay my percentage of the personnel
19 or the fringe or whatever it is and that's what we're
20 asking is to go to a total program budget. Every grant
21 cycle you'll turn in your budget, we'll agree on a
22 percentage.

23 And to Mr. Hale's point, if there's some change
24 in the city, that's what that interim time period is -- as
25 we did for Brownsville and Beaumont this past year -- you

1 will just tell me: Hey, guys, we're having a city problem
2 or my city council won't meet this match, would you lower
3 it. Then the board can make that choice; Bryan is not
4 going to make that choice; the board has to make that
5 choice. But you did it in the past and I think you'll
6 look at each.

7 I mean, at the end of the day, we're trying to
8 promote motor vehicle theft and burglary reduction, that's
9 what we do. It's not about splitting hairs with counties
10 and cities, it's about getting our job done. And this is
11 to streamline that. More time and effort spent on doing
12 police work, less on bookkeeping.

13 MR. GARCIA: If any grantee would come forward
14 and make that request of reducing their match, in no way
15 does it increase their award at that time either. Right?

16 MR. WILSON: If somebody came in and decreased
17 their match, their percentage might go up but their award
18 doesn't change. Again, only the board can set award
19 amounts or approve percentages or amounts of match. Bryan
20 does not do that. We've got it written into our policy,
21 Bryan absolutely will not do that. But Bryan will bring
22 it back to the board for you to consider.

23 MR. GARCIA: Thank you.

24 Any additional discussion?

25 (No response.)

1 MR. GARCIA: If there is none, we need a motion
2 to approve and a second.

3 MR. REYNOLDS: I make a motion to approve the
4 total program budget process.

5 MR. ROSS: I'll second it.

6 MR. GARCIA: We have a motion on the floor to
7 approve the total program budget by Board Member Reynolds
8 and a second by Board Member Ross. If there is no further
9 discussion, all those in favor say aye.

10 (A chorus of ayes.)

11 MR. GARCIA: All opposed?

12 (No response.)

13 MR. GARCIA: Motion carries.

14 Before we move on to the rest of the agenda, at
15 this time I want to tell the board members -- I'm trying
16 to rush you through the agenda -- at about 10:30 I will go
17 into a five-minute break, I will excuse myself and I need
18 to head back to Brownsville for an important meeting this
19 afternoon at 5:30, so I just want to make sure I have
20 plenty of time on the road.

21 Second, I am looking for a volunteer from the
22 board members to run the meeting if we have not finished
23 the agenda by then.

24 MR. REYNOLDS: I can do that, sir.

25 MR. GARCIA: You can do that?

1 MR. REYNOLDS: Yes, sir.

2 MR. GARCIA: All right. Great.

3 (General talking and laughter.)

4 MR. GARCIA: Thank you, Board Member Reynolds.
5 I appreciate that.

6 MR. REYNOLDS: Yes, sir.

7 MR. GARCIA: So moving on to agenda item 2.B,
8 priorities for the new and modified grant requests.
9 2.B.1, the cooperative priority. Mr. Wilson.

10 MR. WILSON: Okay. So do you want to take
11 these one at a time or as a slate or whatever?

12 MR. GARCIA: I think we'll take them as a
13 slate.

14 MR. WILSON: Okay. So I'll just run through
15 these five items, and if anybody wants to split them out
16 or have further discussion. But I do want to say the
17 board authorized me in February to have a strategic
18 planning conference, we had that strategic planning
19 conference. The board has adopted an outline and out of
20 that outline has come some priorities.

21 Now, you remember I talked earlier about our
22 current grantees have hardened resources, trained motor
23 vehicle theft investigators, and we have resources,
24 hardened resources, bait, LPR, vehicles, and so I'm not
25 asking for this priority schema to apply to the current

1 grantees, although I certainly encourage and I think the
2 board should hold these out as the methods, but out of
3 discussions in San Antonio that we had with the program
4 directors, out of discussions that we had at the strategic
5 planning, we identified some core concepts that we have
6 adopted in our strategic plan, they went into our plan of
7 operation.

8 And what we're asking for is when we publish
9 the RFA for next year that we set priorities for all new
10 and modified grants that are consistent with our plan of
11 operation submitted to the legislature and also with our
12 strategic planning process. And these five items are the
13 cooperative priority which means if we're going to expand
14 any grantee on a modified or a new that it's going to be
15 because they operate as a cooperative, that they
16 collaborate together, that they're expanding jurisdictions
17 and they operate as a task force as opposed to
18 individually funded units. And I'm just giving you the
19 high level and we can come back.

20 That whatever grants that we expand into will
21 have a component of crime analysts and trend analysis to
22 make sure that we're using our resources as wisely as
23 possible. That any expansion of our programs in modified
24 or new would include an effort to combat pattern crimes,
25 organized crime, and specifically different kinds of

1 economic crime which is set out in our statute. That came
2 out in our statute but our strategic planning results
3 agreed with that.

4 That whenever possible that we'll try to figure
5 out a way to fund co-location so we get the best bang for
6 our bucks on our resources. If people have bait, if they
7 have LPRs, if they have equipment, but again, it's new and
8 modified that they try to operate organizationally as a
9 unit. And that even like surveillance equipment and
10 things like that would be available to other jurisdictions
11 that are close by, because if we have resources put
12 together, then if we're here in Travis County, that
13 Williamson County could use that even if they're not
14 necessarily an element, or the City of Round Rock. But
15 that way it expands our reach and our effectiveness
16 within not just the areas we fund but greater areas.

17 I know a lot of you are already doing that all
18 the time. I know we talked to Smith County when we were
19 there a while back, and I'm not picking them out but just
20 because that just jumped to mind seeing Kenneth sitting
21 there, and they're reaching out to Longview and providing
22 resources and assistance. So we want to institutionalize
23 that process.

24 And then in the future if we do expansion on
25 new and modified grants, that we include prosecutorial

1 elements. A big complaint has been of this group is:
2 Man, we do these great workups on burglary or an auto
3 theft but they don't want to pursue that case or that's
4 not the priority for our prosecutorial unit. Well, one
5 way you get around that is we want to include funding for
6 those kind of elements.

7 Now, again, this is already stuff you've
8 already seen. I've kind of recapsulized it in a way that
9 I can put it into an RFA. Now, we certainly have a lot
10 more things in our strategic plan that didn't make it into
11 this list but this is what we had talked about in San
12 Antonio with the project coordinators and directors,
13 program managers and directors, and so this is what staff
14 recommends that you consider making these five items for
15 this cycle the priorities going forward if we get new or
16 expanding programs.

17 MR. GARCIA: Any discussion by board members on
18 agenda items B.1 through 5?

19 (No response.)

20 MR. GARCIA: If there is none, this is an
21 action item so I do need a motion and a second.

22 MR. MIZANI: I make a motion to approve item
23 2.B.

24 MR. GARCIA: We have a motion on the floor.

25 MR. HANSEN: I'll second it.

1 MR. GARCIA: By Board Member Mizani and a
2 second by Board Member Hansen. Any further discussion?

3 (No response.)

4 MR. GARCIA: There is none. All in favor say
5 aye.

6 (A chorus of ayes.)

7 MR. GARCIA: All opposed?

8 (No response.)

9 MR. GARCIA: Motion carries.

10 Moving on to agenda item 2.C.1 and 2, process
11 modifications. Mr. Wilson.

12 MR. WILSON: Okay. So 2014 after the internal
13 audit there were a couple of things that came up as a
14 result of the issues that were adopted by the board, and
15 so anything that I see in a transcript that's adopted by
16 the board, I'm not crossing that line, I'll bring it back
17 to the board to reconsider. But one of the things is that
18 the board voted in the redesign module to allow monthly
19 progress reports, and I'm fine with reporting data monthly
20 but I'm beginning to realize that it's just a tremendous
21 amount of work for staff as well as the projects.

22 They should keep up with arrest data by month,
23 they should keep up with cases cleared by month, those are
24 logical progression, as well as many of their activities,
25 but when it comes to summarizing what they do or what

1 their priorities are in the report process, we'd really
2 like to move to a quarterly submission. They can still
3 keep their monthly progress reports if they prefer and
4 came out of the redesign, but it just comes to us once
5 every quarter, and that lines up with our payment process,
6 we're currently on a quarterly payment process. We can
7 just simply look at did they turn in their report, did
8 their expense report come in, boom, pay.

9 So the first one is just considering in the
10 next grant cycle that we move to quarterly progress
11 reports. I'll also be talking to you in a few minutes
12 about some computer systems that we're working and those
13 systems are already designed around quarterly. We'd have
14 to do major modifications to change that.

15 The second issue is the scoring method. Based
16 on the vote earlier with the new and the modified, the
17 current redesign scoring process -- or the method that was
18 adopted in the redesign work in 2014 does not fit into the
19 new and modified for prioritizing that we just had a
20 discussion on earlier, so I'm proposing to redo the
21 scoring system and bring it back to you later in the
22 spring, so just need authority to do that so I can go
23 ahead and work on that during the interim.

24 MR. GARCIA: Before we move further with any
25 type of discussion on this agenda item, I'd like the

1 record to reflect that Board Member Ashley Hunter is
2 present. So welcome, and thank you for joining us.

3 MS. HUNTER: Thank you.

4 MR. GARCIA: So any discussion by the board
5 members at this time on agenda item C.1 or C.2? Go ahead,
6 Mr. Hansen.

7 MR. HANSEN: Real quick concerning 2. I know a
8 scoring method is a heartburn for most everybody in this
9 room, and I want to assure you that Mr. Wilson and I and
10 Mr. Garcia and others, there will be a lot of discussion
11 to make sure that this is done in a fair fashion so we
12 don't run into some issues that we've done before facing
13 some things. We want to make sure that if there's any
14 statistics used, that they're accurate, up to snuff, and
15 up to deals before anybody is graded. I want to give you
16 that promise on 2, because I know that was heartburn in
17 the past and we're going to try to make that right.

18 Thank you.

19 MR. GARCIA: Any further discussion by the
20 board members on items C.1 and C.2?

21 (No response.)

22 MR. GARCIA: If there is none, then this is an
23 action item so I do need a motion and a second.

24 MR. REYNOLDS: I'll make a motion to go forward
25 with the process modifications.

1 MR. GARCIA: A motion on the floor by Board
2 Member Reynolds.

3 MR. HANSEN: I'll second.

4 MR. GARCIA: And second by Board Member Hansen.
5 Again, any further discussion?

6 (No response.)

7 MR. GARCIA: There is none. All those in favor
8 say aye.

9 (A chorus of ayes.)

10 MR. GARCIA: All opposed?

11 (No response.)

12 MR. GARCIA: Motion carries.

13 Moving on to agenda item 3, authorization to
14 enter into agreement with Texas A&M University -- let me
15 back up a little bit here. It's my understanding from the
16 director that we do need a motion to authorize staff to
17 publish the FY18 request for applications. So we do need
18 a motion and a second.

19 MR. HANSEN: Motion to move forward for staff
20 posting the '18-19 application process.

21 MR. REYNOLDS: Second.

22 MR. GARCIA: Motion on the floor by Board
23 Member Hansen to authorize staff to publish the FY18-19 or
24 just '18?

25 MR. WILSON: Well, just '18.

1 MR. GARCIA: The FY18 request for applications.
2 That's right. And a second by Board Member Reynolds.
3 Any discussion by the board members at this time?

4 (No response.)

5 MR. GARCIA: If there is none, all those in
6 favor say aye.

7 (A chorus of ayes.)

8 MR. GARCIA: All opposed?

9 (No response.)

10 MR. GARCIA: Motion carries. Thank you.

11 Now moving on to agenda item 3, authorization
12 to enter into agreement with Texas A&M University to
13 configure and deploy grant management and tracking
14 systems. Mr. Wilson.

15 MR. WILSON: Thank you, Chief. This is Bryan
16 Wilson for the record, and I just wanted to call your
17 attention to page 22 on the board book.

18 Basically there's two issues that we would like
19 to resolve today. I've already come to you in the past
20 asking you for up to \$50,000 to do a grant management
21 tracking system, originally with Texas A&M, then we went
22 out to a private vendor. At that time A&M had got some
23 federal work. We kind of lollygagged around and they got
24 some federal work and they couldn't do our project. We
25 went out for a private bid. It was substantial. That's

1 about all I can say right now. It was a tremendous amount
2 of money to do a system, and we all have Big Chief tablets
3 and number 2 pencils, so we could get by on less.

4 So I decided to contact A&M again. Again, this
5 is a system that's already been developed for the state
6 court system, it's used by the Governor's Office, Juvenile
7 Justice System, it was used for the HAVA grants, it's a
8 grant management system, that's pretty much all it does,
9 it does a couple other things for the courts. So they've
10 agreed to look at it again, they gave me a price, so I'd
11 like to get authorization to spend up to \$60,000 this
12 year. They proposed a three-year cost structure. If we
13 get going right away, they think they can modify it in
14 time for this year's grant applications, or the 2018 grant
15 by March 1, and then as long as we're clear that TxDMV has
16 the authorization to enter into a contract on your behalf
17 to implement the system.

18 And so here are some of the features I put on
19 those pages. If you're morbidly curious on how much the
20 deliverables will be, we set up deliverables and it's
21 currently being reviewed. These are drafts for your
22 records, but Texas DMV and legal have to still review the
23 final deliverables schedule and amounts.

24 But I would like the authorization to spend up
25 to \$60,000 this year and it will have all the expenditure

1 reports and everything going forward.

2 MR. GARCIA: Okay. This is an action item.
3 Any discussion by the board members of this request?

4 MR. MIZANI: Bryan, just to clarify, so when
5 you just explained was the bidding process, you reached
6 out to a private vendor and then that's when you reached
7 out to A&M afterwards?

8 MR. WILSON: Right. We originally wanted to go
9 to A&M, and then that fell through, so we went out for --
10 I came back to you, I don't know, it was the spring,
11 February, somewhere, May, you authorized me to go out to
12 bid with the \$50,000. It came back a lot higher than
13 that, so now I'm coming back and saying I went back to
14 A&M. We can speak to state agencies without any kind of
15 conflict, so I opened that communication back up, of
16 course, with DMV's permission, I don't do anything on my
17 own, and this is what they've come back with.

18 MR. MIZANI: And so then prior to this
19 management tracking system, pardon my lack of knowledge,
20 what have been doing prior?

21 MR. WILSON: Prior to '15, we have been using a
22 system that came from TxDOT that cost, I think, \$260,000
23 is what I've been able to pin on it. The budgets didn't
24 add up, the budgets didn't carry, it was a system that
25 absolutely did not work, and I think most of the grantees

1 were not particularly happy with how difficult it was to
2 submit changes. So what we've been doing, as a result of
3 the redesign there was such significant changes, we've
4 actually been doing everything by Excel spreadsheets, and
5 then for certain items, because we don't have a validation
6 process, we're actually making them do a signed copy sent
7 in with an Excel version to validate that our numbers are
8 correct. And by going to an online system, it might be
9 Aggie math but it generally adds up.

10 MR. MIZANI: When you said 260K, that answered
11 my question.

12 And in the year three and ongoing, that's
13 \$25,000, so that's for the duration?

14 MR. WILSON: Once we finish the development
15 side -- in other words, what it does for the courts and
16 the Governor's Office is a little different, so like with
17 the courts it only does counties so Harris County is
18 already in the system but the City of Tyler is not, so
19 we're having to do some reformatting so that cities and
20 counties can be in the system.

21 I got with DPS. Thank you, Major Reynolds.
22 The whole system will be based on ORI configurations. Mr.
23 Hansen and I have been talking for a while about how to
24 attribute properly to what programs or inside of our
25 program and participating, and so we'll be using it based

1 on law enforcement assigned ORIs. So I think it's going
2 to be a huge improvement.

3 MR. MIZANI: Thanks, Bryan.

4 MR. GARCIA: Any additional discussion at this
5 time by the board members?

6 (No response.)

7 MR. GARCIA: If there is none, this is an
8 action item so we need a motion and a second.

9 MR. MIZANI: I make a motion to approve item 3

10 MR. ROSS: Second it.

11 MR. GARCIA: We do have a motion on the floor
12 by Board Member Mizani and a second by Board Member Ross.
13 Any further discussion?

14 (No response.)

15 MR. GARCIA: All those in favor say aye.

16 (A chorus of ayes.)

17 MR. GARCIA: All opposed?

18 (No response.)

19 MR. GARCIA: Motion carries.

20 I'm going to move an agenda item out of order,
21 and that's agenda item number 8, committee appointments.
22 I'm going to move it up.

23 MR. WILSON: Page 57.

24 MR. GARCIA: Mr. Wilson, can you give us a
25 briefing before we move on with this agenda item?

1 MR. WILSON: Sure. Thank you, Chief.

2 One of the things, as I've been here the last
3 two years, is it's come to my attention through just
4 various negotiations that I've had that sometimes I need
5 some board member input that needs to be targeted for very
6 specific purposes. I've asked the chair to consider
7 setting up some committees, I've asked him to place very
8 careful and clear charges on those committees about what
9 their role would be. I submitted this, we looked at it
10 the last meeting in May, and so the chair wanted to give
11 you time to consider this and my request, and at that time
12 he took opportunity to allow the board members to
13 volunteer for specific committees, and this is what I've
14 put in the packet today. We went back and pulled the
15 transcripts, Mary Beth reviewed that and put it together.

16 So we're continuing to ask that this is the
17 format where I seem to need help. In other words, I need
18 sometimes help with grants, budgets and reports. We do
19 these statutory required reports, but I'd like to have
20 board members more involved. Ultimately, I work for DMV
21 but I serve this board, and I think because you have
22 statutory requirements of collecting money, of giving
23 refunds, but that some level of committee would be very
24 helpful because of statutory charges that you have that I
25 certainly carry out for you but I don't always have the

1 clear authority and it would be better if some of you
2 participated in what I'm doing, and that's what I've
3 proposed.

4 MR. GARCIA: Okay. Thank you, Mr. Wilson.

5 So for the first committee on the Grants,
6 Budgets and Reports Committee, I have Board Member
7 Reynolds, Board Member Hansen, and I also understand Board
8 Member Hunter on this committee.

9 MS. HUNTER: Okay, yes.

10 MR. GARCIA: That's what I was told.

11 MS. HUNTER: That conversation happened.

12 (General laughter.)

13 MR. GARCIA: All right. And just to appoint
14 somebody to kind of chair the committee, I'm going to
15 appoint Board Member Hansen on this.

16 On the Insurance Collections and Refund
17 Committee, Board Member Mizani, Board Member Ross and
18 Board Member Hunter. And appointing a chairman here, I'll
19 appoint Board Member Mizani, who is willing to undertake
20 that.

21 MR. MIZANI: Sure.

22 MR. GARCIA: Education and Legislative
23 Committee, Board Member Hansen, Board Member Kinney and
24 Board Member Ken Ross, and I'm going to appoint Board
25 Member Kinney to chair that committee.

1 MR. WILSON: That should teach her never to
2 miss a meeting again.

3 (General laughter.)

4 MR. GARCIA: This is not an action item.

5 So we'll go back to the agenda in order.

6 Agenda item 4, discussion about the 85th Legislative
7 Session.

8 MR. WILSON: Okay. I know what I told you,
9 that we were going to just take up one little bill that
10 cleaned up some Highway Department language out of our
11 statute earlier this year, but there's been a couple of
12 items that have come up that I want to make sure that we
13 go ahead and cover. So on page 26, I have the document
14 that we would like you to consider authorizing me and GSC,
15 the Government and Strategic Communications Department, to
16 modify some language in our bills. And this comes out of
17 several conversations with other stakeholders.

18 One of the things, as I've been traveling
19 around, these great fine law enforcement officials often
20 have to deal with Transportation Code criminal violations
21 on a regular basis. Somebody steals a car, they get a
22 fake plate offline or they buy one illegally off of
23 Facebook, and so they're doing a lot of the work anyway.
24 Our statute limits them to motor vehicle theft and
25 burglary, yet they get pulled into so many different other

1 areas. Well, one way we can fix that is to broaden our
2 statutory requirements to include -- and again, I want to
3 be careful to make sure everybody here understands, I'm
4 talking about the criminal violations of the
5 Transportation Code. We're not asking these guys to
6 become DMV enforcers or anything like that, but that
7 Transportation Code citation in 1001.002(b) has a list of
8 criminal penalties that are related often, not always, but
9 related often, and if we get new money, we would hope that
10 we could be able to expand into some of these areas,
11 especially those that affect burglary and motor vehicle,
12 which many of these do.

13 One example that's often, I know I've been
14 working with several task forces on odometer fraud.
15 That's in Transportation Code, the criminal violation of
16 odometer fraud is in there. We currently are pushed in
17 the middle of those kind of fraud cases because of theft
18 or related to theft, but we're not able to work those
19 cases currently. So that would clarify our statutory
20 language.

21 So why we're fixing it, there's some places in
22 our statute when burglary was added to our statute, it was
23 left out of key places that we think it needs to be in,
24 and we've been operating with the assumption that it says
25 burglary under some of these areas, but we'd like to go

1 ahead and clean that up as well.

2 And then the last one is on page 29, it's kind
3 of tied to our TxDOT cleanup that you adopted earlier this
4 year. We are still required to submit reports to TxDOT,
5 even though our reports have nothing to do with
6 transportation, highways or anything like that, so we'd
7 like to extract our name, your good name, Automobile
8 Burglary and Theft Prevention Authority, out of the TxDOT
9 statute.

10 Is Matthew back there? Matthew is our designee
11 from Government and Strategic Communications. He's hiding
12 behind the pillar. He said I did fine.

13 MR. GARCIA: This is an action item. Any
14 discussion by the board members at this time?

15 MR. MIZANI: Bryan, just one question. I'm
16 trying to make sense and maybe I'm just reading it wrong,
17 on page 27, subsection (b) (3) at the very end: "and
18 violations of the statutes referenced in Sec 8(a) (7)."
19 Right?

20 MR. WILSON: Right.

21 MR. MIZANI: And I go to 8(a) (7), that's this
22 part right here on page 28?

23 MR. WILSON: 28, yes, sir.

24 MR. MIZANI: But then that lists statutes
25 listed in Section 1001.002(b) of the Transportation Code.

1 So then is it taking the one section and then that takes
2 me to another section?

3 MR. WILSON: Correct.

4 MR. MIZANI: Can we tidy that up and just say
5 reference to? Am I reading that wrong?

6 MR. WILSON: I think because the plan of
7 operation -- I'm fine with what you're saying. In other
8 words, what you'd like to see is on the plan of operation
9 it would just say: and any violation of statutes under
10 1001.002 of the Transportation Code.

11 MR. MIZANI: Right.

12 MR. WILSON: And that's fine.

13 Matthew, is there any problem with that, just
14 doing a direct reference in the section under plan of
15 operation?

16 MATTHEW: (Speaking from audience.) We can do
17 that.

18 MR. MIZANI: Okay. Thank you.

19 MR. GARCIA: Any additional discussion?

20 MR. HANSEN: Just on behalf of the grantees,
21 this has been a thorn again for a lot of them because we
22 know we get involved in title frauds and stuff like that.
23 You should be involved with them because you're the
24 experts in the state but by statute some of that didn't
25 fall under there, and Mr. Wilson is doing due diligence of

1 his job to remind us of that all the time, but
2 unfortunately sometimes we still have to do that. In many
3 cases it's directly connected. So this allows all of us
4 to continue to do what we're doing within statute without
5 any question, so this is probably ten years overdue to
6 move forward with this, though.

7 Thank you for your work on this.

8 MR. WILSON: Thank you.

9 MR. GARCIA: Any additional discussion by the
10 board members?

11 (No response.)

12 MR. GARCIA: This is an action item so I do
13 need a motion and a second. Any volunteers?

14 MR. REYNOLDS: I'll make a motion that we go
15 forward with the request for legislative change.

16 MR. MIZANI: I'll second.

17 MR. GARCIA: By Board Member Mizani on the
18 second. Any additional discussion?

19 (No response.)

20 MR. GARCIA: There is none. All those in favor
21 say aye.

22 (A chorus of ayes.)

23 MR. GARCIA: All opposed?

24 (No response.)

25 MR. GARCIA: Motion carries.

1 Agenda item 4.B, report on the legislative
2 appropriation request FY18-19

3 MR. WILSON: Thank you. For the record, this is
4 Bryan Wilson.

5 Starting on page 31, I just wanted to remind
6 you of what we're currently requesting. We were required
7 by the legislature to submit our appropriation request
8 with a 4 percent cut. That's the \$14.3 million you see at
9 the top of page 31. I am pleased to report, although some
10 people might disagree, I'm pleased to report that
11 yesterday the LBB released the first draft of the budget
12 and they included \$14.3 million at the starting point for
13 our discussion on the budget. So I know that sounds bad
14 but if you start somewhere north of zero, you're starting
15 in a good spot, and we'll see what happens from there.

16 So anyway, I wanted to show you what the
17 breakdown is by year and for the biennium, and then also
18 on page 32, the performance measures that are tied to
19 that. So it comes with a price. In other words, we're
20 saying: give us more money, we'll reduce motor vehicle
21 theft, we'll reduce losses. That's what we're asking, and
22 it's a two-headed dragon.

23 MR. GARCIA: But that \$14.3- that's on file
24 right now, that does include the 4 percent reduction that
25 was requested by the governor. Right?

1 MR. WILSON: Right. That's the \$14.3 in that
2 top line. Thank you, Chief, for making sure.

3 So the two appropriation request items, the
4 exceptional items -- that's what they call them in LBB
5 speak, Legislative Budget Board -- is the first thing
6 we're asking for is the restoration of the \$596,000, and
7 the second thing we're asking for is an additional \$12.6
8 million to provide more officers, analysts, prosecutors
9 and things like that.

10 MR. GARCIA: That's just strictly for
11 informational purposes?

12 MR. WILSON: That's correct. No action is
13 required on that.

14 MR. GARCIA: So moving on to item 4.C, the
15 report on House Bill 652, dedicated account bill.

16 MR. WILSON: I'll go ahead and start on that.
17 If Mr. Hansen wants to add some additional information, he
18 can after I finish.

19 So House Bill 652 was filed by Clardy a few
20 weeks ago. Many of the task force directors and
21 commanders were invited to participate in a phone call
22 that basically what this bill does, it does not provide --
23 and I want everybody to be clear -- it does not provide
24 any additional money to ABTPA. What it does it set aside
25 the money that is collected by ABTPA through a contract

1 with the Comptroller's Office, it sets that money aside
2 into a dedicated account as a sub-account of Texas DMV
3 Fund. It's real important, and that was one thing that we
4 had voted on this several months ago and had lots of
5 discussion around that, but at this point, we left it up
6 to Representative Clardy as to put half or all of the
7 funds, and so the starting point is all of the funds
8 collected. That's \$46.5 million this fiscal year, the one
9 that just closed, and it's estimated to be over the next
10 couple of years well over \$48 million.

11 So now that this bill is filed then there will
12 be some paperwork that would allow other jurisdictions and
13 senators and representatives to sign on to sponsorship or
14 co-author, depending on what that status within the
15 committees, and so that will be up to the legislative
16 process going forward.

17 MR. GARCIA: Board Member Hansen.

18 MR. HANSEN: I've been on contact virtually
19 with everyone in this room in some fashion or form, all
20 the project directors and all the commanders concerning
21 all of this, and we're going to go into some of this again
22 but I want to give you an update. As of yesterday
23 afternoon -- I was in the Capitol all day yesterday -- as
24 of yesterday, Representative Clardy signed off on the bill
25 to open it up for co-sponsors. The more House members

1 that we can get, and I know you're tired of hearing this,
2 to put their name on that bill, the better chance we have
3 of getting it passed.

4 I also spent time yesterday, and if you have
5 one I mind that we need to focus with, that's fine, but we
6 also need to get a companion bill, a sister bill to this
7 on the Senate side, and there was some communications with
8 several legislators yesterday, one being a very key
9 senator who has been a big supporter of us in the past, to
10 no avail, but not his fault. So for us to even have a
11 chance to get all of this, it's going to require that.

12 And I've sent every one of you some sample
13 resolutions and letters that need to not only come from
14 your administrators but if you have a police officers
15 association. I know we've gotten communication like
16 Houston Police Officers Association, Dallas PD, San
17 Antonio and a number of others, TMPA, NICB, we're working
18 on that. But those letters, I cannot stress to you, based
19 on a conversation yesterday with Kelly at Representative
20 Clardy's office, how important they're going to be. And
21 as soon as we can get a companion bill filed in the
22 Senate, you're going to need to send them again to that
23 person for them to have, but they also need to go to your
24 legislators to encourage them to sign off and co-sponsor
25 on this bill.

1 Now, I'm going to be very frank, right now
2 based on House Bill 1541, which was our last enabling
3 legislation, we're only entitled to the one dollar, and I
4 think everyone in this room, if we could finally get the
5 one dollar after all these years it would be Mardi Gras.
6 Whether we get the second dollar, that remains to be seen,
7 but that could also be a negotiations tool to get us to
8 where we need to be to finally get our one dollar that
9 we're actually entitled to today based on House Bill 1541
10 that was passed in a previous session. So that's where we
11 are so we need to focus on the basics first of let's
12 getting our dollar, and then if we get the rest of it,
13 we'll move forward, but that's where we are today.

14 So those of you, I've communicated with
15 everyone in this room multiple times via email and phone
16 calls and phone conversations, and it's not hard. Just
17 yesterday in just a couple of hours I went into ten
18 offices yesterday and many of them were your legislators'
19 offices. So it doesn't take any time to do it but you
20 need to do it and do it quickly. Because what Clardy's
21 staff told me yesterday is this probably won't hit the
22 ground running for testimony in some committees for a
23 little bit of time. You all saw and it's all over the
24 news yesterday what the House and what the Senate put as
25 their starting budgets, and there was quite a bit of

1 difference between them, however, the comptroller has
2 already alluded that, you know, I don't think this money
3 crunch is quite as bad as it seems to be.

4 By the time we get to that, he wants to be able
5 to -- and we'll do this with the Senate -- have a one-page
6 letter written for him to pass out to all of his cohorts
7 listing all of these police organizations who are all in
8 support of this bill, and if you're not on there, that's
9 your own fault, period. So that came directly from them
10 yesterday morning.

11 So that's the update on this bill. Like I
12 said, it was opened up for co-sponsorship yesterday
13 afternoon, so that's a wonderful thing, and I already got
14 a couple of commitments yesterday, so that's good.

15 MR. WILSON: Ready to move on?

16 MR. GARCIA: I have a question. Best case
17 scenario, this bill passes on both sides and we get the
18 dedicated account as a sub-account under DMV, is that
19 still going to be subject to appropriations approval for
20 the future sessions?

21 MR. WILSON: Yes. That's what I was saying.
22 This bill by itself does not allocate any money to ABTPA.
23 What it does is it set asides all the funds that we
24 collect for the purposes, and just remember that our
25 statute says that 50 percent may only be appropriated to

1 ABTPA, it doesn't limit us to one dollar, it says that
2 we're not supposed to get, by law, less than one dollar.
3 But the appropriations battle is a separate discussion.
4 We're asking for more than a dollar in this particular
5 year because we are asking for \$26 million. That's what
6 we need to expand to the level that we can reduce auto
7 theft and burglary in Texas.

8 MR. HANSEN: What this does, though, it puts it
9 into an account with our name on it versus the big black
10 hole.

11 MR. WILSON: Right, exactly.

12 MR. HANSEN: Is that the best way to put that?
13 So it makes it more recognizable. And it is amazing,
14 even as of a few weeks ago, even the speaker of the House
15 was not aware of where our money came from. They just
16 thought it came out of general revenue. They weren't
17 aware of how it got to general revenue from the insurance
18 policies. So we've still got a lot of education to do.
19 He knows now, but he didn't know then. So this is where
20 it's important that they understand.

21 But by creating this account, it at least
22 recognizes that that is an account and we are our own
23 resource for funds, self-funded, so to speak. So that
24 clarifies that for our money going into the big black hole
25 of general revenue and then trying to get it back out of

1 there. This way it goes to this account and we get it out
2 of that, so it makes it more recognizable where it stays
3 in our own backyard, so to speak. I think it's a key
4 place for us for the future, whatever monies we get, to
5 make sure that we can secure those funds.

6 MR. GARCIA: 4.D now.

7 MR. WILSON: The only thing I want to call your
8 attention to is on page 37, we've provided you the link, I
9 believe we've already sent it out to you, but this is the
10 two cover letters that Chief Garcia wrote to the
11 legislative leadership for our statutorily required plan
12 of operation that was turned in on December 1. We'll be
13 giving that out to other members and I know the task force
14 commanders have already received copies and it's on our
15 website.

16 MR. GARCIA: Agenda item 5, discussion and
17 possible action about coordinating with the Insurance
18 Council of Texas for education marketing.

19 MR. WILSON: We have been working with the
20 Insurance Council of Texas. I see Mark Hanna is here from
21 the Insurance Council of Texas. Mark, if you don't mind
22 waving so they know who you are.

23 The Insurance Council of Texas is an
24 association of Texas insurance companies that promote all
25 kinds of things. I put some examples that Mark was kind

1 enough to give you. They're currently doing, and I know
2 El Paso and Lubbock have recently been beneficiaries of
3 their Lock, Take and Hide program that they've been
4 running for several years, and there's some examples of
5 effort that they do. They're out to alarm all of Texas --
6 is that right, Mark -- by doing smoke alarms and smoke
7 detectors and different fire safety things. We've got the
8 hurricane tour. They do a lot of big events.

9 Mr. Reynolds and Chief Garcia and I and Mr.
10 Richards went to Colorado. There's on page 48 an example
11 where Colorado relied on their insurance council to assist
12 them on promotional items and promoting keeping people
13 with their things intact, as you will. One of the things
14 that NICB just released was a report that said Texas is
15 number two in the nation for the number of vehicles stolen
16 with the keys in them. And so part of our statutory
17 mandate is to develop processes for informing the public
18 on how to keep from having their cars stolen or their
19 things stolen.

20 So what I'm asking today is just to be able to
21 have some ability to enter into discussions with the
22 Insurance Council of Texas to look at some possible
23 arrangements, whether grant funding or through contracted
24 service or cooperative agreement, or something like that.

25 So we want to explore those options and I just want the

1 board to be okay with me having those discussions about
2 how we might work together to promote our mutual
3 interests.

4 MR. GARCIA: This is an action item. Any
5 discussion by the board members before we do a motion and
6 a second?

7 (No response.)

8 MR. GARCIA: Need a motion and a second.

9 MR. HANSEN: I make a motion that we explore
10 this with the Insurance Council of Texas.

11 MR. GARCIA: We have a motion by Board Member
12 Hansen.

13 MR. ROSS: Second it.

14 MR. GARCIA: Second by Board Member Ross. Any
15 additional discussion?

16 (No response.)

17 MR. GARCIA: There is none. All in favor say
18 aye.

19 (A chorus of ayes.)

20 MR. GARCIA: All opposed?

21 (No response.)

22 MR. GARCIA: Motion carries.

23 At this time we're going to adjourn for at
24 least a five-minute recess so that I can excuse myself,
25 and Board Member Reynolds will call you back into session

1 as soon as he's ready. So thank you for attending today,
2 and again, my apologies for having to leave early today.
3 Thank you.

4 (Whereupon, at 10:25 a.m., a brief recess was
5 taken.)

6 MR. REYNOLDS: It's 10:38 and we'll go ahead
7 and reconvene. All board members are present with the
8 exception of Chief Garcia.

9 We'll go ahead and go to item number 6, page 50
10 in your book, motor vehicle theft investigator training
11 updates, including authorization of travel and support
12 funds. Bryan.

13 MR. WILSON: Thank you. This is Bryan Wilson,
14 for the record.

15 I just wanted to update you, we started a motor
16 vehicle theft training committee. The core partners in
17 this effort are Texas DMV, Texas DPS, TAVTI, and of
18 course, ABTPA staff are heavily involved, and NICB. So
19 based on that, we set up a training committee a few months
20 ago, we've got the curriculum approved through the Texas
21 DMV TCOLE training advisory committee, and so now we're
22 ready to begin doing the details of providing this
23 training around the state. We're working through the
24 details of the locations.

25 But just as a cover, I just wanted to make sure

1 that we had some resources allocated. I could probably do
2 this out of my slush fund -- I'm just kidding, I'm joking,
3 I'm joking.

4 (General laughter.)

5 MR. WILSON: But I could do it out of our
6 budget, but I think it would just be better for the board
7 to just go ahead and sign off on authorization for up to
8 \$20,000. I don't think I'll use very much or hardly any
9 this year, but I think it's good to get in the practice as
10 we move forward on this training that we develop methods
11 to do resources. We're going to run it a couple of times,
12 we're going to get together, see whether there's a better
13 way to do it or maybe we should have some other kind of
14 infrastructure, a grant, some other kind of arrangement.

15 But the first training is planned in about the
16 third week of April in Houston. It will be hosted by both
17 Houston Police Department and the Harris County Sheriff's
18 Office. Thank you very much for that. Certainly we
19 wanted it earlier in the year but it's been a big
20 undertaking and it takes a lot of resources. People have
21 full-time jobs already and we're asking a lot of the
22 people that are doing this, but I think we're going to end
23 up with a really good product. Like I said, the
24 curriculum is approved.

25 Part of this \$20,000 will be for if somebody

1 needs travel money reimbursed, if they need printing
2 costs. We're going to try to do most of it electronically
3 but we might also go ahead and authorize the disks or the
4 jump drives or whatever we're going to do to make sure
5 that people have the resources. And then other things
6 might be there's been talk with several of the
7 stakeholders about maybe a starter kit for motor vehicle
8 theft investigators.

9 And one other thing on the training, NICB has
10 cleared the training, so anybody who completes this
11 training will have direct ISO and S-VIN access as a result
12 of completing this training. So all the pieces are in
13 place, so we just need to start doing the training now.

14 And so anyway, I'd like the board to go ahead
15 and set aside some funds for me to support this effort
16 going forward, and like I said, the top end is \$20,000 but
17 I don't think I need that much, I just want to make sure
18 that I have that available in the future. But that's just
19 for this fiscal year.

20 MR. REYNOLDS: Do we have any discussion, board
21 members?

22 (No response.)

23 MR. REYNOLDS: This is an action item so it
24 will require a motion and a second. Do I have a motion?

25 MR. HANSEN: Motion that we approve the funds.

1 MR. REYNOLDS: Do I have a second?

2 MR. MIZANI: Second.

3 MR. REYNOLDS: We have a motion to approve by
4 Member Hansen and a second by Member Mizani. All those in
5 favor say aye.

6 (A chorus of ayes.)

7 MR. REYNOLDS: All those opposed?

8 (No response.)

9 MR. REYNOLDS: Motion carries.

10 The next item is item number 7, page 53 of your
11 handout, report and update on ABTPA operational guide.

12 MR. WILSON: As a result of the redesign and
13 much of our response to the internal audit report from
14 2014 was that we were going to do a much better job of
15 keeping up our operational processes, both internally as
16 well as the grant administrative manual.

17 My recollection, in looking back at the board
18 packets, is that going forward you actually took a vote to
19 authorize the operational guide which is what staff uses
20 to how we operate internally, and the grant administrative
21 manual is what you vote on on how we will manage the funds
22 and the grant rules and conditions by which we operate
23 with the grantees. And so we did not have a section on
24 insurance collection and refunds that we wanted to
25 document. We try to document all of our processes so

1 everything is open and disclosable to internal audit in
2 the future or DMV management or to this board, and so we
3 have written, or Dan has taken the time to write this new
4 section on how we will collect funds and then also how we
5 will provide refunds and do analysis of refunds in the
6 future.

7 So I don't need you to vote on it, I just
8 wanted to acknowledge this to you that we're continuing
9 this work, and as we get more and more sections, we'll
10 continue to tell you about it and give you the opportunity
11 to read over them and protest and confirm or cuss or
12 discuss.

13 MR. REYNOLDS: Do we have any discussion
14 regarding this item?

15 (No response.)

16 MR. REYNOLDS: Okay. We'll go ahead and move
17 forward. We've already taken care of the committee
18 appointments, so the next item is number 9, insurance
19 collection update for auto theft fee. Director Wilson.

20 MR. WILSON: So on the insurance collection,
21 what I had reported earlier that it had come to our
22 attention that not all insurance companies were paying, it
23 had come to our attention that there were some holes in
24 the notifications in the comptroller's processes. Even
25 though this was under contract, I think I might have told

1 you last meeting that there was this funny little clause
2 in the previous contract that Mr. Richards and I noted
3 when we were updating it. It said under the terms of this
4 condition, you will notify the ABTPA or DMV about any
5 agencies that didn't pay the fee, but then on the
6 attachment A it says they're under no obligation to notify
7 Texas DMV of anybody who didn't pay. And we were like,
8 well, that doesn't make any sense, you've just added an
9 attachment that contradicts the contract.

10 We finally got that removed, and guess what, we
11 got a list of -- Dan, what was it, 106 companies that had
12 never filed. We sent out letters I told you about last
13 meeting. Many of them were malpractice insurance or other
14 kinds of property casualty insurers. They quickly
15 notified us or filed a zero sum report. But we had some
16 questions and we had some returns on mail and things like
17 that. We confirmed that they are registered in the State
18 of Texas to sell insurance.

19 So we're working with the comptroller, we'll go
20 back in the next two weeks to get a list of companies who
21 still haven't filed the 2016 report -- 2015, and then
22 we'll send out certified letters. The first just went out
23 as a friendly reminder saying: Hey, we noticed you didn't
24 submit the money that you're supposed to pay or file a
25 report saying you don't owe us anything. And so now we're

1 going to send out a certified letter to those remaining
2 companies after we get a new list from the comptroller.

3 Along with that, we are working with TDI and
4 the comptroller to examine the maintenance tax reports and
5 the vehicles in force report to the TDI to verify that the
6 entities that have filed reports have paid somewhere near
7 their correct amount. So we have multiple agencies that
8 looks like they filed a zero report, but all indications
9 that they're claiming millions of dollars of policies
10 premiums for vehicles that they sold.

11 So we're going to continue looking at that. As
12 I told Chief Garcia a few weeks ago, we're moving slowly.

13 Thank you earlier for volunteering or being appointed on
14 this committee. I hope to have an Insurance Committee
15 meeting before we get into any deep waters and we'll be
16 getting some advice on how to move forward based on
17 responses.

18 So far the responses have not been particularly
19 negative. People have filed their reports, they've
20 corrected their actions. I'll give you a report later
21 whether we've collected more money. Because this hasn't
22 been done for many, many years, if at all, we're
23 proceeding slowly, deliberately, with caution. We are
24 mainly a grant organization but this board has the
25 authority to collect fees and I'm helping to make sure

1 your interests are well represented in the other
2 organizations that we deal with in collecting these fees,
3 and I'll keep you apprised as we move forward.

4 MR. REYNOLDS: Thank you, Bryan.

5 Do we have any discussion from board members or
6 anyone else on this item?

7 (No response.)

8 MR. REYNOLDS: We'll go ahead next to item
9 number 10, the director's report. Bryan and staff.

10 MR. WILSON: Thank you. For the record, this I
11 Bryan Wilson.

12 On page 63 is our current budget. We wanted to
13 call your attention that for a little bit longer we'll be
14 running the '16 and '17 budget, probably one more time
15 this spring, and as you know, any budget that has ongoing
16 activity, we still have some payments that are yet to be
17 made out of 2016, when the majority of that gets made or
18 whatever obligations we have, there could be some minor
19 obligations and we'll put it as a footnote to the '17
20 budget. But as always, give me any input that you have.

21 You can see that in AY16 -- I guess these are a
22 little bit backwards, the one on the bottom is '16, and so
23 that is it looks like we have available budget of \$1.25-,
24 but please remember that this board in the awards meeting
25 in May, you obligated \$800,000 of this money going forward

1 into the current AY17. So the breakdown is that we're
2 going to end up with about \$290,000, give or take -- we're
3 still finalizing a couple of payments -- in lapsed funds
4 for this year. So it's a very small percentage, it's not
5 bad but I'd sure like to get it lower. But because we
6 obligated \$800,000, that \$1.4- that you see there, plus
7 the \$1.25-, we'll end up spending most of that so we're
8 glad for that.

9 In '17 it's still real early, we haven't made
10 the first quarter payments. They'll probably go out this
11 week or early next week, but it's really not much to see
12 yet.

13 I do want to call out, we've got Sheila here
14 with us -- Sheila, can you wave -- that's our new budget
15 analyst with Texas DMV, and we appreciate her work in
16 preparing these budgets. This comes directly from the
17 Uniform Account Systems and CAPPs that we currently use.

18 Are there any questions about the budget?

19 (No response.)

20 MR. REYNOLDS: Okay. We can go ahead and move
21 on to 10.B, grant activities and analysis.

22 MR. WILSON: I'll call on Mary Dominguez.

23 MS. DOMINGUEZ: On page 65 you'll see a
24 snapshot of the summary of the statewide statutory
25 requirements reported by the grant recipients. And if you

1 notice, don't put too much emphasis on the negative
2 numbers, it's still early in the grant cycle so you'll see
3 these numbers go up.

4 Below we have selected three very different
5 examples of what the grantees are doing to reduce
6 automobile burglary and theft. The first one which is
7 Victoria, they started the report card program which is a
8 new initiative for them, and they have received very good
9 reviews based on their output. Galveston, they broke up a
10 fraudulent credit card ring, and they were using these
11 credit cards to rent vehicles and then weren't turning
12 them in and they were considered stolen. And then we have
13 Lubbock, and Lubbock initiated a parking lot sign
14 initiative, Lock, Take and Hide, and the signs were placed
15 in parking lots. So there are many types of initiatives
16 that the grantees do, we just wanted to give you an
17 example of just a few.

18 Does anybody have any questions?

19 (No response.)

20 MR. REYNOLDS: Thank you.

21 MS. DOMINGUEZ: Turning to page 67, we have a
22 snapshot of the grantee grant adjustments summary, and
23 we've had two so far this grant cycle.

24 Does anybody have any questions?

25 MR. HANSEN: How much has that been reduced

1 over previous years at this point in time, our grant
2 adjustment requests?

3 MR. WILSON: We could get 20 a quarter. We
4 have reduced it.

5 MR. HANSEN: So it's been reduced quite a bit.

6 MR. WILSON: Tremendously, yes.

7 MS. DOMINGUEZ: We have streamlined it.

8 MR. WILSON: And I think what this really says
9 is some of the changes we've made in the grantee
10 administrative manual, grantees are actually empowered to
11 just do what they're supposed to do, to put in operations
12 and police work and then shift money around. Again, the
13 board has already set by rule 5 percent. You don't need
14 to come ask Bryan every time you need a paper clip or a
15 new ink cartridge. That's something that if it's
16 reasonable and necessary, they should have exclusive --
17 and I do mean that, exclusive discretion on handling their
18 own finances within their governmental bodies. They
19 already have a city council or a commissioners court to
20 make sure that if there's a rule, that they follow it.

21 So thank you for pointing that out, Member
22 Hansen.

23 MR. HANSEN: Well, this came up because, again,
24 we're hearing back in the past some feedback complaints to
25 police administrators from your budget people, and this is

1 just an example of an attempt to streamline some of these
2 processes to eliminate some of those headaches that jumps
3 back on them as well. That's all. Thank you.

4 MR. REYNOLDS: Item number 10.D, educational
5 programs and marketing.

6 MR. GONZALES: Good morning. My name is
7 Dominic Gonzales. I'm a grant coordinator for ABTPA.

8 The document on page 69 is actually an item
9 that you reviewed at the last board meeting, but we've
10 made some updates based on some of the commentary that
11 came from the board in terms of the size of the course and
12 how we would distribute potential material. We are
13 seeking to contract with a HUB vendor and we have sent
14 this along to Texas DMV purchasing and they have
15 instructed us to submit a requisition for this. This is
16 simply an update on this.

17 Aside from that, we've reinitiated our
18 activities with the Texas Crime Prevention Association,
19 and I attended their midwinter meeting in Kerrville and
20 gave a presentation to their board, and they are looking
21 forward to working with us down the line in supporting the
22 legislative agenda that ABTPA is pursuing for this
23 legislative session.

24 That's all I have at this moment.

25 MR. REYNOLDS: All right. Thank you.

1 Item 10.E, agency operations.

2 MR. WILSON: Just wanted to update you on some
3 of the presentations that we've been conducting. Both
4 Mary and Dominic attended the conference at TAVTI; Dominic
5 did a presentation. We had the executive discussion on
6 October 24 with Chief Garcia and the task force
7 commanders. I thought that was very fruitful and
8 successful, and ended up in the stuff that you voted on
9 earlier, those suggestions and information that we
10 presented. And then we had a NICB school training course
11 at South Padre that Dominic presented at. So we're
12 continuing to both train staff as well as get out and do
13 training for other jurisdictions every chance we get.

14 I saw Lawrence Williams was here earlier. We
15 received the fourth quarter year-end summary. They go
16 into the prison units, they find people with motor vehicle
17 theft or motor vehicle burglary, they interview them. I
18 sent that material out to the task force commanders for
19 them to review and then provide updates to the survey.

20 It's incredible. I spent eight years in
21 corrections, and it's incredible, people will actually
22 tell you the truth when they're locked up, not everybody
23 but many of them will, and so that's a good time when
24 they're sitting in prison and ask them a question. So
25 we're trying to hone in on that to provide feedback to the

1 commanders about some of the things that they can use in
2 their investigations when they're looking for suspects or
3 particular methods or modes of operation. And then, of
4 course, Lawrence with Fuginet at TDCJ has digitized the
5 report, and from now on we'll be sending that every
6 quarter to the commanders in electronic format so they can
7 review it and use it at their discretion.

8 So I feel that the contract is working pretty
9 well. We've expanded our reach beyond just our grantees
10 to other jurisdictions. They've gone out to different
11 jurisdictions that aren't ABTPA grantees, as well as ones
12 that are, to conduct operations to round up parolees where
13 we have spikes in auto theft or burglaries.

14 Are there any questions about that?

15 (No response.)

16 MR. REYNOLDS: Okay. Moving on to item 10.F,
17 personnel updates.

18 MR. WILSON: None to report, no changes.

19 MR. REYNOLDS: Okay. Then we'll move on to
20 10.G, monitoring.

21 MR. PRICE: This is Dan Price. I'm the ABTPA
22 grant auditor, and this area is my primary responsibility.

23 In the past year we have touched a total of 16
24 grantees. We've been on their premises and sat down with
25 them and reviewed their operations to some extent. We

1 break these down into what we call monitoring visits and
2 site visits. Site visits are much more informal, they are
3 intended more for us to understand their operation and the
4 issues that are impacting them. The monitoring visits are
5 compliance reviews to ensure that they are doing what is
6 expected under the grant.

7 It's a very iterative process for the
8 monitoring visits. We'll go out and initially do our
9 initial field work. We'll come back, we will sit down as
10 a team, review those notes. We will send it to the
11 grantee to make sure there were no misunderstandings or
12 anything that was misinterpreted during the time and what
13 our initial findings are. They will have an opportunity
14 to give us feedback as to if we did miss something or
15 didn't understand something. We'll then publish a final
16 report.

17 Once the final report is published, we give
18 them an opportunity to create a corrective action plan on
19 how they're going to address these issues. They then
20 submit that back to us, we review that to makes sure that
21 we feel that those actions will address the issues, and
22 then once that's approved it goes back to them to complete
23 the work. And then the next time we come and visit them,
24 which may be a year or two later, we'll go and verify that
25 in fact those steps have been taken.

1 So that's kind of the process that we go
2 through on this and it's been very educational for
3 everybody. We've learned an awful lot about what our
4 grantees face in the real world out there on the street,
5 and they've learned a lot about what we're looking for as
6 grant administrators. So it's been a very productive
7 effort.

8 Any questions on that type of monitoring?

9 (No response.)

10 MR. PRICE: Okay. I'm going to turn the page.
11 The other monitoring that I do and I'm responsible for is
12 reviewing expense reports. We have one grantee in Q-4
13 that is still under review. They have supplied additional
14 information and we're reviewing it at this time.

15 The total payments we expect to make -- there's
16 one remaining, again -- for Q-4, about \$3.9 million. Five
17 grantees of the 24 were approved for payment on the first
18 review, which is up from four the previous quarter. Five
19 grantees wound up missing their annual committed match at
20 year-end. Three of those were considered minimal, just a
21 small amount; two of them missed between 5 and 7.5
22 percent. Those folks are required to submit an
23 explanation of why that match was missed, and then that's
24 forwarded to the director to review and determine whether
25 the reasoning was sufficient or whether some type of

1 action needs to be taken.

2 Fourteen grantees, the good news is the amounts
3 initially requested were ultimately paid at the same level
4 as the initial request, so either they were paid on the
5 first pass, those five -- I'm going to talk in a minute
6 about sufficiency -- they may have been deemed sufficient
7 as opposed to perfectly accurate, or they had some type of
8 administrative issue with it. He talked about needing a
9 signed form earlier, if somebody isn't certified that this
10 is true and correct, we won't accept it, that type of
11 thing.

12 For ten grantees we did ask them to go back and
13 amend the amounts on the reports. Some of these were done
14 of their own volition, two or three of them, where they
15 came back and said, you know what, we missed something,
16 we've had a sub-grantee that has submitted additional
17 bills that we were unaware of, those types of things. But
18 ten grantees required amendment of their documentation and
19 they did change the amounts that were being impacted on
20 their expenditure reports.

21 The dollar amounts are on the table on the
22 bottom of page 75, so there were amendments between the
23 initial submission and what was finally paid at this point
24 of \$419,783.48. We have one to go. And that equals about
25 10 percent of the amount that was requested during the

1 quarter which is a lot more than we would hope, but we are
2 improving.

3 In Q-4, one change in our process was we run
4 across a number of instances where the grantee has made a
5 mistake or hasn't been able to account due to the
6 complexity of the matching that we talked about earlier.
7 They may have made a calculation error or their books
8 aren't able to reflect the cash match, and so they have to
9 go back and recalculate it manually. And so in those
10 instances if we identify a grantee has under-billed the
11 state or the mistake is in the state's favor, we go back
12 to that grantee and we say: Hey, we think we owe you more
13 money, we think you have more cash match coming, would you
14 please consider amending your report?

15 And in this quarter we had four of the grantees
16 who said, Thank you very much for letting us know that, we
17 either made a conscious choice to do that or we don't have
18 the bandwidth to go back and adjust it, the adjustment is
19 immaterial to us, and please process the payment as is.
20 And we've allowed them to do that as long as we have an
21 assurance that any non-consistency with the grant award is
22 in the state's favor, just to reduce the administrative
23 burden on the grantee if we're certain that they're aware
24 of the issue.

25 And I guess that's it for the monitoring

1 reports. Are there any questions about that?

2 (No response.)

3 MR. REYNOLDS: Thank you very much.

4 Before we move forward, Member Hansen has asked
5 that we revisit item number 2.A, issue for current and
6 future funding cycles.

7 MR. HANSEN: Thank you, Mr. Reynolds.

8 Going back to the continued/modified/new grant
9 thing, first off, I'd like to start off with a request.
10 If you have a question, a complaint, and -- doubtful -- a
11 compliment about something that's on the agenda, sign up
12 to speak, please. Don't be afraid to do so. We all get
13 dressed the same way every day and we're all in this
14 together, this is a team effort. But if you have a
15 question or issue with something, I can assure you
16 somebody else in this room has the same question. But
17 unfortunately, by the rules that we have to go by, and you
18 will surely police us on, we're limited to what we can do
19 unless you sign up for something.

20 And then I heard the comment about, well, I
21 don't want to get up there and at three minutes get shut
22 off -- like happened to me. I get that, I get that. But
23 if there's dialogue going on, as you saw when Richard got
24 up earlier, that went far longer than three minutes. So
25 if you have a question or something that we're going to

1 have to respond to or Mr. Wilson is going to have to
2 respond to, don't think that in three minutes I'm going to
3 stop talking or he's going to stop talking. We're going
4 to address what you want, but you have to bring it up.

5 But the question came up, and I want to clarify
6 this, and if I'm wrong on this, I want to know. If you
7 have a current grant but you want to add to your program,
8 whether it be a new program, additional jurisdictions, or
9 you had a project that you did but you lost it because of
10 staff losses and cuts or whatever in the past but this is
11 a viable thing that you want that you think you need to do
12 in your area over and above what you're doing today, to
13 either bring back or move forward or expand your program
14 to adjust problems, that's what the modified grant is
15 about. Am I correct?

16 MR. WILSON: That's correct.

17 MR. HANSEN: Which basically means that you
18 will do two applications: what you have today minus give
19 or take 5 percent, and anything over that, obviously if
20 you're asking for personnel or equipment or whatever it is
21 to make up a deficit or something in the past or for the
22 future, this is where you apply for it. No guarantee
23 you're going to get it, I'm not going to stand up here and
24 say that, but this is where you need to apply.

25 So you can do two applications, and we talked

1 about this streamlines the process so if there is
2 questions about that, it doesn't interfere and get
3 convoluted with your operations that you're running today.
4 And I wanted to clarify that, that you are going to be
5 eligible to do two applications for concurrent and in
6 addition to.

7 That's all I have. Thank you.

8 MR. REYNOLDS: Okay. We can go ahead and move
9 on to the next item, 11, executive session. It's my
10 understanding there's no executive session today, so we
11 can move on to item number 13, adjournment, and I'll need
12 a motion for adjournment.

13 MS. HUNTER: I move that we adjourn.

14 MR. REYNOLDS: Do I have a second?

15 MR. MIZANI: Second.

16 MR. REYNOLDS: Bryan, real quick, do we know
17 when the next meeting may be, or do we have any dates
18 we're looking at?

19 MR. WILSON: Not yet, but I would love for you
20 to tell Mary Beth whatever dates, however you want to do
21 it, if you want to tell her when you're not going to be
22 available.

23 MR. HANSEN: If we could maybe get from you all
24 the time windows that we normally run, give or take a week
25 or two.

1 MR. WILSON: Okay. We'll need another meeting
2 in May, based on what you voted on earlier with the
3 scoring, because right now the planned date for the grant
4 application due date is going to be around May 19,
5 somewhere in there, so we'll need to consider the scoring
6 mechanism somewhere around that time frame.

7 MR. HANSEN: All right. And then we could
8 schedule too for the rest of the year out, because people
9 have vacations and conferences and training, and we want
10 to run either in conjunction with those or not opposite of
11 those.

12 MR. WILSON: Right. And based on that, we need
13 something in early May and late June, if you could give us
14 possible dates for your schedules in that time frame.
15 We'll do the scoring in May, it could be in late April,
16 but I'm just giving you a window, and then we need to do
17 awards probably by the end of June or the first week in
18 July.

19 MR. REYNOLDS: All right. Thank you all for
20 being here and have a safe trip back home.

21 (Whereupon, at 11:10 a.m., the meeting was
22 adjourned.)

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C E R T I F I C A T E

MEETING OF: Automobile Burglary & Theft Prevention
 Authority

LOCATION: Austin, Texas

DATE: January 18, 2017

I do hereby certify that the foregoing pages,
numbers 1 through 84, inclusive, are the true, accurate,
and complete transcript prepared from the verbal recording
made by electronic recording by Nancy H. King before the
Texas Department of Motor Vehicles.

/s/ Nancy H. King 1/20/2017
(Transcriber) (Date)

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