

TEXAS DEPARTMENT OF MOTOR VEHICLES
AUTO BURGLARY AND THEFT PREVENTION AUTHORITY
BOARD OF DIRECTORS MEETING

9:02 a.m.
Tuesday,
June 23, 2015

4000 Jackson Avenue
Building 1
Lone Start Room
Austin, Texas

BOARD MEMBERS PRESENT:

Carlos Garcia, Chair
Mark Wilson, Vice Chair
Linda Kinney
Wynn Reynolds
Ken Ross
Jerry Wright

STAFF:

Bryan Wilson, Director
David Richards, General Counsel

I N D E X

<u>AGENDA ITEM</u>	<u>PAGE</u>
1. CALL TO ORDER	
A. Roll Call and Establishment of Quorum	3
B. Approval of Transcript as Minutes	4
C. Public Comment	none
D. Comments from Chairman and Board Members	5
2. REPORTS	
A. Director's Report	6
Report on ABTPA-related activities Identified by the Director as noteworthy, which may include reports on:	
1. Budget	
2. Grant Adjustments	
3. License Agreement with Outside Parties for Trademarked Materials	
4. Personnel Matters	
B. Legislative Overview and Proposed Legislative Issues for the 84th Legislative Session in relation to ABTPA	11
C. Grant Workshop Evaluation	14
D. Del Rio, Texas Monitoring Visit	15
3. BRIEFINGS AND ACTION ITEMS	
A. Interagency Contract for Fiscal year 2016	16
Comptroller of Public Accounts	
B. Review FY 2016 Grant Applications	
1. Legal Requirement of ABTPA Grants	17
2. Redesign Grant Application Process	23
3. ABTPA Redesign Grant Allocation Method	29
4. Result of Redesign Methods	
5. Discussion of Methods and Examination of Application Information	
6. Award FY 2016 Grant Funds	47
4. EXECUTIVE SESSION	none
5. ACTION ITEMS FROM EXECUTIVE SESSION	none
6. ADJOURNMENT	60

P R O C E E D I N G S

MR. GARCIA: Good morning. My name is Carlos Garcia, and I am pleased to open the Board meeting of the Automobile Burglary and Theft Prevention Authority. It is 9:00 a.m., and I am calling the Board meeting for June 23, 2015 to order. And I want to note for the record the public notice of this meeting, containing all items on the agenda, was timely filed with the Office of Secretary of State on Friday, June 12, 2015.

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

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

And now I'd like to have a roll call of the board members that are present. Board Member Hunter?

(No response.)

MR. GARCIA: Board Member Reynolds?

MR. REYNOLDS: Present.

MR. GARCIA: Board Member Wilson?

MR. MARK WILSON: Present.

1 MR. GARCIA: Board Member Ross?

2 MR. ROSS: Present.

3 MR. GARCIA: Board Member Wright?

4 MS. WRIGHT: Present.

5 MR. GARCIA: Board Member Kinney?

6 MS. KINNEY: Present.

7 MR. GARCIA: And let the record reflect that I,
8 Carlos Garcia, am here too, so we do have a quorum. Also,
9 let the record reflect that we have one member that's
10 absent today.

11 Before we proceed with the rest of the agenda,
12 ladies and gentlemen, I was reminded this morning that
13 today, June 23, is the anniversary of the death of Officer
14 Henry Canales of the Houston Police Department Auto Theft
15 Division, who was killed in an auto theft operation back
16 in 2009. So in his memory, let's have a few seconds of
17 silence, please.

18 (A moment of silence was observed.)

19 MR. GARCIA: Thank you.

20 Moving on on the agenda, we went through 1.A
21 already, the roll call and establishment of the quorum.
22 1.B, the approval of transcripts of minutes, and this is
23 an action so we would need a motion and a second.

24 MR. MARK WILSON: Mr. Chairman, I move that we
25 accept the minutes as written.

1 MS. WRIGHT: I second that motion.

2 MR. GARCIA: We have a motion on the floor by
3 Mr. Wilson and a second by Ms. Wright. Any discussion?

4 (No response.)

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

7 (A chorus of ayes.)

8 MR. GARCIA: All opposed?

9 (No response.)

10 MR. GARCIA: Motion carries.

11 Agenda item 1.C, public comment. The two
12 public comments that we received will be addressed during
13 agenda item 3.B.6.

14 If there are none, we'll move forward to item
15 1.D, which is the comments from the chairman and the board
16 members. At this time I'll turn it over to any board
17 member that wants to make any comments in regards to
18 today's meeting or just anything in general regarding
19 ABTPA business.

20 (No response.)

21 MR. GARCIA: If there is none, I've got a real
22 short comment. I want to remind everybody today that as a
23 board we're appointed to distribute state funds in an
24 equitable manner consistent with state law, so as we go
25 through the process today, I want to remind the board

1 members of our duties and obligations, and that we remind
2 all the grantees that we're here for a specific purpose,
3 and as a board we're appointed to distribute state funds
4 in an equitable manner that's consistent with state law.

5 Moving on to item number 2, reports, Mr. Bryan
6 Wilson, including designated staff. A, the director's
7 report, the report on ABTPA related activities identified
8 by the director as noteworthy, which may include reports
9 on budget, grant adjustments, license agreement with
10 outside parties for trademarked materials, and personnel
11 matters.

12 Mr. Wilson.

13 MR. BRYAN WILSON: My name is Bryan Wilson.
14 I'm the director of ABTPA.

15 The first item I'd call your attention to is on
16 page 6, and that is the current obligations. We have an
17 award for \$13.8 million out in FY '15, we have disbursed
18 about 51 percent of it in the middle columns, so this is
19 just a summary. Now, we'll be getting third quarter
20 reports at the end of this month and we'll have a better
21 feel for where we are.

22 In the grant team meetings this past two weeks,
23 I've reminded grantees about fund utilization and their
24 responsibility to de-obligate funds so we can use it into
25 next year in the case they can't fully utilize their

1 funds, and that they have an obligation to the state, as
2 well, rather than lapsing funds at the end of the year.
3 So we'll be looking at budget adjustments in the last
4 quarter, which historically are very high, and we'll be
5 examining those very closely whether they meet the
6 statutory purposes of this program.

7 On page 7 I'd like to call your attention to
8 the overall budget. I'd again thank TxDMV and all their
9 support, Financial Services, especially Mr. Kenneth Biddle
10 back here, and he's really worked very well with us trying
11 to find ways to pinch pennies, with the board's direction
12 in the past few months.

13 We've had some setbacks on the eGrant system so
14 there's \$100,000 -- we canceled the public awareness
15 contract, there's a couple hundred thousand, but the rest
16 of it has been good sound financial management, with the
17 help of Kenneth, to try to save everywhere we could save.

18 And so as a result, you'll see that we have a budget
19 availability of \$619,000.

20 Are there any questions about the last two
21 slides?

22 (No response.)

23 MR. BRYAN WILSON: The next slide is just for
24 informational purposes on page 8 of your board books. And
25 I think everybody is aware, but we're putting the board

1 packet up, the meeting notebook. I emailed it to all the
2 grantees that I had available yesterday where we had
3 emails, just so they can follow along.

4 But page 8 is just an informational item
5 showing that we've had quite a few budget adjustments, and
6 again, we're going to be tracking how frequent these are
7 and how necessary these are in reporting to those and
8 giving you some stats over time about what kind of budget
9 adjustments.

10 Remember, a budget adjustment is really
11 important for me to remind you and have available, because
12 it's changing the contract. At the beginning of the year
13 we make a contract with each one of these jurisdictions,
14 and the grant award adjustment is a contract between this
15 agency, or a modification of that contract. So we'll keep
16 you posted on that.

17 On the next agenda item starting on page 9, one
18 of the things that came up recently, with the help of
19 David and some of the other staff in the legal
20 department -- we really appreciate all the support that we
21 get from TxDMV legal -- is this service mark license
22 agreement. We have several trademarks, and I don't know,
23 are they patents, I guess, or just service marks or
24 whatever?

25 MR. RICHARDS: Service marks.

1 MR. BRYAN WILSON: Service marks and trademarks
2 as part of the past public awareness campaigns, and we
3 really don't have clear control over who's using it, when
4 they can use it, and things like that.

5 A lot of our grantees use this stuff on their
6 cars and their RAFs, and what we realized a while back was
7 that there's lots of other police agencies that want to
8 use our service marks, and so I asked David and he and
9 another attorney, Chris Kaddis, helped us work through
10 this service license agreement, so all of our grantees
11 will be asked to sign one of these to use our service mark
12 in the future. It will be good for four years. It gives
13 them unlimited access to use it however they want.

14 I saw something that Victoria had done a while
15 back, and they had modified it in a cool sea of blue.
16 Actually, I gave San Antonio Parks permission to use it
17 after they signed the agreement. They said, Well, we'd
18 rather use Victoria's than the one you're giving. So I
19 said, Okay, well, all right, go ahead and use it. It was
20 consistent with our trademark.

21 But it also gives legal recourse if somebody is
22 using it inappropriately that the TxDMV can provide some
23 boundaries to the improper use of these trademarks. So
24 anyway, this will be going out September 1.

25 All the grantees that we sign contracts with,

1 we'll ask them to, and then anybody else that we find out
2 there that's using it, we're going to ask them to sign the
3 agreement. It's mostly police departments, but it's some
4 cities and other type of governmental entities.

5 Any questions about the service mark update?

6 (No response.)

7 MR. BRYAN WILSON: Going on to personnel
8 matters, I just wanted to let the board know we have an
9 opening in the grant coordinator position. We had 26
10 applicants, we're going to start interviewing hopefully by
11 next week, and have somebody in place, hopefully by mid-
12 July at the latest. So that's our goal.

13 We also have two temporary staff, Will Carter,
14 sitting over here at the table -- if you can raise your
15 hand -- and he's an intern, TxDMV provided an intern for
16 our office and he's been a tremendous help. The budget
17 digest that you see in the back of the book is largely put
18 together by Will. And Dan Price is the other person;
19 he's over here on the right side of the table -- they make
20 kind of bookends together.

21 (General laughter.)

22 MR. BRYAN WILSON: But Dan comes to us as an
23 accounting temp. He's worked with the Department of
24 Health and Human Services and numerous other state and
25 federal agencies and just brings a wealth of accounting

1 experience, and we really appreciate his help.

2 Mr. Chairman, I'll move on to the legislative
3 overview.

4 MR. GARCIA: Agenda item 2.B, the legislative
5 overview and proposed legislative issues for the 84th
6 Legislative Session in relation to ABTPA.

7 MR. BRYAN WILSON: I tell you, it was a really
8 hard fought session. We thought we had a lot of things
9 going our way for much of the session and stood a good
10 chance, and I can't thank Tommy and Danny and Tommy Wooley
11 and many others that also participated.

12 I got surrounded by a whole bunch of sheriffs
13 on one particular Senate session which was pretty rough,
14 and certainly found out that we had some antagonists of
15 ABTPA in that session. But at the end when all the chips
16 were down and everything was signed and done, we ended
17 with 14.9-.

18 The good news is we didn't have to fight for
19 that \$14.9 million; it was pretty much agreed to at the
20 beginning of session and stayed that way all the way
21 through, and I understand from Tommy's experience that in
22 the past there's been a lot of times that we had to fight
23 just to get the 14.9-.

24 One bill passed, and we'll see some activity
25 either in August or in the fall where this House Bill 2424

1 that changed our refund limits from six months -- if an
2 insurance company overpays our ABTPA fund, it
3 traditionally has been six months, and now it will be just
4 like any other tax or fee, which is four years under the
5 Comptroller's rules. And then it wasn't a bill that was
6 part of our organization but a lot of our entities were
7 interested in the cargo theft bill, and that also passed,
8 Senate Bill 1828.

9 Any other questions on legislation?

10 MR. GARCIA: In regards to House Bill 2424, it
11 does not affect the funding that we have. Right?

12 MR. BRYAN WILSON: That is correct.

13 MR. GARCIA: There is like an escrow account
14 set up.

15 MR. BRYAN WILSON: \$44.5 million is collected
16 under the ABTPA statute to use for auto theft, the
17 appropriations is 14.9-. If an insurance company asks for
18 a refund, it comes out of fund 3206, which is the core
19 fund of which I guess if they had refunds up to 14.9-, I
20 don't think that would ever happen, but it just simply
21 comes out of the general fund, out of the treasury.

22 MR. GARCIA: And is anything retro at this
23 point?

24 MR. BRYAN WILSON: Yes. House Bill 2424
25 made -- I don't have it right in front of me, but

1 basically, there would be about three requests that we
2 have denied that will be coming back for this board to
3 consider: American National for \$388,000, and then
4 there's two small ones that are less than \$10,000 each.
5 And again, the Comptroller would pay that out of the
6 general treasury, not out of our funds.

7 MR. GARCIA: Thank you.

8 MR. MARK WILSON: Mr. Chairman, I have a
9 followup question on that.

10 MR. GARCIA: Yes, sir, Mr. Wilson.

11 MR. MARK WILSON: It is incumbent upon them to
12 come to the board?

13 MR. BRYAN WILSON: That's correct.

14 MR. MARK WILSON: So it's not nothing we'll do
15 voluntarily.

16 MR. BRYAN WILSON: No. The question is is it
17 up to the insurance companies to request the refund, and
18 that is correct. We do not go out and solicit refunds.

19 MR. MARK WILSON: Thank you.

20 MS. WRIGHT: Mr. Chairman, this is Member
21 Wright. Question.

22 MR. GARCIA: Yes, ma'am. For the record, just
23 please identify yourself.

24 MS. WRIGHT: Member Wright.

25 I am wondering if the insurance companies will

1 have to again provide documentation that was previously
2 provided to justify the reimbursement.

3 MR. BRYAN WILSON: I plan on them providing
4 whatever they provided originally. In other words, I kind
5 of treat it as a new request under this new statute.

6 MS. WRIGHT: Thank you.

7 MR. GARCIA: Any other comments on item 2.B?
8 (No response.)

9 MR. GARCIA: If there is none, we'll move on to
10 item 2.C, the grant workshop evaluation.

11 MR. BRYAN WILSON: Page 20 in your board
12 packet, I just wanted to point out that we did conduct the
13 grant workshop, and any time we do a conference or
14 workshop, we want the board to understand how the
15 attendees felt that we did.

16 The two cornerstone issues for the grant
17 training workshop was that did people feel that they had
18 received the information to understand the ABTPA grant
19 processes; 90 percent said that they did, they either
20 agreed or strongly agreed. And then the other thing was
21 did they feel they received the information and understand
22 the requirements of the ABTPA process, and again, over 90
23 percent said that they agreed or strongly agreed.

24 And then there's some things that we can do at
25 the bottom. Certainly the list is a lot longer but a lot

1 of these things we can do in the future to improve our
2 performance, and we'll always strive to do the best job
3 possible and take that seriously to do better.

4 MR. GARCIA: Any comments from the board
5 members on this?

6 (No response.)

7 MR. GARCIA: If there is none, then we'll go on
8 to item 2.D, the Del Rio, Texas monitoring visit.

9 MR. BRYAN WILSON: The Del Rio site visit, just
10 a quick bullet point on page 22, high level. So July 30
11 of 2014 ABTPA went out there, they identified two major
12 issues: poor documentation and using grant funded
13 positions for general operations.

14 We've had several meetings and there's some
15 documentation that was provided by Del Rio. The grant
16 coordinator went out March 12 to do an onsite after some
17 desk reviews and looking over submitted material.

18 After reviewing the grant coordinator's
19 information, I went back on May 15, I issued a report on
20 June 15 to Del Rio, and they have until July 1 to respond.

21 I did have two major findings, two recommendations and
22 two commendations, but at the end of the day, I would say
23 their documentation is greatly improved but it still
24 appears -- and I'm awaiting their response, in all
25 fairness -- it appears that they're still using grant-

1 funded positions largely for other police activities. And
2 I'll let you know what their response is in August.

3 MR. GARCIA: Any comments or questions for Mr.
4 Wilson regarding the Del Rio visit by any of the board
5 members?

6 (No response.)

7 MR. GARCIA: If there is none, then we'll move
8 on to item 3, the briefings and action items. 3.A, the
9 interagency contract for fiscal year 2016 with the
10 Comptroller of Public Accounts.

11 MR. BRYAN WILSON: This interagency contract
12 cooperation, starting on page 24, is something that DMV
13 and the predecessor TxDOT used to sign each year that
14 allowed them to collect money for ABTPA. It's in the
15 amount of \$20,000.

16 With the change in the law on the refunds and
17 things like that, we'll be meeting with them over the next
18 few weeks to talk to them about this contract, the
19 elements, and the cost of collecting these funds.

20 But I did want you to go ahead and authorize
21 the ability for us to enter into this contract. It's been
22 pro forma and been done the same way for many, many years,
23 and at this point I believe it's required, but understand
24 that we will be discussing in detail and reporting back to
25 you if we have any findings.

1 MR. GARCIA: This is an action item that
2 requires approval from the board to authorize DMV to enter
3 into an interagency corporation contract with the
4 Comptroller of Public Accounts, for the amount of \$20,000
5 for the biennium?

6 MR. BRYAN WILSON: For the biennium.

7 MR. GARCIA: For two fiscal years at \$10,000
8 apiece. So since this is an action item, we do need a
9 motion and a second.

10 MR. MARK WILSON: Mr. Chairman, I so make the
11 motion that we enter into this contract with the DMV.

12 MR. GARCIA: I have a motion on the floor by
13 Mr. Mark Wilson to approve the contract. Do I have a
14 second?

15 MS. KINNEY: I second it.

16 MR. GARCIA: Second by Ms. Linda Kinney. Any
17 further discussion?

18 (No response.)

19 MR. GARCIA: If there is none, all those in
20 favor say aye.

21 (A chorus of ayes.)

22 MR. GARCIA: All opposed?

23 (No response.)

24 MR. GARCIA: Motion carries.

25 Moving on to 3.B, the review of fiscal year

1 2016 grant applications, Mr. Bryan Wilson, including
2 designated staff and others. Legal requirement of ABTPA
3 grants, Mr. David Richards. The redesign grant
4 application process, Anna Mallett. The ABTPA redesign
5 grant allocation method, the results of redesign method,
6 the discussion of methods and examination of application
7 information, and the award for fiscal year 2016 grant
8 funds.

9 Mr. Wilson.

10 MR. BRYAN WILSON: Mr. Richards just stepped
11 out, so I'll just go ahead and do that first part. I call
12 your attention to page 32, which is a section out of the
13 law of what the legal obligations for this organization
14 is.

15 There's lots of different things that you're
16 responsible for, but this is one of the core requirements,
17 and it basically says that you shall allocate grant funds
18 primarily based on the number of motor vehicles stolen or
19 the motor vehicle and theft rate across the state rather
20 than based on geographic distribution.

21 As you stated earlier, Chief, the two
22 components here are that this board is appointed by the
23 governor to represent the interests of the state and
24 individual outcomes are not this board's responsibility as
25 long as they do the best that they can to meet the

1 requirements of state law.

2 And Mr. Richards is back. I don't know if he
3 has anything to add, but I just was showing page 32.

4 MR. RICHARDS: This is David Richards, for the
5 record.

6 It's just a recitation of what the legislature
7 intended us to do. The key word "primarily" doesn't mean
8 exclusively or solely, so we didn't take that into
9 consideration; we used the word "primarily" to come up
10 with our methodology. But that is our statutory direction
11 in the statute, as most if not all of you know.

12 MR. GARCIA: Thank you.

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

15 So I'd call your attention to page 33, and as
16 we talk about the redesign process and bring everybody
17 back up to speed, I know it's been since October since we
18 really delved into the redesign, but I want to remind
19 everybody that a grant application is made up of two core
20 factors.

21 One is the amount requested, and whether that's
22 low, medium or high, and then the grant application score
23 which is what we spent a lot of our time developing in the
24 redesign, the grantees participated, other people took a
25 look at it, provided comment, but that method was

1 published out in its entirety, the score system was
2 published out for months, so I think everybody was aware
3 of what the factors were that constructed this grant.

4 But just real briefly to talk about the amount
5 requested, I'd call your attention to page 34, so what we
6 see on page 34 is a scale of grants, jurisdictions in our
7 grant pool -- and I didn't put the jurisdictional name,
8 but I sorted them pretty much by size just to show you the
9 difference.

10 Some asked for -- again, just using the number
11 that they put in their grant application, not using the
12 ORI or the UCR numbers, asked for as much as, in the
13 larger jurisdictions, as much as \$3,200 or \$3,400 per
14 vehicle theft.

15 That wasn't a requirement, I'm not saying it
16 was a requirement, I'm just trying to give a little
17 context. And then down to \$76 per motor vehicle theft,
18 and that's just within the large urban areas, and then
19 you'll see the same pattern.

20 So the only point is, just to make sure you
21 understand, that we applied the score system but we didn't
22 have any kind of context for the requests that could be
23 made off of this information. It's not a fault or a
24 problem, it's just something that we need to keep in mind
25 when we're looking at what was asked for and how these

1 scores are impacted on these different methods that we're
2 going to talk about later.

3 MR. MARK WILSON: Mr. Chairman, if I could, I'd
4 like to back up to slide 32 for just a moment and ask a
5 question.

6 MR. GARCIA: Yes, sir.

7 MR. MARK WILSON: I apologize; I should have
8 brought this up sooner.

9 MR. GARCIA: Okay. Go ahead.

10 MR. MARK WILSON: Has this been a practice in
11 the past that the grants were awarded primarily based on
12 the motor vehicles stolen in a particular area, or is this
13 something that we're trying to institute as a new process?

14 MR. BRYAN WILSON: Are you asking me, sir?

15 MR. MARK WILSON: Yes, sir.

16 MR. BRYAN WILSON: Well, from my perspective,
17 being pretty new since October, this is certainly a new
18 process starting with the redesign module that was adopted
19 by this board in October. I can't really speak to what
20 happened before, how those numbers came about before.

21 MR. MARK WILSON: When they did the redesign
22 committee and from the grantees and their representatives,
23 was this something that they recommended, something that
24 they asked for, or just something that we're looking up
25 the statute and seeing we probably should have done this

1 in the past?

2 MR. BRYAN WILSON: To the best of my knowledge,
3 sir, it was something that TxDMV worked through largely,
4 took input from others and developed to say that this is
5 something we should be doing on a regular basis, that this
6 should be the way we distribute, a transparent, open
7 process.

8 MR. MARK WILSON: But again, as Mr. Richards
9 points out, it says that it should be primarily based, it
10 shouldn't be solely based. Is that correct?

11 MR. BRYAN WILSON: That's correct.

12 MR. MARK WILSON: Okay. Thank you, Mr. Wilson.

13 MR. BRYAN WILSON: So on page 35 I'd call your
14 attention to some basic understanding about what's
15 expected today. Today we're going to talk mostly about
16 the award amounts and the distribution of awards based on
17 this redesign process.

18 What I want to be clear about is what's not
19 being considered that is more administrative in nature is
20 some of these other issues related to unallowable costs.
21 Now, when we applied the redesign model, we simply took
22 out -- if somebody asked for something that wasn't allowed
23 in grant funds, we just took it out, but there are
24 allowable in-kind and cash match that we would still have
25 to address with those grantees later. There are some

1 costs that are just misclassified, they're showing up as
2 contractors and they're really personnel, or personnel
3 really contractors.

4 So what we call blue sky narratives, we found a
5 few places where it's like functions of proposed projects
6 will think outside the box. We'll have to remove that
7 kind of language out of the contract because we can't
8 monitor whether people are thinking in or out of the box,
9 so that kind of stuff has to come out.

10 We will address supplanting. One of the things
11 that's very clear in our rules is you cannot supplant, you
12 can't just take local resources and apply state money to
13 that instead of local resources. You can augment but you
14 can't just replace state resources.

15 And then there's things that we'll talk to the
16 grantees about before we sign the final award that deals
17 with their costs per motor vehicle theft, their costs for
18 performance, the reasonableness of costs, leasing and
19 buying. So anyway, there's still a lot of work to be done
20 after this award amount is determined.

21 Are there any questions about that slide or
22 that information?

23 MR. GARCIA: Board members, now is the time.

24 (No response.)

25 MR. GARCIA: Go ahead, sir. Proceed.

1 MR. BRYAN WILSON: For the next item I'm going
2 to ask Ms. Anna Mallett to come up.

3 MS. MALLETT: Good morning. For the record, my
4 name is Anna Mallett. I am a grant coordinator with the
5 Auto Burglary and Theft Prevention Authority.

6 You'll see on page 36 in your board packet
7 there is a summary page, more of a high level overview of
8 the redesign grant application process.

9 So I'm going to talk with you just a moment
10 about that, as well as go into a little bit on the history
11 behind the grant scoring process and walk you through just
12 some key points about that.

13 Obviously the request for proposal is the first
14 step in the grant application process. It was published
15 in the March 27 issue of the Texas Register. As Mr.
16 Wilson mentioned, the grant workshop was held March 24.
17 The team came and trained the attendees on all the
18 requirements regarding submitting their application,
19 completing their application.

20 Since the grant workshop, from the time the
21 grant workshop was held until May 22 when the grants were
22 due, the team worked very, very closely with all of the
23 applicants, emails, phones, we had monthly calls, working
24 with them to make sure that they understood the required
25 components as was outlined in the RFP as well as the

1 workshop. So we worked many, many hours with them to make
2 sure that they had the information that they needed.

3 At the end of the day there were 29
4 applications received, totaling just over \$21.6 million.
5 There were three new applicants. Part of the redesign
6 process was the intent to apply process, so they did
7 comply with that requirement. Twenty-eight of the
8 applications were law enforcement and one was a nonprofit
9 public awareness grant.

10 At the bottom of the page you'll see there is
11 more of a timeline of the grant scoring process history.
12 I know many of you have seen this timeline before. It
13 walks you through the steps of how we began with the
14 scoring process and where we are now.

15 So moving on to the next page, which is page 37
16 of your packet, you're going to find it's what I would
17 refer to as more of an overview of sort of the evolution
18 of the grant scoring criteria sheet.

19 In that first column you'll see the pre-
20 redesign column. It was an internal audit finding that
21 the grant scores weren't tied to the recommended funding
22 amounts, and that was one of the things that the redesign
23 team looked at when they were laying out the plan and
24 moving forward. It was a recommendation to create that
25 merit-based system.

1 So having said that, the redesign plan, which
2 is the second column, obviously addressed that finding via
3 the internal audit, and really provided a pretty good
4 foundational systematic approach in awarding the grants.
5 It provided primarily subjective grant scoring material,
6 and one of the things that we noticed when we were walking
7 through it and began to apply the process was that 20
8 percent of the application score itself was actually
9 attributed to the theft problem, so the motor vehicle
10 thefts and the BMV problems with in the state, so that's
11 20 percent of the score.

12 So we looked at that, and then in the process
13 the director worked very closely with the board to create
14 sort of what we call a post-redesign or liaison-approved
15 redesign plan -- or scoring process; excuse me.

16 And so this process was different in the fact
17 that what it did was it combined not only subjective
18 criteria but objective criteria, and so we really looked
19 at focusing on the need and focusing on where the problems
20 were occurring.

21 We adjusted questions 1 and 3 on the scoring
22 criteria to account for that need, and really the result
23 was -- and going back and applying the method, it was now
24 at 35 percent of the points were actually assigned to
25 where the problem occurs.

1 So really holistically this post-redesign plan
2 really took into account the application itself, the
3 quality of the application, how it was written, all the
4 required components of it, but it also did take into
5 consideration the need, which is, as we discussed, our
6 statutorily required mandate.

7 Are there any questions on that? Any
8 clarifications I could make?

9 MR. MARK WILSON: I had one question on the
10 post-redesign. It says past performance was deleted due
11 to reporting capabilities. I can understand that
12 considering under the pre-redesign it was pretty
13 subjective. Is this something that you want to add back
14 in later since it will be an objective scoring system?

15 MS. MALLETT: I think in moving forward
16 certainly we will be definitely revisiting that. The past
17 performance section of the redesign took into some
18 consideration some things that we couldn't measure at the
19 time, so we will absolutely be looking at that and
20 definitely taking that into consideration in the next
21 grant cycle.

22 MR. MARK WILSON: Do you think that will be a
23 part of the scoring, overall score, or just a
24 consideration factor?

25 MS. MALLETT: I would think that it would be

1 part of the overall score. Yes, that's the plan.

2 MR. BRYAN WILSON: Yes. This is Bryan Wilson,
3 for the record.

4 It will be part of the score. One of the
5 things that the board adopted, in addition to the redesign
6 system, was also standard goals, strategies and
7 activities.

8 The problem is poor Will, I sent him on a
9 fools's errand over the last few weeks to go into eGrants
10 and define the data reported compared to the goals, and so
11 some people say they'll recover 20 vehicles, some people
12 say they'll recover 30 vehicles. We just couldn't
13 measure. Now under the new redesign grant system with the
14 goals, strategies and activities, they have to say at the
15 beginning of the year we'll do 30 recoveries and we'll
16 measure whether they made 30 recoveries next year.

17 Now, is that perfect or will one specific
18 element control everything? They might have done 50,000
19 of some other element, but at least we begin to see in a
20 standardized format what activities these grantees have
21 with the funds provided by the state.

22 MR. MARK WILSON: So it would be safe to say
23 this is going to be a living document that's going to be
24 modified in the future.

25 MR. BRYAN WILSON: It will, but we will be

1 coming back next year. We really only have about nine
2 months till the next grant cycle, eight or nine months,
3 and so we'll be coming back asking for modifications for
4 that.

5 Remember, the full cycle won't be completed by
6 the time we do the next grant cycle, we won't have a
7 year's worth of data, of standardized data. But we'll be
8 working with the board to get direction and see what we
9 should do next year, and then from 2017 on we should at
10 least have a full year of data to look at.

11 MR. MARK WILSON: Thank you, Ms. Mallett.

12 MS. MALLETT: Any other questions?

13 (No response.)

14 MR. GARCIA: Thank you.

15 MS. MALLETT: Thank you.

16 MR. GARCIA: Item 3.B.3, the ABTPA redesign
17 grant allocation method.

18 MR. BRYAN WILSON: We just did that.

19 MR. GARCIA: We did that already. Okay. The
20 results of the redesign method.

21 MR. BRYAN WILSON: This is Bryan Wilson, for
22 the record.

23 I want to call your attention to page 38, and
24 what we see here is the amount requested in the third
25 column, and then although it's only for context, I do want

1 to call out, kind of going back to my first slide about
2 the ask and the score, to give you a little context for
3 the request that was made, you can see the percentage of
4 increase and the amount of increase on the far right-hand
5 side. But this is just to kind of let you look over the
6 amount of requests which is in the fourth column, the 2016
7 request.

8 Are there any questions about the amount
9 requested? It is what it is.

10 So before we get into a lot of detail on the
11 results, I do want to say that I identified in the review
12 of the grants -- I mean, listen, everybody did their best
13 work. The grantees filled out the applications, they did
14 their best, some of them missed sections, and so if you
15 have inexplicable issues of where they might have missed
16 points, and we'll be going over some of this detail with
17 the individual grantees.

18 But there were some that were inconsistent with
19 what was presented in their grant application, and one of
20 them was Dallas County. Dallas County, on their own
21 documentation, they indicated that they only covered
22 Dallas County.

23 I provided a map for the board members as a
24 handout a little while ago that shows the unincorporated
25 areas of Dallas County. When I presented this information

1 to the board members, they asked me to ask them to just go
2 ahead and explain their application, at least the liaisons
3 asked me to provide Dallas County the opportunity.

4 I've listed five things that I had trouble with
5 the application that was really just incongruent with what
6 I understood them to be saying in their application and
7 what information I had available to me from other sources.

8 So I asked them to come and do a five- to ten-
9 minute presentation that answers the five questions that I
10 laid out, and they've provided some information in the
11 board packet, it starts on page 41, starts with the first
12 question that I asked.

13 MR. GARCIA: For the Dallas County presentation
14 we have David Mitchell.

15 MR. MITCHELL: Good morning. Chairman Garcia,
16 board members, Director Wilson and ABTPA staff, I'm David
17 Mitchell. I'm commander of the North Texas Auto Theft
18 Task Force. I've served in that role for the past three
19 months, following the retirement of the former commander.

20 It's my honor to stand before you today and have the
21 opportunity to explain our grant to you.

22 Dallas County has been the recipient of a grant
23 for ABTPA since 1993. Originally the grant was
24 administered by the Dallas County District Attorney's
25 Office. The Dallas County Sheriff's Department assumed

1 operational control in 1999. We treasure our ABTPA grant
2 and endeavor to maximize the dollars to achieve the
3 mission of the ABTPA.

4 We strive to be a part of the statewide
5 collaborative network to combat motor vehicle theft and
6 burglary through enforcement, prevention, public
7 information, and education initiatives. We understand and
8 seek to perform well in all five of the program categories
9 laid out in the grant RFP.

10 Sgt. Micky Tolbert, who was the primary man
11 that put the grant together, is here and will present
12 answers to the five questions asked by Director Wilson.

13 MR. TOLBERT: Thank you, Captain.

14 For the record, my name is Micky Tolbert,
15 senior sergeant with the Dallas Sheriff's Department.

16 I want to thank the board for hearing the
17 answers that we have today for the questions that you
18 have. I'm just going to go through the questions and
19 answers, and at the end if you have any questions for me,
20 just let me know.

21 The first question was: The front cover of the
22 application indicates that the grant will only cover
23 Dallas County. It does not list any of the cities of
24 Dallas County. The personnel page requests funding for
25 police officers in the City of De Soto and the City of

1 Duncanville. Please provide any written commitments or
2 present information that describes the coverage areas and
3 legal jurisdiction related to the grant funded activity.

4 The North Texas Auto Theft Task Force can
5 provide service and support to the following: Dallas
6 County SO, including unincorporated areas, City of
7 Sunnyvale and all the major highways in the county,
8 Addison PD, Balch Springs PD, Carrollton PD, Cedar Hill
9 PD, Cockrell Hill PD, Koppel PD, Dallas PD (subject to
10 their Auto Theft Task Force), De Soto PD, Duncanville PD,
11 Farmers Branch PD, Garland PD, Glenn Heights, Grand
12 Prairie, Highland Park, Hutchins, Irving, Lancaster,
13 Mesquite, Richardson, Sachse, Seagoville, University Park,
14 Wilmer, Dallas County Community College PD, DART, and
15 various hospital PDs.

16 Secondary areas that we cover are Denton
17 County, Collin County, Ellis County and various
18 municipalities and Kaufman County.

19 Here is part two of the answer for that
20 question: North Texas Auto Theft Task Force is a multi-
21 jurisdictional task force that is hosted by the Dallas
22 County Sheriff's Department. Each month the task force
23 sends letters to the municipalities that are covered by
24 the task force reminding them that we are available to
25 assist them.

1 I sent a copy of that letter to you.

2 The second question: The only discussion in
3 the application for the level of activity that this
4 program would perform inside of incorporated areas was
5 "Assistance is provided at the level requested by the
6 agency" for other jurisdictions in the grant application.

7 Additionally, the "Functions of Proposed Project" section
8 does not provide sufficient detail on how this program is
9 organized. The application does not provide how it will
10 "liaison and coordinate" within a city jurisdiction beyond
11 a contingent "upon request" basis.

12 Provide information that describes beyond the
13 grant application section of "Functions of Proposed
14 Project" how this application is not a contingency
15 project.

16 The North Texas Auto Theft Task Force
17 detectives arrest and file cases on auto theft, auto
18 burglary, auto theft insurance fraud in the primary
19 coverage area, and we also do them in the secondary areas
20 also.

21 They utilize license plate readers to recover
22 stolen vehicles and arrest suspects, conduct auto theft
23 and auto burglary covert operations, conduct salvage
24 inspections, public awareness events, conduct 68a
25 inspections, train officers in regard to auto theft, auto

1 burglary and auto theft insurance fraud detection and
2 prevention, network with officers in the task force
3 coverage area, and other ABTPA task forces regarding
4 trends and patterns, collect and share information, and
5 provide any assistance that's needed.

6 The arrest and cases filed are generated by
7 personal contact, confidential informants, information
8 from NICB or other sources. Covert operations are done in
9 areas of high crime or at the request of the agency.

10 The third question: Provide any jurisdictional
11 commitments and background on the legal basis to perform
12 the ABTPA-funded work if no jurisdiction request.

13 Since the North Texas Auto Theft Task Force is
14 a function of Dallas County, we work cooperatively with
15 the local agencies using agreed upon goals and objectives.

16 Question number 4: Issues to be addressed.

17 The Dallas County Sheriff's Office reported to the
18 Department of Public Safety in the 2013 UCR to have a
19 total of 19 motor vehicle thefts and 70 burglaries of a
20 motor vehicle, with a total motor vehicle theft and
21 burglary cumulative loss of \$351,949.

22 Please provide information that describes the
23 rationale to request more in grant funds than the loss
24 incurred by the jurisdiction.

25 This data only represents the unincorporated

1 portions of Dallas County. They do not represent the
2 total activity for the North Texas Auto Theft Task Force
3 area which is discussed in question number 1. Instead of
4 19, in just the County of Dallas we had 3,989. That's not
5 counting the City of Dallas also.

6 MR. GARCIA: Sorry. For the sake of time, we
7 have all this information in the board packets. Could you
8 just kind of summarize the whole application itself in
9 regards to what is it that Dallas County Auto Theft Task
10 Force does?

11 MR. TOLBERT: Basically we do cover Dallas
12 County and the communities outside of Dallas County, like
13 Kaufman County, Collin County. The numbers that we had
14 on -- I guess the numbers that you came up with for the
15 19, that was just unincorporated areas of Dallas County,
16 so that's not including what we cover. So I think that
17 was the basis of the questions that we had, really the
18 whole questions that we came out with.

19 MR. GARCIA: The area that you cover that's
20 incorporated, is that at their request or at your doing?

21 MR. TOLBERT: Usually sometimes they'll request
22 it, and then other times we'll just work that area, we'll
23 let them know. If we're doing bait operations, we'll
24 notify them that we're going to be in your area doing bait
25 operations; if you want to participate, you can. And

1 other times we're out running license plate readers and
2 doing other things in other areas.

3 MR. GARCIA: Do you have a system in place that
4 tracks the number of requests and the impact that it has
5 in those incorporated areas that are not part of any auto
6 theft task force that's funded by ABTPA?

7 MR. TOLBERT: The only way we can do that is if
8 we get a request and we go out in that particular area and
9 we'll just document what we did. The officers will put it
10 on their monthly stat report, and that's how I incorporate
11 the numbers into the task force.

12 Any other questions?

13 MR. GARCIA: Questions or comments by the board
14 members at this time?

15 MR. MARK WILSON: Mr. Chairman, I had a couple
16 of questions that I wanted to ask of the sergeant.

17 MR. GARCIA: Go ahead, Mr. Wilson.

18 MR. MARK WILSON: It says here in the
19 information you provided us in this packet that you filed
20 14 auto theft cases. How many actual arrests by task
21 force members were made in 2014, just BMV, for your
22 details or for overall arrests.

23 MR. TOLBERT: For 2014?

24 MR. MARK WILSON: Yes, sir.

25 MR. TOLBERT: Forty-five total.

1 MR. MARK WILSON: Forty-five arrests?

2 MR. TOLBERT: Yes.

3 MR. MARK WILSON: Does that include the ones
4 off of the 55 auto theft and BMV operations, bait car?

5 MR. TOLBERT: Right.

6 MR. MARK WILSON: Okay. How many salvage
7 inspections did you do in 2014?

8 MR. TOLBERT: I have to get my paperwork for
9 that, because I don't have the whole 2014, but I do have
10 it in my files if you want me to get that.

11 MR. MARK WILSON: So it's safe to say that for
12 your year you made 45 arrests and filed 14 auto theft and
13 33 burglary cases.

14 MR. TOLBERT: Right.

15 MR. MARK WILSON: And this is assisting other
16 agencies, I assume.

17 MR. TOLBERT: Right.

18 MR. MARK WILSON: Thank you, Mr. Chairman.

19 MR. GARCIA: Any other questions for the
20 sergeant?

21 (No response.)

22 MR. GARCIA: Thank you, sir.

23 MR. TOLBERT: Thank you.

24 MR. GARCIA: Next up is Potter County, Mr.
25 Randall Sims.

1 MR. SIMS: Good morning, ABTPA chair, board and
2 staff. My name is Randall Sims. I'm the 47th District
3 Attorney. I have jurisdiction in Potter and Armstrong
4 counties.

5 Through Potter County we have attempted to put
6 a coalition together of 16 counties and all the cities
7 that are included in there. Through an oversight,
8 apparently we did not include the cities, and one of those
9 of significance is Amarillo, Texas, which is in Potter and
10 Randall counties.

11 I was asked to provide answers in response to
12 seven questions from Mr. Wilson, and I'll attempt to do
13 that at this time.

14 The first was in regards to our positions. All
15 of those positions will be new because we are a first-time
16 grant applicant and this is a grant startup. That's also
17 why we have asked for a little more money than we normally
18 would, because we are trying to start from scratch and
19 need some equipment to go along with that.

20 We have five people from the Amarillo Police
21 Department, we'll have a person from the Potter Count
22 Sheriff's Office. The PD people are match funds, the two
23 sheriff positions are going to be from the grant. DPS has
24 provided a CID agent to us at 50 percent of the time that
25 will be part of our match.

1 And then also we're going to try to hire
2 individually -- with the grant we'll also try to get a
3 prosecutor, and then obviously a unit commander and a
4 crime prevention person.

5 The law enforcement people will answer to their
6 staff and to the task force staff. There will be an
7 advisory board over that. The prosecutor would answer to
8 my office, because we will be the person to hire that
9 person, and then also to the task force guidelines and
10 stats.

11 The unit commander and the crime prevention
12 people will be hired by the advisory board. The advisory
13 board will oversee and pass on all people that are going
14 to be put in there. The advisory board will be made up of
15 the three prosecution offices. That would be the 47th
16 District Attorney's Office, myself or whoever would be in
17 that position, Potter County attorney which handles the
18 misdemeanors, and then the Randall County criminal
19 district attorney who handles felonies and misdemeanors
20 for Randall County. So that would be the six people that
21 would comprise the advisory board.

22 The next thing I was asked is in regard to the
23 jurisdictional issues. I can provide a map on page 3, I
24 believe it is, of the area to be covered and it's the red.
25 Lubbock has got the blue, South Plains has got the blue

1 below that. There's one county up in the right-hand
2 corner that hasn't been colored yet, but as of three
3 o'clock yesterday -- we've been trying for months to get
4 with the sheriffs and make this all happen, and we finally
5 got their commitment letter, so rather than read you the
6 whole thing, I'm just going to tell you we've got all 16
7 counties onboard, including the one that's vacant up there
8 in Lipscomb County.

9 We're going to use MOUs for all the
10 jurisdictions across there. Besides the 16 counties we
11 also have twelve cities that have police departments. We
12 have intent to allow cross-jurisdiction from those twelve
13 cities as well.

14 The next thing was in regards to the board. I
15 think I've already kind of answered that. Then the
16 startup, I kind of talk about the startup on the bottom of
17 page 1 of my documents that I provided to you, and it
18 spills over onto the top of page 2.

19 Obviously, we have a lot of policies,
20 procedures and job positions that we have to get ready,
21 and the advisory board is going to do that before awarded
22 money for the grants.

23 The timeline in regards to the startup is in
24 the dead center of the page in regards to laying out when
25 we will do what. I'll be very blunt with you, it's tough

1 to hire prosecutors or lawyers in a prosecution office in
2 the Texas Panhandle. Most of the lawyers want to try to
3 stay along the I-35 corridor, just an absolute fact. But
4 we want to try to do that if we can. Obviously, that
5 would be the first thing we'd eliminate if we don't get
6 fully funded, and then all the offices would just handle
7 it themselves.

8 Then after that there's a list of all the
9 counties as well as the major cities there, followed by on
10 the next page, on the top of page 3 is the twelve that
11 have police departments that we've gotten things signed
12 for.

13 The 16 counties basically has about 80 motor
14 vehicle thefts and 152 motor vehicle burglaries, for
15 \$914,000 in losses. The last two slides that I have on
16 the bottom of page 4 and then the back of page 5 show just
17 the numbers for the City of Amarillo, which is 13 times
18 more.

19 You can see that the numbers in '12 to '13 and
20 '14 just for the auto thefts has gone up 36 percent, and
21 on the last page we've broken the actual burglaries down
22 between parts and loose items. The loose items have gone
23 up 39 percent between '13 and '14, and the parts have gone
24 up 82 percent since '13 and '14.

25 And I can actually tell you through a recent

1 investigation we've identified at least one chop shop but
2 don't have the ability or manpower that's trained properly
3 to go ahead and handle that at this point. Those numbers
4 total up for the parts to over 2,500 in '13 and over 3,600
5 in the year '14.

6 Amarillo consistently rates as number one in
7 regards to motor vehicle thefts for the classification of
8 100,000 to 200,000 in population, according to the DPS
9 reports that come out monthly.

10 So we were asked as to why we're asking for
11 more money than what our economic loss is by the counties.

12 If you throw in Amarillo, the economic loss is over
13 \$6 million. So we're asking for basically one million,
14 and that's the reason we're asking for more money, plus
15 we're a startup so we have additional expenses up front
16 that we need to try to cover.

17 I'll answer any questions. I think that's
18 responded to Mr. Wilson's inquiries.

19 MR. GARCIA: Any questions or comments for Mr.
20 Sims by any of the board members?

21 MR. MARK WILSON: Mr. Sims, I do have a couple
22 of questions.

23 In the coverage area that you're proposing, how
24 many motor vehicle theft cases did you actually file for
25 the total coverage area for all the counties that you're

1 applying for?

2 MR. SIMS: We're a startup; we did not get
3 those numbers.

4 MR. MARK WILSON: Well, I'm talking about 2013,
5 which would be our last full year to account.

6 MR. SIMS: I do not have those numbers.

7 MR. MARK WILSON: Well, I'm just curious about
8 the need for the prosecutor solely for that purpose. Is
9 that a full-time position for this prosecutor to file all
10 the motor vehicle theft and BMV cases, or is this
11 something that's going to be part time for him?

12 MR. SIMS: Well, as I said, we're new to grant
13 writing, all of us were, and we intended for the City of
14 Amarillo to be included, but we made the mistake and it
15 didn't happen that way.

16 So that's the issue, and like I said, the
17 numbers clearly show that the City of Amarillo drives the
18 motor vehicle thefts and burglaries for that whole region,
19 and actually I would submit to you Potter County, the
20 county that I have jurisdiction over, is the big driver of
21 all of those numbers.

22 I can provide those numbers to you with a phone
23 call in probably about an hour's worth of running a report
24 as for Potter County, but for the outlying counties we
25 didn't get those specific numbers as far as cases filed.

1 MR. MARK WILSON: Thank you, Mr. Sims.

2 Thank you, Mr. Chairman.

3 MR. GARCIA: Any other questions for Mr. Sims?

4 MR. ROSS: Yes, sir, I have a question. Member
5 Ross.

6 As far as your startup, how did you come up
7 with your numbers? Did you contact another agency and get
8 a feel for what the startup would cost?

9 MR. SIMS: For the startup prices and things, I
10 will tell you that Lubbock County, sitting on the third
11 row right there, has been extremely helpful in regards to
12 helping us know what we need and do not need, and we
13 appreciated that help.

14 And then Mr. Wilson has been helpful in talking
15 to us some about some things to point us in the right
16 direction to the grant application class that you have to
17 go to, and we attended that.

18 And so then we relied a lot on the two sheriffs
19 and the chief of police, meaning Potter and Randall county
20 sheriffs and the chief of police, to help provide what the
21 officers are going to need and what they're going to need
22 to do their business.

23 I prosecute them, I don't catch them, so we
24 relied on the experts in that area, so literally the
25 Amarillo police chief, the two sheriffs, myself, our

1 auditing office, it's been a cooperative effort to try to
2 put this thing together for all of the counties.

3 The Panhandle is sparse in population, and we
4 have learned a long time ago that if we're going to get
5 anything done, it's better for us to all join together and
6 cooperate with each other, and whether that's applying for
7 a grant or it's in the legislative process or anything we
8 do, we all try to be on the same page because it's what's
9 best for the Panhandle.

10 MR. ROSS: So you did your due diligence.

11 MR. SIMS: Yes, sir, we sure did.

12 MR. ROSS: All right. Thank you.

13 MR. GARCIA: Any other questions for Mr. Sims?

14 (No response.)

15 MR. GARCIA: If there are none, we thank you
16 very much, sir.

17 MR. SIMS: Thank you, Chair. Appreciate your
18 time.

19 MR. GARCIA: We have one more public comment in
20 regards to the awards. This is Tarrant County, Bryan
21 Sudan.

22 MR. SUDAN: Good morning. Bryan Sudan,
23 commander of the Tarrant County Regional Auto Crimes Task
24 Force.

25 Again, being a multi-agency task force, I

1 suffer some of the same issues or problems that many of
2 the other ones, and I just wanted to clarify one thing on
3 page 60 it says value of grantee incidences for 2013.

4 And yes, those are accurate numbers reported
5 for Tarrant County Regional Auto Crimes Task Force, a
6 twelve-member task force who is comprised of officers from
7 both municipalities and counties for both Tarrant and
8 Parker counties.

9 But I don't want people to look at that number
10 and say that's the scope of the problem and the value in
11 Tarrant County and our service area, because it's not.
12 The true figure, if you look at the value of auto theft
13 and burglary of motor vehicles in our service area, is
14 closer to \$58 million.

15 And that figure is derived from we had 4,532
16 auto thefts in 2013; the average loss, according to Crime
17 in Texas, is \$9,795, if you do the multiplication. For
18 BMV we had 18,008 BMVs; the average loss in Crime in Texas
19 is \$905. Now, if you multiply all that out you get a
20 number over \$58 million.

21 I just really wanted to clarify that, because
22 it doesn't look like there's a problem in Tarrant County.

23 There is an issue in Tarrant County. My unit works very
24 diligently, and as you can see, \$2 million for twelve
25 people is a good accurate recovery rate, and for my

1 hardworking folks I want to compliment them, but I also
2 wanted to clarify that. Thank you.

3 MR. GARCIA: Thank you.

4 Before we move on into discussion and awarding
5 any grant funds, at this time I'd like to take about a
6 15-minute recess. So according to my watch it's 10:09;
7 let's be back here at 10:25. Thank you.

8 (Whereupon, a brief recess was taken.)

9 MR. GARCIA: It is 10:26 a.m., June 23, 2015,
10 and the ABTPA Board is reconvening from a recess.

11 So continuation with our agenda, we are on item
12 3.B.6, the award for fiscal year 2016 grant funds.

13 So Mr. Wilson -- Bryan, not Mark.

14 MR. BRYAN WILSON: Thank you, Chief Garcia.
15 Bryan Wilson, for the record.

16 So if you think back to that earlier slide
17 where I said the grant requests were made up of two
18 constituents -- two components, major components, one is
19 the ask and one is the evaluation criteria. We realized
20 that this is a flawed process, there's humans involved in
21 this process.

22 We're trying to put together a system,
23 specifically a systematic approach to how to allocate very
24 limited state funds. I know you've heard me say it over
25 and over and over, there's \$44.5 million collected for

1 ABTPA and 14.9- appropriated, and we're glad to have the
2 part that we have, but we realize that it causes a lot of
3 choices to be made if we're really going to make deep
4 inroads into automobile theft and burglary.

5 Now, one of the ways as we were looking at this
6 material, utilizing what the grantees had written, we
7 developed a very imperfect system to help us provide
8 context, and I really felt it was important for the board
9 to understand a little bit of context about what's being
10 requested. We are not advocating in any capacity that the
11 information on page 58 through 60 be fully utilized as it
12 is. It's just really to provide context for this
13 discussion.

14 Now, we constructed these economic loss models
15 only on what was submitted by the grantees on their cover
16 page. We used DPS data and economic loss, as reported by
17 the grantees on their cover page. If they put a city on
18 their cover page of the grant application, we put in a
19 city. If they put in a county, we put in the county, the
20 SO reporting data, and included whatever that
21 information -- shake your head yes, Dan, if that's
22 correct -- and we monitored and audited it numerous times
23 to make sure it reflected what the grantees said in their
24 application.

25 So what you see there on page 58 is the results

1 of what an economic loss model would be, and the reason we
2 said economic loss is because it is virtually impossible
3 for us to weight a misdemeanor burglary of a CD compared
4 to a motor vehicle theft or other incidents related to a
5 motor vehicle theft of a \$50,000 vehicle.

6 And so what we wanted to do is DPS -- and I
7 hope Major Reynolds can back me up on this -- DPS has
8 issued a very clear set of guidelines on how economic loss
9 is reported, that people are trained in the UCR and how to
10 report that data. All police agencies have to report that
11 in a similar way and train to do it the same way, and they
12 have set standards of how that's to be used.

13 So one of the things, again, to provide
14 context, is the grantees' own words of the jurisdictions
15 in their grant applied to what their economic loss is.
16 And we took the three DPS-reported items and said, well,
17 what would it look like to provide context for this
18 discussion.

19 And you see on page 59 we see that there's --
20 and notwithstanding some of the discussion that Dallas or
21 Potter and even Tarrant County provided a few minutes ago,
22 notwithstanding their specific arguments or their points
23 that hey made, but in the material that we had available
24 to us in the grant application, what we looked at was a
25 ratio of the request to the loss that's being encountered

1 by these individuals.

2 Again, some of the agencies might have put the
3 wrong data, as you heard Mr. Sims indicate that they left
4 out the City of Amarillo, but nevertheless, as presented
5 to us -- and this was the data that we had available to
6 us -- we examined the loss ratio to the request. That's
7 all I really want to say about that in this context. It's
8 just to provide context for thinking about this material.

9 So as a result, we would like you to look a
10 page 61 in your grant documents, and I want to quickly go
11 over the three methods discussed in this material.

12 Method number 1 was the documentation, as Anna
13 had shared earlier, exactly as you had voted on it on
14 October 13, 2014. You developed a very specific set of
15 criteria, you published the point system and the
16 methodology out to the public on October 13 in the board
17 packet. It was available to anybody and everybody who
18 requested and could look at that material.

19 Method 1 simply took the ask in its full value,
20 regardless of how reasonable or unreasonable that request
21 was, and applied a point system to that ask. But it only
22 applied the points to 10 percent of the request. The bulk
23 of that methodology was just cutting the grantee to fit;
24 in other words, \$13.8 million available, and it simply cut
25 the grantees to the percentage of money we had available.

1 So just to be clear, there's \$13.8 million
2 available, it took out 1.3- and held it off to the side.
3 Every grantee's request was cut to whatever percentage of
4 13.7-, so you add them all up and whatever their prorated
5 percent. So basically 32 percent of whatever you asked
6 got cut right then, roughly, right around 32 percent, just
7 whacked.

8 And the it took that \$1.3 million and applied
9 the points to that \$1.3 million and then said, well, you
10 can get anywhere from -- just based on the points that we
11 had, those points applied to the \$1.3 million, so you
12 could get \$39,000 to \$62,000.

13 Now, you see in here there's a few lines that
14 are empty: Del Rio, Divine Fountain, Missouri City,
15 Victoria County. Under the board-adopted system, there
16 were specific criteria that had to be met before anybody
17 could be considered for an award. We could not do the
18 calculation under the system adopted by the board unless
19 they met some minimum threshold criteria.

20 You'll see that there's a handout that I've
21 provided to the board that talks about the four grantees
22 that didn't make the minimum threshold. And again, we had
23 four independent scores. We reviewed it, Member Wilson,
24 Ms. Mallett, Ms. Dominguez, myself, independently.

25 I had everybody go back and validate their

1 scores and confirm that they were correct, that they were
2 entered correctly, and based on the results, there were
3 four jurisdictions that could not meet the minimum
4 criteria set by this board. So in all this consideration
5 that we're discussing on page 61, I did not include those
6 four entities, and I want to be clear.

7 So method 1 applied the points as they were
8 available to the money that's available, and there's the
9 result on method 1.

10 Method 2 was after the board had authorized the
11 liaisons to work with me on considering different ways,
12 and one of the things I did after that meeting was to say,
13 wow, the points applied to 10 percent of the grant did not
14 fully address what I think the board was trying to do, and
15 that was to give weight to the points.

16 So method 2 is simply taking the entire amount
17 of the points, applying them -- in other words, just
18 however you scored, if you wrote a really bad application
19 or didn't fully meet all the objectives of what we've
20 stated -- it's not bad but it didn't meet everything -- we
21 applied the points to the entire ask, whatever that person
22 wrote. If they left off a section and they got low
23 scores, that's what got reflected.

24 So method 2 is taking the point system adopted
25 by the board and applying it to the full ask and then just

1 reducing it to the amount available. Nothing other than
2 the point system applied to the entire amount requested.

3 Then we looked at one other one, which I said
4 was to provide context, but obviously on the previous page
5 the context for economic loss associated, some of those
6 numbers greatly outstripped the amount requested by those
7 grantees, and so method 3 is simply -- well, I guess
8 that's not capped, is it, Dan? Okay, I see that.

9 So we said that method 3 was just taking the
10 economic loss, but again, that's not very reasonable for
11 us to do so, because it would result in numbers higher
12 than the request for some counties.

13 During the liaison meeting we talked about
14 average methods 1 and 2, methods 2 and 3, and then 1, 2
15 and 3 with a cap on economic so nobody got more than what
16 they requested. So on the far right-hand side of the
17 schedule are the three methods and the average where we
18 would average multiple methods.

19 Are there any questions about the methodology
20 that I've tried to apply here for a systematic approach to
21 distributing grant funds?

22 MR. GARCIA: Board members, at this time
23 questions for Mr. Wilson? That's it?

24 MR. BRYAN WILSON: Well, that's the
25 methodology.

1 MR. GARCIA: Okay. All right. At this point
2 any discussion or any comments from any of the board
3 members in regards to the methods applied?

4 (No response.)

5 MR. RICHARDS: Mr. Chairman.

6 MR. GARCIA: Yes, sir.

7 MR. RICHARDS: David Richards, legal counsel.

8 Is there a staff recommendation that's going to
9 be made at some point?

10 MR. GARCIA: We're getting there shortly. That
11 was my next.

12 So since we don't have any comments from the
13 board members at this time, then we'll move on to a
14 recommendation from staff.

15 MR. BRYAN WILSON: Okay. Bryan Wilson, for the
16 record.

17 So I have really spent a lot of time and effort
18 thinking about this and working through this, and I've
19 already raised my concerns about Dallas County, and the
20 issue with Dallas County is providing information that's
21 not clear to me on jurisdictional lines. And you have to
22 decide as a board whether they've answered those questions
23 at least to your satisfaction.

24 And notwithstanding Potter County's
25 presentation on how they'll deal with a new really multi-

1 county issue, and of course, my main concern on that one,
2 as I think you saw in my questions, was the issue with the
3 startup and how long it takes to get a very complicated
4 regional program going.

5 But notwithstanding those two items, my
6 recommendation is to base as equitably as possible -- I
7 don't necessarily want to be totally fair because our job
8 is to meet the statutory requirements -- but
9 notwithstanding Dallas and Potter counties and any
10 decisions you might want to make on those two, the methods
11 2 and 3 seem to address most of what we need to use in
12 determining the statutory requirements or meeting the
13 statutory requirements.

14 MR. GARCIA: I can't see from here, but are
15 they being shown the same thing we have?

16 MR. BRYAN WILSON: No. This was developed
17 after.

18 MR. GARCIA: And only because of the amounts on
19 the bottom are different.

20 MR. BRYAN WILSON: That's correct. That's one
21 thing I failed to mention. Thank you very much, Chief.

22 Because of what I showed you earlier on the
23 budget analysis that we actually have an additional
24 \$600,000 to allocate in this year, we've checked with
25 legal counsel, we've talked to the Comptroller's Office,

1 we've talked to our financial services office, and it's
2 clear that we can go ahead, as long as we do it by August
3 31, and allocate that \$600,000 and obligate it into this
4 year, which will be good all the way through the end of
5 next year.

6 So that is the plan to do that, and so we want
7 to raise that amount to \$14.3 million. And of course, th
8 would raise the numbers on that screen. It wouldn't be
9 everybody significantly but most would be significant.

10 MR. GARCIA: Okay. So the recommendation from
11 staff at this point is to go with methods 2 and 3, so
12 board members, what are your wishes at this time? This is
13 an action item so we would need a motion and a second to
14 consider staff's recommendation or to consider a
15 combination of any of the other methods that are listed
16 here.

17 MR. REYNOLDS: Chairman, Wynn Reynolds, for the
18 record.

19 I would like to recommend that we adopt the
20 average -- I guess it would be methods 1 and 2, the
21 average of the redesign and score applied to the request
22 as the method for the grantees' awards.

23 MR. GARCIA: I do have a motion on the floor by
24 Major Wynn Reynolds to consider methods 1 and 2 for the
25 purposes of the grant awards for fiscal year 2016.

1 MR. MARK WILSON: Mr. Chairman, I'll second
2 that motion.

3 MR. GARCIA: We do have a second on that by Mr.
4 Mark Wilson. Any further discussion?

5 MR. MARK WILSON: I'd just like to make a
6 comment, if I could, Mr. Chairman.

7 MR. GARCIA: Yes, sir. Go ahead.

8 MR. MARK WILSON: Number one, I appreciate the
9 way the staff has put this together as combining the
10 methods. That seems to be the most fair and equitable way
11 to do this.

12 With that said, I tend to agree with Mr.
13 Reynolds that method 1 and method 2 is an equitable way to
14 address our funding issue with the grantees, dealing with
15 the amount available. Now, that doesn't mean in the
16 future we can't change that, but for this grantee period,
17 I tend to think this is an equitable solution to the big
18 changes that we're making.

19 MR. GARCIA: So we do have a motion and a
20 second to accept methods 1 and 2 as a funding mechanism to
21 award fiscal year 2016 grants. If there's no further
22 discussion, all those in favor of that please say aye.

23 (A chorus of ayes.)

24 MR. GARCIA: Let's see raised hands, please.
25 Mr. Wilson, Mr. Ross, Ms. Wright, Ms. Kinney, and Major

1 Reynolds, so we do have a majority on that. There's no
2 reason for me to vote.

3 So motion carries, so methods 1 and 2 is final
4 as far as the grant awards are concerned.

5 Do you have any instructions for the grantees
6 at this time or the applicants.

7 MR. BRYAN WILSON: Yes. We will be hosting a
8 series of teleconferences, we will be contacting each
9 individual grantee about some of the cleanup that we
10 talked about, misclassifications, blue sky language, stuff
11 like that, and we will be in touch very soon.

12 MR. GARCIA: In regards to the amount of the
13 grant awards, are they going to be notified as they leave,
14 before they leave, or how do you want to handle that?

15 MR. BRYAN WILSON: Yes. We'll have the adopted
16 schedule in just a few minutes.

17 MR. GARCIA: So it will be on display on the
18 monitors?

19 MR. BRYAN WILSON: We're going to hand them
20 out. We're printing them off as soon as we can.

21 MR. GARCIA: So for everybody's information,
22 they're going to print out the grant award amounts in a
23 couple of minutes, so please stay around and find out what
24 award amount you were awarded.

25 Moving on to the rest of the agenda, executive

1 session, we have no items for executive session.

2 Number 5, there are no action items.

3 So number 6 is adjournment so I do need a
4 motion and a second.

5 MS. WRIGHT: I so move.

6 MR. REYNOLDS: I'll second.

7 MR. GARCIA: I have a motion by Ms. Wright and
8 a second by Major Reynolds. Any other discussion?

9 (No response.)

10 MR. GARCIA: If not, all in favor say aye.

11 (A chorus of ayes.)

12 MR. GARCIA: All opposed?

13 (No response.)

14 MR. GARCIA: We are adjourned. Thank you all
15 for attending.

16 (Whereupon, at 10:47 a.m., the meeting was
17 concluded.)

C E R T I F I C A T E

MEETING OF: TxDMV Board of Directors

LOCATION: Austin, Texas

DATE: June 23, 2015

I do hereby certify that the foregoing pages,
numbers 1 through 61, 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 06/25/2015
(Transcriber) (Date)

On the Record Reporting
3636 Executive Ctr Dr., #G22
Austin, Texas 78731