

**AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM
AUSTIN, TEXAS 78731
THURSDAY, MAY 2, 2019
8:30 A.M.**

All agenda items are subject to possible discussion, questions, consideration, and action by the Board of the Texas Department of Motor Vehicles (Board). Agenda item numbers are assigned for ease of reference only and do not necessarily reflect the order of their consideration by the Board. Presentations may be made by the identified staff or Board member or other staff as needed. The Board reserves the right to discuss any items in executive session where authorized by the Open Meetings Act.

- 1. Roll Call and Establishment of Quorum**
- 2. Pledges of Allegiance - U.S. and Texas**
- 3. Chair's Reports - Chairman Treviño**
 - A. Introduction of New Board Members - Charles Bacarisse, Stacey Gillman, Tammy McRae, and Shelley Washburn
 - B. Recognition of Service - Raymond Palacios and Barney Barnwell
 - C. Introduction of General Counsel - Tracey Beaver
 - D. Awards - Board Members Graham and Painter
 - E. Committee Appointments
- 4. Executive Director's Reports - Whitney Brewster**
 - A. Status Update on Implementation of Sunset Advisory Commission's Recommendations
 - B. HB 1959 Alternative Registration Technology Report (85th Legislature, Regular Session, 2017)
 - C. Awards, Recognition of Years of Service, and Announcements

EXECUTIVE SESSION

- 5. The Board may enter into closed session under one or more of the following provisions of the Texas Open Meetings Act, Government Code, Chapter 551:**
 - **Section 551.071** - Consultation with and advice from legal counsel regarding:
 - pending or contemplated litigation, or a settlement offer;
 - a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Government Code, Chapter 551; or
 - any item on this agenda.

- **Section 551.074** - Personnel matters.
 - Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of personnel.
- **Section 551.089** - Security devices or security audits:
 - the deployment, or specific occasions for implementation, of security personnel or devices; or
 - a security audit.

CONTESTED CASES

6. **Denial of Renewal Application, Revocation of General Distinguishing Number, and Appeal to SOAH under Occupations Code, §53.023 and §2301.251(a); Transportation Code, §503.038(a)(6); and 43 Texas Administrative Code §215.88(i), (j).** MVD Docket No. 17-0214.ENF; SOAH Docket No. 608-19-0169.ENF; *Texas Department of Motor Vehicles, Enforcement Division v. Barnett Motor Company, Inc.* - Daniel Avitia and Robert Rice
7. **Revocation of General Distinguishing Number, Civil Penalty, and Appeal to SOAH under Occupations Code, §2301.651(a)(3) and (4); and Transportation Code, §503.095.** MVD Docket No. 17-0178756; SOAH Docket No. 608-18-2991.ENF; *Texas Department of Motor Vehicles, Enforcement Division v. Dorsha Motors of Texas, LLC* - Barbara Jordan and Heather Pierce

BRIEFINGS AND ACTION ITEMS

8. **Finance and Audit**
 - A. Internal Audit Division Status Report - Sandra Menjivar-Suddeath (BRIEFINGS ONLY)
 - FY 2019 Internal Audit Plan Status Update
 - FY 2019 Second Quarter Internal Audit Recommendation Follow-Up Memorandum
 - External Coordination Efforts
 - Division Updates
 - B. Approval to Modify the November 3, 2016 Resolution Adopting Contract Approval Procedures - Linda M. Flores
 - C. FY 2019 Second Quarter Financial Report - Linda M. Flores and Renita Bankhead (BRIEFING ONLY)
 - D. FY 2020-2021 Legislative Appropriations Request, Baseline and Exceptional Items Update - Linda M. Flores and Renita Bankhead (BRIEFING ONLY)
9. **Specialty Plate Designs** - Jeremiah Kuntz
 - A. Checkered Flag, New Design proposed by My Plates under Transportation Code, §504.851
 - B. Dallas Mavericks, Redesign proposed by My Plates under Transportation Code, §504.614

- C. Save Texas Ocelots, Redesign proposed by Friends of Laguna Atascosa National Wildlife Refuge, Texas Parks and Wildlife Department to receive funds under Transportation Code, §504.801

10. Legislative and Public Affairs - Caroline Love (BRIEFING ONLY)
86th Legislative Session Update

11. Vice Chair Election

12. Appointment of a Member to Act in the Absence of the Chair and the Vice Chair under Transportation Code, §1001.023(b)(9)

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14. Action Items from Executive Sessions

15. Public Comment

16. Adjournment

The Board will allow an open comment period to receive public comment on any agenda item or other matter that is under the jurisdiction of the Board. No action will be taken on matters that are not part of the agenda for the meeting. For subjects that are not otherwise part of the agenda for the meeting, Board members may respond in accordance with Government Code, Section 551.042 and consider the feasibility of placing the matter on the agenda for a future meeting. In accordance with 43 Texas Administrative Code §206.22, any person wishing to address the Board must complete a speaker's form at the registration table prior to the agenda item being taken up by the

Board. Public comment will only be accepted in person. Each speaker will be limited to three minutes and time allotted to one speaker may not be reassigned to another speaker.

Agenda items may be presented by the named presenters or other TxDMV staff.

Pursuant to Sections 30.06 and 30.07, Penal Code (trespass by license holder with a concealed or openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun or a handgun that is carried openly.

Any individual with a disability who plans to attend this meeting and requires auxiliary aids or services should notify the department as far in advance as possible, but no less than two days in advance, so that appropriate arrangements can be made. Contact Carrie Fortner by telephone at (512) 465-3044.

I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

CERTIFYING OFFICIAL: Tracey Beaver, General Counsel, (512) 465-5665.