

TEXAS DEPARTMENT OF MOTOR VEHICLES

MOTOR VEHICLE CRIME PREVENTION AUTHORITY
GRANTS BUDGET AND REPORTING (GBR) COMMITTEE
MEETING

Lone Star Room
Texas Department of Motor Vehicles
4000 Jackson Avenue, Building 1
Austin, Texas 78731

1:00 p.m.
Thursday,
November 3, 2022

COMMITTEE MEMBERS:

Julio Gonzalez, Chair
Sharon Jones
Dean Smith

STAFF:

Joe Canady, Interim Director
David Richards, General Counsel
Yessenia Benavides

ON THE RECORD REPORTING
(512) 450-0342

I N D E X

<u>AGENDA ITEM</u>	<u>PAGE</u>
1. CALL TO ORDER	
a. Roll Call and Establishment of Quorum	6
b. Pledge of Allegiance (US and Texas Flags)	6
c. Comments from Committee Chairman	7
d. Comments from Committee Members	7
2. Discuss and consider recommendations to the FY 2023 Budget	8
3. Discuss and Consider Recommendations to FY 2023 Rapid Response Strikeforce (ACTION ITEM)	10
4. Discuss and Consider Recommendation to the FY 2024 - 2025 Grant Scoring and Award Determination Process (ACTION ITEM)	13
5. Discuss and Consider Recommendation for Grant Violation Documentation, Notification, and Determination Policy (ACTION ITEM)	25
6. Discuss And Consider Recommendations to the Current Price Caps For the Purchase and Lease of Taskforce Vehicles (ACTION ITEM)	31
7. Discuss And Consider Recommendations for FY 2024 - 2025 Taskforce Grant Request for Application and Grant Timeline (ACTION ITEM)	37
8. Discussion and Review Draft of MVCPA FY 2024 - 2025 Plan of Operation, including Data from Stakeholders, Review of Performance and Review of Need (BRIEFING ONLY)	45
CLOSED SESSION	
9. The Committee 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 551.076 - Deliberation Regarding Security Devices or Security Audits; Closed Meeting.

- the deployment, or specific occasions for implementation, of security personnel or devices; or

- a security audit.

Section 551.089 - Deliberation Regarding Security Devices or Security Audits; Closed Meeting.

- security assessments or deployments relating to information resources technology;

- network security information as described by Section 2059.055(b); or

- the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices. --

10. Action Items from Closed Session	none
11. Public Comment	none
12. Adjournment	47

P R O C E E D I N G S

1
2 MR. GONZALEZ: Good afternoon. My name is
3 Julio Gonzalez, and I am pleased to open the meeting of
4 the Grants, Budget, and Reporting Committee of the Motor
5 Vehicle Crime Prevention Authority.

6 It is 1:00 p.m., and I am now calling the
7 Committee meeting for November 3, 2022, to order. I want
8 to note for the record that the public notice of this
9 meeting containing all items on the agenda was filed with
10 the Office of the Secretary of State on October 26, 2022.

11
12 Before we begin today's meeting, please place
13 all cell phones and other communication devices in a
14 silent mode. And please, as a courtesy to others, do not
15 carry on side conversations or other activities in the
16 meeting room.

17 I want to welcome those who are with us today
18 for today's Committee meeting. If you wish to address the
19 Committee, or speak on an agenda item during today's
20 meeting, please complete a speaker sheet at the
21 registration table.

22 Please identify the specific item you are
23 interested in commenting on, your name and address, and
24 whether you are representing anyone or speaking for
25 yourself. If your comment does not pertain to a specific

1 agenda item, we will take your comment during the general
2 public comment portion of the meeting.

3 In accordance with the Department's
4 administrative rule, comments to the Board will be limited
5 to three minutes. To assist each speaker, a timer has
6 been provided at the podium. The timer light will be
7 green for the first two minutes, yellow for one minute,
8 and then red when your time is up.

9 Individuals cannot accumulate time from other
10 speakers. Comments should be pertinent to the issues
11 stated on the comment sheet. When addressing the
12 Committee, please state your name and affiliation for the
13 record.

14 There are a few things that will assist in
15 making the meeting run smoother and assist the court
16 reporter in getting an accurate record. Please identify
17 yourselves before speaking. Speak clearly and slowly, and
18 do not speak over others. And please ask the Chairman for
19 permission to speak and be sure to get recognized before
20 speaking.

21 I would like to thank our court reporter, who
22 is transcribing this meeting.

23 Before we begin today, I would like to remind
24 all presenters and those in attendance of the rules of
25 conduct at our Committee meetings. The Committee Chair

1 has authority to supervise the conduct of meetings. This
2 includes the authority to determine when a speaker is
3 being disruptive of the meeting, or is otherwise violating
4 the timing or presentation rules I just discussed.

5 The posted agenda stated that a quorum of the
6 MVCPA Board may be present at this meeting. However,
7 Board members who are not members of the Grants, Budget,
8 and Reporting Committee will not vote on any Committee
9 agenda items today, nor will any Board action be taken
10 today.

11 I don't see any other Board members that are
12 not on the Committee. And now, I would like to have a
13 roll call of the Board members. Please respond verbally
14 when I call your name.

15 Member Jones.

16 MS. JONES: Present.

17 MR. GONZALEZ: Member Smith.

18 MR. SMITH: Present.

19 MR. GONZALEZ: And let the record reflect that
20 I, Julio Gonzalez, am here too. We have a quorum.

21 We will then move on to Agenda Item 1(b), the
22 pledges of allegiance. Please stand and honor our country
23 and state with the pledges of allegiance. Member Smith
24 will lead us in the U.S. pledge.

25 (Whereupon, the Pledge of Allegiance was

1 recited.)

2 (Whereupon, a pledge to the Texas flag was
3 recited.)

4 MR. GONZALEZ: Thank you Member Smith, for
5 leading us in the U.S. and Texas pledge. We will now move
6 on to Agenda Item 1(c), Comments from the Grants, Budget,
7 and Reporting Committee Chairman.

8 The only thing I would like to state is that as
9 we are coming to an end of this year, it is remarkable the
10 amount of progress that we are making. It seems as if
11 things are definitely picking up, and the goals and items
12 that the Board has requested are really coming to
13 fruition. And so it is certainly an exciting time.

14 I would like to thank the staff of the MVCPA
15 for working very hard and diligently, you know, through
16 this transition. And also, thank DMV.

17 I do want to recognize the Director for
18 attending. Thank you, sir. We most certainly appreciate
19 that. And very glad for this working relationship that we
20 are fostering.

21 All right. We will now move on to Agenda Item
22 1(d). Comments from Committee members.

23 Members, do either of you have any comments
24 that you would like to make?

25 MS. JONES: No, sir.

1 MR. SMITH: No, sir.

2 MR. GONZALEZ: And we will now take up briefing
3 and action items.

4 Agenda Item 2, Discuss and consider
5 recommendations for the FY '23 budget. We will hear from
6 Interim Director Joe Canady.

7 MR. CANADY: For the record, Joe Canady. I
8 will defer this to Dan Price.

9 MR. PRICE: Hi. For the record, this is Dan
10 Price. I am the CPA Grant Auditor, also program
11 specialist.

12 So the first item, as you know, we are in the
13 process of filling a permanent position for the new
14 Director's job of the MVCPA. When the requirements from
15 both the Board, DMV, and our Human Resources Department at
16 DMV all came together to look at the qualifications
17 necessary for that position, and what the salary that
18 would be commensurate with those qualifications should be,
19 the recommendation came back from the HR Department and
20 DMV that the budget for the Director's salary be
21 increased, and the Director be hired at a higher level, a
22 Director 5 position, which will give us more horsepower to
23 run the operation.

24 So the annual salary has been deemed to be
25 \$135,000, is what would be appropriate for somebody at

1 that level. And that required a budget increase in the
2 salaries line of the MVCPA, a total net of \$16,161. So we
3 are advising you today that that transfer has been made.

4 We did make that transfer from the advertising
5 budget. We do have some advertising money that was
6 actually pulled out and put into a grant. So it is coming
7 out of the grant line.

8 So there are additional funds available in the
9 advertising line that we are transferring to compensate
10 for that salary. So, any questions on that?

11 The new amount available on the advertising
12 line after the transfer will be \$136,481. Thank you.
13 That completes my report.

14 MR. GONZALEZ: Are there any questions for Mr.
15 Price?

16 (No response.)

17 MS. JONES: No, sir.

18 MR. CANADY: Mr. Chairman, are there any
19 questions from the Committee for Mr. Price?

20 MR. GONZALEZ: Yessenia, are there any public
21 comments for this agenda?

22 MS. BENAVIDES: No, sir.

23 MR. GONZALEZ: All right. Do I have a motion
24 on Agenda Item 2?

25 MS. JONES: Member Jones. I move that the

1 Committee recommend that the Board approve the budget
2 transfer.

3 MR. GONZALEZ: Do I have a second?

4 MR. SMITH: You have a second. Member Smith.

5 MR. GONZALEZ: I have a second from Member
6 Smith.

7 Any further discussion?

8 (No response.)

9 MR. GONZALEZ: Hearing none, I will now call
10 for a vote. All in favor, say aye.

11 (A chorus of ayes.)

12 MR. GONZALEZ: All opposed, nay.

13 (No response.)

14 MR. GONZALEZ: Let the record reflect that I,
15 Julio Gonzalez, vote aye. The motion passes.

16 We will now move on to Agenda Item 3, Discuss
17 and consider recommendations to the FY '23 Rapid Response
18 Strikeforce. And we will now hear from Interim Director
19 Canady and/or designated staff on this agenda item.

20 MR. CANADY: For the record, Joe Canady.

21 We received an application for a Rapid Response
22 Strike Force grant from the City of Arlington. The City
23 of Arlington is not -- does not currently receive a
24 Taskforce grant from MVCPA.

25 However, they are a participating agency of the

1 Tarrant County grant. So according to Board policy for
2 the process for the Rapid Response Strike Force grants,
3 the participating agencies are qualified to receive
4 funding for emergency and exigent needs.

5 They have identified two areas within the city
6 limits of Arlington. I believe it is at AT&T Stadium and
7 across the street at the mall, the big parking lot for the
8 stadium to where there is not coverage. And they believe
9 they can benefit from the leasing of cameras, ALPR
10 cameras, specifically, Flock cameras, to assist them in
11 recovering stolen vehicles, because there has been a 68-
12 and a 75-percent increase in the two locations of the
13 number of thefts in this past year.

14 But in addition, they are requesting \$5,700
15 total for the equipment. Out of that would be a \$1,140
16 cash match they will provide. The City of Arlington has
17 also agreed to pick up the lease for a second year, beyond
18 the initial grant-funded time period, which the Board has
19 previously requested in the policies.

20 And at this time, we are asking for your
21 recommendation to approve this grant. This is not a grant
22 that has to come through the Committee, the GBR Committee,
23 according to the guidelines or the process that is in
24 place. It is under that amount, under \$5,000. It can
25 have director approval.

1 But we wanted the information to come through
2 the Board because we have never awarded a Rapid Response
3 grant to a participating agency.

4 MR. GONZALEZ: Are there any questions for Mr.
5 Canady or staff?

6 MS. JONES: No, sir.

7 MR. SMITH: No, sir.

8 MR. GONZALEZ: I will just say this, the Flock
9 LPR system is amazing. And just seeing it from the
10 end-user perspective, it has been quite the game changer,
11 to say the least. To combat auto theft, it is an amazing
12 tool.

13 I am in full support of anything that expands
14 our use of these LPRs. And so I would certainly encourage
15 that when other agencies come to us and they want to help
16 out with this LPR initiative, we should do whatever we can
17 to encourage that.

18 Because the other aspect of it is that we have
19 information sharing. And we can require that entity to
20 make sure that the LPR information that they are receiving
21 can be looked at by all of our other Taskforces and
22 whatnot. So the program as a whole benefits from
23 including additional stakeholders with it.

24 MR. CANADY: Yes, sir.

25 MR. GONZALEZ: Yessenia, are there any public

1 comments for this item?

2 MS. BENAVIDES: No, sir.

3 MR. GONZALEZ: Okay. All right. Members, do I
4 have a motion on Agenda Item 3?

5 MR. SMITH: Member Smith. I move that the
6 Committee recommend the Board approve funding for the
7 Rapid Response Strike Force grant to the City of Arlington
8 Police in the amount of \$4,560.

9 MS. JONES: Second.

10 MR. GONZALEZ: Member Smith makes a motion and
11 Member Jones seconds the motion. Is there any further
12 discussion?

13 (No response.)

14 MR. GONZALEZ: Hearing none, I will now call
15 for a vote. All those in favor of the motion, say aye.

16 (A chorus of ayes.)

17 MR. GONZALEZ: All opposed, nay.

18 (No response.)

19 MR. GONZALEZ: Let the record reflect that I,
20 Julio Gonzalez, vote aye. The motion passes. Thank you.

21 We will now move on to the next agenda item.
22 Agenda Item 4, Discuss and consider recommendations for FY
23 '24 grant scoring and award determination process. We
24 will now take up Agenda Item 4.

25 And I will turn the discussion over to Interim

1 Director Joe Canady, and designated staff.

2 MR. CANADY: For the record, Joe Canady. And a
3 particular reminder for Committee members, when you speak,
4 make sure that your mics are turned on and you are close
5 enough, so that the court reporter -- this system picks
6 the sound up. Thank you.

7 According to Texas Transportation Code, Section
8 10.06 provides that MVCPA shall allocate grant funds based
9 on the number of motor vehicles stolen in -- or the motor
10 vehicle or burglary theft rate in the jurisdiction across
11 the state, versus geographically. The current scoring
12 system has been identified by Board members as needing
13 some adjustments -- possibly adjustments to this, to
14 ensure that we can -- that the applications received are
15 awarded to Taskforces in jurisdictions that are primarily
16 based on the need for their program.

17 If you will turn to page 8 in your -- I am
18 sorry, page 9 in your Board book first. This will show
19 you the current grant awards.

20 And for the '24 Taskforce grants, starting with
21 Tarrant County, in the amount of \$1,332,000. And the
22 grant receiving the least amount of money is Pasadena at
23 the bottom of the list with \$83,000.

24 Now these grants are -- this is what the Board
25 had previously awarded for that fiscal year '22 and FY '23

1 cycle. But if you look at the third column, the motor
2 vehicle thefts for the application agency, that column, or
3 the fifth column is -- if they are a multi-agency grant,
4 it will be the combined total of the applicant agency plus
5 the participating agencies.

6 I believe that this is what we need -- that we
7 should be, or the Board should consider utilizing this
8 data versus a countywide data which is on the fourth
9 column. Because if you -- take for example, if you have
10 Houston.

11 Houston, of course, has Harris County, has
12 Harris County Taskforce and a Houston PD Taskforce. And
13 there may be, if you utilize countywide data for both
14 jurisdictions, there is no differentiation on the need for
15 that jurisdiction, because they are both reporting the
16 same numbers on the theft problem.

17 So if you will turn back to page 7 of your
18 Board book, the first thing that we need to determine is
19 whether in the proposed or the end result of the scoring
20 process is the thefts and the motor vehicle crimes
21 problems, which includes fraud-related motor vehicle
22 crimes, burglary motor vehicle, and motor vehicle theft.
23 If we consider the theft rate from their participating
24 agency or agencies, or countywide data, and that the
25 need -- of course that would be part of the need section,

1 which would be 51 points proposed.

2 The next section is a previous fiscal year
3 performance for existing Taskforces only, worth 25 points,
4 which would include the number of recovered vehicles, part
5 of the Taskforce. Number of arrests for motor vehicle
6 crimes, which again, includes all three of the statutorily
7 required crimes. And the number of motor vehicle crime
8 cases cleared and then the number of cases filed with the
9 prosecutor.

10 The same question would be asked of new grantee
11 applicants for the number of vehicles recovered, number of
12 arrests, cases cleared, and cases presented to prosecutor.

13 Just so we can gauge a performance data that the agency
14 or Taskforces have been doing as related to motor vehicle
15 theft.

16 And if you turn to page 8 of your meeting book.

17 If we get to the budget, we are proposing that there be
18 ten points for that, for particularly the ratio of state
19 funds to local participation, utilizing cash match and in
20 kind. State funds per arrests, the total of all Taskforce
21 arrests, state funds per recoveries, and state funds per
22 law enforcement officer. That will help break down just a
23 little bit further on the budget.

24 And it kind of goes and coincides with the next
25 section, of being reasonable. We want the budget to be

1 reasonable. And, you know, we don't want an agency
2 spending \$100,000, you know, for two or three stolen
3 vehicles.

4 You know, that cost per stolen vehicle. This
5 could get high, and that would be considered unreasonable.

6 But if you go to the reasonable section next,
7 the narrative clearly provides explanation that supports
8 project goals, strategies, and activities. Activities
9 selected are reasonable and clearly supported, to support
10 the identified problem. The target number selected for
11 each activity is reasonable to support the identified
12 problem.

13 And again, if we have a jurisdiction that has
14 20,000 stolen vehicles, and they are proposing only two
15 officers to form a Taskforce to combat this problem, we
16 would not consider that reasonable. You know, we would
17 just -- you know, we wanted to look at these applications
18 as a whole and determine if what they are submitting is
19 reasonable to work this problem.

20 The next section on point reductions per
21 occurrence, if we are factoring in previous grantee
22 performance, target numbers for the previous fiscal year.

23 If they were missed by more than 25 percent, it would be
24 minus one point. Progress reports returned for editing,
25 expenditure reports returned for editing, both of those

1 would be one point.

2 Late reports submitted, two points. Submitted
3 reports in delinquent status, negative five points.

4 Complied with special conditions late, two points.

5 Complied with special conditions in delinquent status,
6 five points.

7 Excuse me. Of course, if they received that
8 grant violation, that is proposed to be ten points, a ten
9 point deduction.

10 And moving along, if we go to the extra credit,
11 there is -- if border report jurisdictions could receive
12 an additional five points. Multi-agency Taskforces could
13 receive an additional five points to their score.

14 Programs having demonstrated successful operations related
15 to fraud, and related to motor vehicle crime.

16 You know, if they were tasked by the Board
17 Chairman or the Governor to look at something that is
18 occurring in their jurisdiction, or it could be occurring
19 on a statewide basis, but they have stepped up to the
20 plate. And they have combined efforts from within their
21 jurisdiction and maybe even neighboring Taskforces, and
22 actually work this problem and situation, and come up with
23 a positive success, positive outcomes, that could be up to
24 five points.

25 Of course, this included temporary tags. You

1 know, we had several Taskforces that were working to
2 identify people, these bad actors that were utilizing
3 stolen temporary tags, or making their own temporary tags
4 and selling them. So, you know, get them five additional
5 points.

6 Programs having demonstrated dedication to
7 utilizing technology, without the use of MVCPA funds, high
8 points. Just for example, if there is an agency that,
9 they are not receiving funding from the state or MVCPA for
10 a license plate reader program, but yet they have
11 outfitted their patrol vehicles with license plate
12 readers. And they are providing the data to their task
13 forces, and other law enforcement agencies to reduce these
14 crimes. We think that should be a benefit to them, as far
15 as an extra credit point.

16 Excuse me. Programs having demonstrated
17 successful training of officers not part of the MVCPA
18 network in the identification of stolen vehicles, five
19 points. And if you have a border area, and the Taskforce
20 is working with, you know, federal agencies to get them
21 information to identify a stolen vehicle that may be
22 coming through their checkpoints, or may be trying to
23 cross the border, or they are not aware of.

24 It is just an extension of the Taskforce,
25 basically. And it provides these federal officers a

1 resource to go to and it creates and builds that
2 partnership in an effort to get more of these vehicles,
3 keep more of these vehicles from leaving the state into
4 another country.

5 And agency personnel outside the Taskforce,
6 participating and covering agencies. We have a lot of
7 officer -- a lot of Taskforces. There are investigators
8 and officers, and personnel trained. They are trying to
9 reach more officers, so that they are aware of MVCPA. And
10 they know what to look for whenever they encounter
11 vehicles and they can get the information to identify the
12 vehicle that is stolen.

13 Again, the overall goal is to work together and
14 to reduce the number of stolen vehicles in the State of
15 Texas. Any questions so far?

16 MR. GONZALEZ: Director, do you need a recess?

17 MR. CANADY: No, I'm good. Just my allergies,
18 that is all.

19 MR. GONZALEZ: Just making sure. Okay.

20 MR. CANADY: Any questions so far?

21 (No response.)

22 MR. CANADY: And, if we go into the allocation
23 section --

24 MR. GONZALEZ: They are weed whacking.

25 MS. JONES: Is that what that is?

1 MR. CANADY: If we go into the allocation
2 section, if the Applicants are -- MVCPA will perform an
3 initial review to make sure that all the Applicants are
4 allowed to, or meet the qualifications stated in the RFA.

5 And once that's done, all the applications be certified
6 complete, based on score.

7 And if you determine the top ten applications
8 that are approved for funding, for potential funding, and
9 then order the applicants based off of need to ensure that
10 the top ten applicants receive at least 50 percent of the
11 allocated funds, or that has been appropriated from the
12 State. And that is going to be closer to the statute,
13 aligned with the statute, to ensure that funds are
14 appropriated to Taskforces based off of need versus
15 jurisdiction.

16 The remaining applicants recommended for
17 funding may receive an allocation based on need and score.

18 And these are proportional allocations. And I mean, not
19 everybody will be getting the same amount. It will be
20 proportionate to their needs and the number of stolen
21 vehicles in their area, and the number of activities that
22 they are proposing.

23 And there was a question about utilizing the
24 total funds that the Board decides to allocate to the
25 grant programs. This would utilize that amount. Because

1 again, not everybody would be receiving the same amount.
2 It would be proportionate to the jurisdictions.

3 So, if there is 24, which is the current number
4 of existing Taskforces or grantees, or if there is 30, we
5 can develop a formula to recommend to the Board for
6 funding, you know, based off of this criteria, to utilize
7 all that money, without leaving anything on the table.

8 Any questions?

9 (No response.)

10 MR. CANADY: So, what we're asking the Board is
11 to recommend changes to this, provide ideas to where we
12 could come up with a viable solution to present to the
13 Board for approval in the end of this month, at the next
14 Board meeting on the 29th.

15 MR. GONZALEZ: Are there any questions for Mr.
16 Canady?

17 MS. JONES: I do have comments. A possible
18 question over the weed whacker. Can you hear me?

19 So we all recognize that there was a need to
20 change our process of the awards, and I like the
21 presentation. Like, the thought was how much input did
22 you have into this proposal based on your experience here?

23 MR. CANADY: There was a lot of input from
24 staff. There was input from other people in law
25 enforcement in providing this. This was just an idea that

1 I built, or that we built to work upon for an acceptable
2 end product.

3 MS. JONES: I know you mentioned the top ten.
4 Did you account for agencies that are smaller? The rural
5 counties as opposed to, like, the top ten being like the
6 top biggest cities?

7 MR. CANADY: Initially, I didn't know whether
8 or not the top ten, that ten should be a hard number. It
9 could be a larger number or a smaller number that you wish
10 to do. But again, we are trying to get to a system or
11 formula that would allow it to be in line with the
12 statute, that the jurisdiction with the greatest need will
13 receive the majority of the money.

14 MS. JONES: I like the proposal. It holds the
15 grantees accountable for following the rules, guidelines,
16 and procedures. But it also holds the Board accountable
17 as well, to make sure that when we allocate funds that it
18 is done in a fair and equitable manner and in accordance
19 to statute. Well done.

20 MR. CANADY: Thank you.

21 MR. GONZALEZ: I'm going to echo Member Jones'
22 comments. I am very proud of this document.

23 I think, in fact, I remember very clearly the
24 direction from the Board from this Committee was, get us
25 more in line with the statute. And I think that this

1 effectively does that. And it also rewards -- and you
2 touched on it, it rewards those Taskforces that, you know,
3 answer the Chairman's call.

4 I specifically remember this past year when
5 that sheriff's deputy was killed responding to a catalytic
6 converter theft. And there were several agencies that
7 stepped up. And I want to make sure that we reward them,
8 you know, for going after the direction that the Board
9 that the Governor's Office sets forth.

10 And then all year, you know, we were working on
11 the temporary tag issue. And so that is also included in
12 there. So I think that this is exceptional work.

13 MR. CANADY: We can take the information
14 contained here and break it down further for each section
15 and come up with the criteria for the score, based on the
16 answers in there, to provide to the Board on the 29th, for
17 final approval.

18 MR. GONZALEZ: Any other questions for Mr.
19 Canady or staff?

20 MR. SMITH: Looks good, Joe.

21 MR. CANADY: Thank you.

22 MR. GONZALEZ: Well done, Joe.

23 Yessenia, are there public comments for this
24 agenda item?

25 MS. BENAVIDES: No, sir.

1 MR. GONZALEZ: All right. Members, do I have a
2 motion on Agenda Item 4?

3 MR. SMITH: Member Smith. I move that the
4 Committee approve or recommend changes for grant scoring
5 and award determination process to the Board.

6 MS. JONES: Second. Member Jones.

7 MR. GONZALEZ: Member Smith makes a motion and
8 Member Jones seconds the motion. Is there any further
9 discussion?

10 (No response.)

11 MR. GONZALEZ: Hearing none, I will now call
12 for a vote. All those in favor of the motion, say aye.

13 (A chorus of ayes.)

14 MR. GONZALEZ: All opposed, nay.

15 (No response.)

16 MR. GONZALEZ: Let the record reflect that I,
17 Julio Gonzalez, vote aye. The motion passes.

18 And we will now move on to the next agenda
19 item. Agenda Item 5, Discuss and consider recommendations
20 for grant violation documentation, notification, and
21 determination policy. And we will hear from Interim
22 Director Joe Canady and/or designated staff on this agenda
23 item.

24 MR. CANADY: For the record, Joe Canady.

25 Grant rules are posted in the grant

1 administrative manual, Texas Grant Management Standards,
2 and state statutes. However, there is no current policy
3 to -- not enforce, but to more so provide documentation,
4 notification to grantees, and also a determination on any
5 actions that could be taken.

6 Again, all of the rules are in here. And for
7 the most part, grantees do a tremendous job. They are
8 busy.

9 You know, they are out there working to reduce
10 the number of stolen vehicles. They are recovering these
11 vehicles. They are making arrests.

12 So we know they are busy. And that is one
13 thing we wanted to factor in to provide them some
14 latitude, if they have a -- if they are working on a major
15 operation to where they cannot, or it takes away from --
16 filling out a report takes away from them recovering
17 vehicles and making arrests, we want to provide them that
18 leeway to request an extension.

19 So, this is not a definite that all reports
20 must be received at a specific given time. We understand
21 that there are circumstances that would allow or make
22 things difficult on the grantee.

23 And that is for this first section. If you
24 look at page 11 in your meeting book, getting required
25 reports submitted. The dates are always in the grantee

1 administrative manual for the expenditure reports, the
2 progress reports, the inventory reports, the end-of-year
3 reports, on everything that is due.

4 We remind grantees during each webinar of the
5 due dates, whether it be the law enforcement webinar or
6 the grantee administrative webinar. We also remind them
7 with emails of due dates, because we want them all to
8 submit the reports, you know, on time. We want every one
9 of them to succeed. We are not trying to hold them back,
10 or, you know, make additional sanctions against them.

11 But we are on page 12 of your meeting book,
12 administrative sanctions. And this would go through the
13 Board, the MVCPA Director, or recommendation to the Board.

14 On the first violation, grantees would receive
15 a warning. Second violation, grant violation letter.
16 Third violation, notification to the Board. The fourth
17 violation, withholding of funds until everything is
18 satisfied.

19 Fifth violation, notification of MVCPA Board as
20 a suspension until the Board is presented satisfactory
21 evidence that the violation has been corrected, or the
22 grant is terminated. Again, it takes a long -- it takes a
23 lot of missed reports, late reports, and errors to get to
24 that final fifth violation. And there is no reason why
25 any grantee would ever receive a violation, or need to

1 receive a violation if they were completing their reports
2 and getting them turned in.

3 The second section on special program
4 conditions, we believe this holds a little more weight
5 than a report submitted. Because this is the interlocal
6 agreements, the prosecutor agreements, border security
7 report requirements, multi-agency operational plans,
8 resolutions. These are all documents that should be in
9 place, especially on the interlocals.

10 If it is a multi-agency Taskforce, and they are
11 working with other agencies, that document should be in
12 place before they begin operations, just to have everybody
13 covered, and giving them the authority to work in those
14 other jurisdictions. So we believe that holds just a
15 little more weight.

16 And again, reminders and notices are sent via
17 email on these documents that are received, that need to
18 be turned in. They are posted in the grant administrative
19 manual. And of course, Texas Grant Management Standards.

20
21 At the beginning of the fiscal year, we will
22 provide notice within 30 days of issuing of the award
23 start date, but they need to comply with these special
24 conditions. And grantees who fail to provide satisfactory
25 evidence of the compliance within 30 days after receiving

1 notice that it was due are subject to administrative rule
2 or penalty as deemed by the Board.

3 Grantees have 15 days after receiving a
4 deficient or grant violation notification to request an
5 appeal. We want them to be able to appeal. There may be
6 something that we were not aware of on why this was not
7 submitted, why it was not complied with.

8 And possible administrative sanctions.
9 Grantees who fail to provide MVCPA notice of compliance
10 with special conditions on the date it is considered
11 delinquent will receive a warning of grant violation. So
12 there is another opportunity they have to correct this
13 before it goes into a specific violation.

14 Grantees who fail to comply within the
15 specified time will receive a grant violation. A notice
16 will be sent to the MVCPA Board for consideration and
17 possible action items. At this point, we believe the
18 Board -- since it is a more heavily weighted condition,
19 the Board should step in and take action, and determine
20 from the grantee what is going on in that jurisdiction.

21 You know, do you need anything from us? Can we
22 help you get these documents in, or get these things in
23 place, to make that final determination.

24 We are recommending that the process be
25 approved for the grantee violation documentation and

1 notification policy, or changes recommended so that we can
2 present this to the Board on the 29th of November.

3 MR. GONZALEZ: Are there any questions for Mr.
4 Canady?

5 MS. JONES: No, sir.

6 MR. GONZALEZ: I'll say it. I like it. I have
7 no problem assisting with getting those Taskforces on
8 board.

9 If it has gotten to that third violation
10 notification to the Board, I think historically we have
11 been able to help out with having some conversations about
12 it with those in charge of the Taskforce to get them back
13 in compliance. So I think this thing formalizes the
14 process. I think it is good stuff.

15 So Yessenia, are there any public comments on
16 the item?

17 MS. BENAVIDES: No, sir.

18 MR. GONZALEZ: Okay. Members, do I have a
19 motion on Agenda Item 5?

20 MR. SMITH: Member Smith. I move that the
21 Committee approve or make recommendations for changes to
22 present the grantee violation documentation and
23 notification policy to the MVCPA Board.

24 MR. GONZALEZ: Member Smith makes the motion.
25 Is there a second?

1 MS. JONES: Member Jones. Second.

2 MR. GONZALEZ: Member Jones seconds the motion.
3 Is there any other further discussion?

4 (No response.)

5 MR. GONZALEZ: Hearing none, I will now call
6 for the vote. All those in favor of the motion, say aye.

7 (A chorus of ayes.)

8 MR. GONZALEZ: All those opposed, say nay.

9 (No response.)

10 MR. GONZALEZ: Let the record reflect that I,
11 Julio Gonzalez, vote aye. The motion passes.

12 We will now move on to Agenda Item 6, Discuss
13 and consider recommendations to the current price caps for
14 the purchase and lease of Taskforce vehicles. I will turn
15 the discussion item over to Interim Director Canady and
16 staff.

17 MR. CANADY: For the record, Joe Canady.

18 New vehicle prices and lease rental rates have
19 increased. To remain within policy limits, some grantees
20 are using cash match funds for purchases and in-kind match
21 for vehicle leases. Current policy is \$25,000 for the
22 purchase of a vehicle.

23 They still have to ask for permission to buy
24 that vehicle, but they can be given funds up to \$25,000 to
25 make that purchase. Anything above that, they have to

1 require to include extra money from their jurisdictions.
2 They can utilize program income, but they have to come up
3 with some mechanism to get that vehicle above the \$25,000
4 amount.

5 For leases, the current price cap is \$600. We
6 are seeing many grantees are having a hard time finding
7 vehicles that are available for lease in that price range.

8 And that is the way with the vehicles, too. It is like
9 global shift shortages, supply chains.

10 We have had a couple of grantees that have
11 purchased a vehicle, and they went into the next fiscal
12 year before receiving that vehicle, which causes budget
13 problems. A lot of the vehicles, if they purchase or
14 request to purchase off the buy board, they are having to
15 be built to the factory. These shortages just delay the
16 time in which it takes for them to get the vehicle.

17 So the average price -- if you look at page 13
18 and page 14, the average price of vehicles is, and I am
19 sorry that cut off, but it is around \$34,000, \$35,000 that
20 grantees are spending on vehicles for -- \$37,000, I am
21 sorry, for 2021. And 2022 is still contingent upon
22 processing the final reports.

23 So we are looking for -- if we go to the next
24 page, on page 14, on leases, the leases range from \$521 a
25 month to \$1,000 per month on vehicles. And these are from

1 Enterprise leasing on most of them. There are a few
2 other -- I believe Acme is one, I believe -- a few other
3 companies that are being leased from.

4 So we are requesting that the Board look at
5 this and determine to increase the amount that may be
6 approved for vehicle purchases and increase the amount
7 approved for leases, or recommend that MVCPA and the Board
8 designee review the requests to make sure that they are
9 reasonable and justifiable for the program. Any
10 questions?

11 (No response.)

12 MR. GONZALEZ: Are there any questions for Mr.
13 Canady?

14 MS. JONES: No.

15 MR. GONZALEZ: So I have some questions. Or
16 did you want to go?

17 MS. JONES: No, sir.

18 MR. GONZALEZ: So on page 14, this cost per
19 month, how updated is that information?

20 MR. CANADY: Part of this is from FY '22. The
21 Laredo members, those are current numbers from '23 that
22 they are paying now -- at least \$1,000 per month.

23 MR. GONZALEZ: And so that is what I suspect is
24 happening here, because I know my agency provides me with
25 an Enterprise rental and the price has profoundly

1 increased in the past two months. And I am talking like a
2 40 percent increase.

3 So I just wanted to point out that these
4 numbers here seem just not as updated, but the Laredo one
5 seems on point.

6 MR. CANADY: And we may find further in this
7 year coming up, that the grantees, these numbers that they
8 put in their applications, they are not totally accurate.

9 And they may be adding more money to the programs and we
10 may add more money to them to ultimately meet that need.
11 They may be putting in in-kind, or requesting to put in
12 additional program income because that price has
13 increased.

14 MR. GONZALEZ: Yessenia, are there any public
15 comments for this agenda item?

16 MS. BENAVIDES: No, sir.

17 MR. GONZALEZ: Members, do I have a motion on
18 Agenda Item 6?

19 MS. JONES: Member Jones. I move that the
20 Committee increase price cap for vehicle purchases and
21 leases, or suspend the price caps and allow the MVCPA
22 Director and MVCPA Board designee to review on an
23 individual basis to ensure requests are reasonable and
24 necessary to meet the goals, strategies, and activities of
25 the grant for a recommendation to the Board.

1 MR. GONZALEZ: Member Jones makes a motion. Is
2 there a second?

3 MR. SMITH: Member Smith. I second.

4 MR. GONZALEZ: Member Smith seconds the motion.
5 Is there any further discussion?

6 (No response.)

7 MR. GONZALEZ: Hearing none, I will now --

8 MR. CANADY: Mr. Chairman, does the committee
9 wish to increase the amounts, to set an amount cap on
10 there? Or make the recommendation to view this on an
11 individual basis, to see if it is -- to make sure that
12 their requests are reasonable and necessary?

13 MR. GONZALEZ: I like individual basis.

14 MS. JONES: Perfect. So, do I need to reread
15 it, and take out -- no. Okay.

16 MR. GONZALEZ: I would prefer individual basis.
17 And we have done it in the past, and people have come up
18 and discussed their needs.

19 MR. RICHARDS: Chairman, David Richards,
20 General Counsel for the record.

21 Member Jones, I would like you to read it into
22 the record, if you would, please -- the change, if you
23 would, please.

24 MS. JONES: Okay.

25 MR. RICHARDS: Thank you.

1 (Pause.)

2 MS. JONES: So, we're agreeing to increase, for
3 them to come up.

4 MR. GONZALEZ: Member Smith, is that your
5 recommendation?

6 MR. SMITH: It is. I am sorry. I was unsure
7 if she was rereading the motion or if we were good with
8 the way it was written.

9 MR. GONZALEZ: It sounds like there's two
10 motions in one.

11 MR. CANADY: Major Jones, I believe we would be
12 requesting to suspend the price caps and allow the MVCPA
13 Director and Board designee to review on an individual
14 basis to ensure requests are reasonable and necessary.

15 MR. SMITH: Member Smith, for the record. That
16 is the motion that I would second. Correct?

17 MS. JONES: Yes. Okay. So, Member Jones.

18 I move that the Committee increase price caps
19 for vehicle purchases and suspend price caps. Right?

20 MR. GONZALEZ: Or. Or suspend.

21 MS. JONES: Okay. I move that the Committee
22 increase prices caps for vehicles purchase or suspend the
23 price caps and allow the MVCPA Director and MVCPA Board
24 designee to review on an individual basis to ensure that
25 requests are reasonable and necessary to meet the goals,

1 strategies, and activities of the grant for a
2 recommendation to the Board.

3 MR. SMITH: Member Smith. I do second that.

4 MR. GONZALEZ: All right. Member Jones makes a
5 motion and Member Smith seconds the motion. Is there any
6 further discussion?

7 (No response.)

8 MR. GONZALEZ: Hearing none, I will now call
9 for the vote. All those in favor of the motion, say aye.

10 (A chorus of ayes.)

11 MR. GONZALEZ: All opposed, say nay.

12 (No response.)

13 MR. GONZALEZ: Let the record reflect that I,
14 Julio Gonzalez, vote aye. The motion passes.

15 We will now move on to the next agenda item.
16 Agenda Item 7, Discuss and consider recommendations for FY
17 '24-'25 Taskforce grant request for applications and grant
18 timeline. I will now turn this Agenda Item over to
19 Interim Director and/or designated staff.

20 MR. CANADY: For the record, Joe Canady.

21 In the past, MVCPA has had -- or at the time,
22 it would have been ABTPA, and even further back, ATPA.
23 The Auto Theft Prevention Authority held grant conferences
24 in June of each year, each year or biennium, whichever
25 case may have been, to conduct training, provide training

1 to law enforcement, and training specific to grantees for
2 the program to provide information on how to submit grant
3 assessments, fill out incomplete and submit a process
4 report and the expenditure reports.

5 And on the final day, there will be the grant
6 awards ceremony where the Board would have reviewed the
7 applications, received presentations from each grantee,
8 and make that final determination for allocation to the
9 grantees.

10 If you look on page 16 of your meeting book, we
11 believe that if this was the case, this is the timeline
12 that we would need to follow in February. There should be
13 a Committee and/or a Board meeting to be determined --
14 March, I am sorry. That meeting in February could develop
15 the RFA. The Board could decide on all of the conditions
16 that need to be in the request for applications.

17 In March, we could submit or publish the
18 Taskforce grants. March 15, there would be a grant
19 application workshop. We would determine whether or not
20 this should be in person or remote.

21 In April, have another Committee meeting to
22 hear the final six Taskforce presentations. On May 12th,
23 the applications would be due for FY '24 and '25, if the
24 Board decided to offer a continued Taskforce grant for two
25 years.

1 May 15th through May 19th, staff would review
2 and ensure Applicants meet the qualifications stated in
3 the RFA, and certify all applications as complete. May
4 22nd to June 22nd, staff and selected Board members will
5 score the applications. And the potential conference
6 could be June 12th through June 15th.

7 And we are recommending that if the Board
8 wishes to have grantee presentations to the Committee, law
9 enforcement training, and grantee training, the conference
10 should be four days, around four days.

11 The first day, if you look at page 17 of your
12 meeting book, the Committee could meet to hear grantee
13 presentations. On the second day, using breakout rooms,
14 they could conduct statewide motor vehicle training to law
15 enforcement. Also, on the second day, new grantee
16 training to Taskforces, again, on these reports that we
17 talked about and the grant adjustment that is made.

18 And then, the third day, again, statewide motor
19 vehicle crimes training for grantees and for outside
20 agencies law enforcements. And on the fourth day would be
21 the Board meeting and the grant awards ceremony.

22 Mr. Price has developed an estimation for
23 travel costs for Board and staff, and this is without the
24 audio and video fees from the hotel at this point, but
25 \$11,400. And approximately 50 people at \$65,000 for

1 grantees, for a total of at least \$75,000. May be closer
2 to \$100,000 or more once the audio and video fees are
3 included, and the minimum number of room nights, and all
4 of that.

5 We have talked, or we have discussed the types
6 of training that could be had, and we believe that there
7 should be some officer safety training provided for all
8 law enforcement. Specific to catalytic converter thefts
9 as well, too -- marking and identifying those. Houston is
10 doing a tremendous job on it, Houston and Harris County,
11 on marking these catalytic converters, so they can be
12 easily recognized by salvage yards if they are stolen.
13 Maybe even some peer-to-peer training.

14 We know that law enforcement officers have a
15 stressful job. And you know, they are not always willing
16 to talk to others about it, but may be more willing to
17 talk to one another. And there is programs out there,
18 that is peer-to-peer type situation, that could help them.

19 There is other topics that the Board can
20 consider, other training for law enforcement. We could do
21 a full eight-hour training dedicated to patrol officers
22 for the identification of stolen vehicles on one day, for
23 the rookie officers that don't have any information.

24 We could combine with DMV, provide some
25 training on the temporary tags, on the uses. I mean, the

1 options are limitless on what could be provided, if the
2 Board wishes to have a conference.

3 Any questions or comments?

4 MR. GONZALEZ: So I think this is fantastic
5 work. Member Jones, I know that you have been working
6 hard on this. And thank you.

7 Just in discussing this item with some other
8 folks, one of the biggest values that I see in this is
9 that you have the opportunity to get everyone on the same
10 page with respect to, this is how you want your reports
11 done. Everyone receives that same training. And
12 hopefully, we would avoid some of the situations that we
13 just discussed in a previous item by having that training
14 with those financial officers, as well as those Taskforce
15 commanders.

16 I do have one question. So if we are going to
17 have -- if we would move forward on this and we have
18 grantee presentations on day one of the conference, why do
19 we have presentations from the grantees in February and in
20 April?

21 MR. CANADY: It's my understanding that the
22 Board -- for the record, Joe Canady. It is my
23 understanding from the Board that the presentations that
24 were currently underway for tomorrow and then the next two
25 meetings were for FY '22 and '23, and that the Board has

1 presented an interest in the past that they would like to
2 have additional presentations during the awards portion of
3 it, because it is going to be new applicants.

4 And there may be new information on the grants.

5 And there is the potential for additional funding too, as
6 well. So the programs could be totally different on the
7 applicants.

8 MR. GONZALEZ: Members, are there any questions
9 for Interim Director Canady?

10 MR. SMITH: No, sir.

11 MS. JONES: No, sir.

12 MR. GONZALEZ: Okay. Yessenia, are there any
13 public comments on this agenda item?

14 MS. BENAVIDES: No, sir.

15 MR. GONZALEZ: Okay. All right. Members, do I
16 have a motion on Agenda Item 7?

17 MS. JONES: I move that the Committee approve
18 changes to the FY '24-'25 RFA grant application, and June
19 23rd meeting conference timeline for presentation to the
20 MVCPA Board.

21 MR. GONZALEZ: Member Jones makes a motion. Is
22 there a second?

23 MR. SMITH: Member Smith. I second.

24 MR. GONZALEZ: Member Smith seconds the motion.
25 Is there any further discussion?

1 MR. SMITH: Chairman, Member Smith for the
2 record. Are these dates -- well, specifically, I guess, I
3 am asking for the June 12 through June 15, 2023, are those
4 dates pretty solid, or is that just kind of a floating
5 guess about when?

6 MR. CANADY: For the record, Joe Canady.

7 It is an estimate. We believe that is coming
8 up on the summer season. It can be difficult to get hotel
9 rooms, and you are also infringing on vacations and things
10 of that nature. So this is just an estimate at this
11 point. You couldn't go too much prior because of all the
12 work that has to be done to get the applications ready.

13 MR. GONZALEZ: Right.

14 MR. SMITH: I understand. That answers my
15 question. Yes.

16 MS. JONES: On my way here as I was running
17 through the door, I had an email that we have secured a
18 facility for those dates from June 12th to the 15th.

19 MR. CANADY: Okay.

20 MS. JONES: So we have that confirmed. And it
21 is at the state per diem rate. And it took a while,
22 because it is June.

23 And I got a lot of people laughing in my face.
24 You want to do what, at the per diem rate, the state.
25 Like, no ma'am. I got a lot of, hey, we will call you

1 back. And a lot of we are not calling you back.

2 So, we finally got in. And thanks to Yessenia,
3 and of course, you Joe, we are at the Inn in Kerrville.

4 MR. CANADY: And if I could, if the Committee
5 would like to consider the dates for February and an April
6 Board meeting, you know, we can look at those to come up
7 with a date to lock in and present to the Board on the
8 29th.

9 MR. GONZALEZ: So I would say for any
10 discussions about setting a Board meeting, I wouldn't feel
11 comfortable without Chairman Rodriguez being a part of
12 that conversation.

13 MR. CANADY: Sure.

14 MR. GONZALEZ: So, in going back, we did have a
15 motion, right, Mr. Richards? And we have a second.

16 Any other further discussion?

17 (No response.)

18 MR. GONZALEZ: Hearing none, I will now call
19 for the question. All those in favor of the motion, say
20 aye.

21 (A chorus of ayes.)

22 MR. GONZALEZ: All opposed, nay.

23 (No response.)

24 MR. GONZALEZ: Let the record reflect that I,
25 Julio Gonzalez, vote aye. The motion passes.

1 We will now move on to Agenda Item 8, Discuss
2 and review draft of MVCPA FY '24 to '25 plan of operation.
3 And I would turn it over to Mr. Canady and staff.

4 MR. CANADY: For the record, Joe Canady.

5 We received all the progress reports,
6 expenditure reports, and year-end reports from the
7 grantees that are currently under review to identify data,
8 the current trends, current motor vehicle crime trends
9 causes, and the need to include the plan of operations to
10 the Texas Legislature.

11 The survey has been finalized and it will go
12 out this week to law enforcement on a statewide basis, in
13 addition to the Taskforces. Because we want to hear from
14 all law enforcement agencies who may have needs that we
15 are not aware of, that is going to occur in these other
16 jurisdictions.

17 For example, on the vehicle finance fraud, that
18 Houston originally started in Houston, that spread to
19 Dallas and San Antonio. I had a phone call yesterday from
20 Stephenville, an officer in Erath County in Stephenville
21 who believes they may have seen that occurring in their
22 small jurisdictions. So it is coming across.

23 So we know that these -- not just the
24 Taskforces but other law enforcement have needs. We would
25 like for them to identify what equipment they believe is

1 important to them to be able to successfully combat these
2 motor vehicle crimes, so we can provide this information
3 to the Texas Legislature in a plan of operation.

4 MR. GONZALEZ: Members, are there any questions
5 for Mr. Canady?

6 MS. JONES: No, sir.

7 MR. SMITH: No, sir.

8 MR. GONZALEZ: Yessenia, are there public
9 comments on the agenda item?

10 MS. BENAVIDES: No, sir.

11 MR. GONZALEZ: Okay.

12 Then we will move on to the next agenda item.
13 And we will not have a closed session today, so we are not
14 going to take up Agenda Items 9 or 10.

15 We will now move on Agenda Item 11, public
16 comment. Yessenia, are there any public comments?

17 MS. BENAVIDES: No, sir.

18 MR. GONZALEZ: Okay. Thank you.

19 Then we will now take up the next agenda item,
20 which is Agenda Item 12, adjournment. Members, unless
21 there is any further business, I will entertain a motion
22 to adjourn the meeting.

23 MR. SMITH: Member Smith. I motion that we
24 adjourn.

25 MR. GONZALEZ: Member Smith has made a motion

1 to adjourn. Do I have a second?

2 MS. JONES: Second. Member Jones.

3 MR. GONZALEZ: Member Jones seconds the motion.

4 The meeting is adjourned. Thank you very much.

5 (Whereupon, at 2:00 p.m., the meeting was
6 concluded.)

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C E R T I F I C A T E

MEETING OF: Motor Vehicle Crime Prevention Authority
Grants, Budget & Reporting Committee

LOCATION: Austin, Texas

DATE: November 3, 2022

I do hereby certify that the foregoing pages,
numbers 1 through 48, 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.

DATE: November 15, 2022

/s/ Carol Bourgeois
(Transcriber)

On the Record Reporting
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