

# Motor Vehicle Crime Prevention Authority

# **Board Meeting**

San Marcos, Texas

August 23, 2022



4000 Jackson Avenue Austin Texas, 78731 www.txwatchyourcar.com

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The public may access the meeting to view and listen via Cisco WebEx: https://txdmv.webex.com/txdmv/onstage/g.php?MTID=e911ac24d43f82f4568d532f966392147

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Event number: 2450 392 6516 Event password: 082322

Link to August 23, 2022, MVCPA Board Meeting Documents (under Calendar tab): https://www.txdmv.gov/about-us/MVCPA

\*The public can view to the meeting via the link, or listen the toll-free number listed above. If you have any questions about accessing the meeting, please send an email to: AskMVCPA@txdmv.gov, however, attendees are solely responsible for their own systems and the installation and use of Cisco WebEx software or browser access.

All agenda items are subject to possible discussion, questions, consideration, and action by the Board of the Motor Vehicle Crime Prevention Authority (Board). Agenda item numbers are assigned for ease of reference only and do not necessarily reflect the order of their consideration by the Board. The Board reserves the right to discuss any items in executive session where authorized by the Open Meetings Act.

#### 1. CALL TO ORDER

- a. Roll Call and Establishment of Quorum
- b. Pledge of Allegiance (US and Texas Flags)
- c. Approval of Transcript from June 8, 2022, as Minutes
- d. Comments from Chairman
- e. Comments from Board Members
- f. Commendations and Congratulations
- g. Consider Committee Appointments

# BRIEFING AND ACTION ITEMS - Bryan Wilson (including Committee Chairs and designated staff)

#### 2. MVCPA Grants Budget and Reporting (GBR) Committee Report

- a. FY23 Budget
  - i. Consider GBR Committee recommendations to award Texas A&M

University Grant for the MVCPA Grant Management and Tracking System (GMTS)

- ii. Obligation for Comptroller of Public Accounts Interagency Contract
- iii. Obligation for Rapid Response Strikeforce
- b. Report on Grants
  - i. Consider recommendations for any needed changes to the FY23 Continued Taskforce Grant awards
  - ii. Consider recommendations for any needed changes to FY22 MAG applications or awards
  - iii. Consider recommendations for any needed changes to the FY22 Public Education and Public Awareness Grants application and award
- c. Consider GBR Committee Report on FY24-25 grant scoring methodology and award determination process and provide staff direction
- d. Receive summary of selected grantee reports: Dallas PD, Houston PD, and San Antonio PD taskforces
- e. Report on MVCPA FY24-25 Plan of Operation
- f. Report on grant violation documentation and notification policy
- 3. Update and Actions on State and Legislative Issues
  - a. State Auditor Engagement and Designation of TxDMV Internal Auditor as Coordinator
  - b. Report TxDMV Actions LAR and Legislative issues
- 4. Consider a process for future development of MVCPA policies required under Texas Transportation Code Section 1006.060 in the following areas:
  - a. Grant Related Policies
    - i. Law Enforcement Training and Communication
    - ii. Develop a Grantee Violation Documentation and Notification Policy
  - b. Insurance Collection and Refund Policies
    - i. Notification of failure to file or pay
    - ii. Use of administrative adjustment policy
    - iii. Insurance Refund Policies
    - iv. Application and Refund of Penalty Policies
  - c. Activities and Personnel assigned to MVCPA
    - i. Director Selection and Designation Policy
      - ii. MVCPA Classification and Compensation Policy for Assigned TxDMV Employees
      - iii. MVCPA Travel Designation Policy for Assigned TxDMV Employees

#### MVCPA DIRECTOR'S REPORTS - Bryan Wilson (including designated staff)

# 5. Reports on MVCPA activities identified by the Director as noteworthy, which may include reports on:

- a. Personnel
- b. Budget
- c. Grant Activities and Analysis
- d. Grant Adjustments
- e. Educational Programs and Marketing
- f. MVCPA Law Enforcement Training
- g. Insurance Collection, Refund and Penalty Assessment Activities
- h. Agency Operations

i. Law Enforcement Operations and Collaboration

## 6. EXECUTIVE SESSION

The Board may enter into closed session under one or more of the following provisions of the Texas Open Meetings Act, Government Code, Chapter 551:

Section 551.071 - Consultation with and advice from legal counsel regarding:

- 1. pending or contemplated litigation, or a settlement offer;
- 2. 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
- 3. any item on this agenda.

Section 551.074 - Personnel matters.

Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of personnel.

Section 551.089 - Security devices or security audits: the deployment, or specific occasions for implementation, of security personnel or devices; or a security audit.

## 7. Action Items from Executive Session

## 8. Public Comment

#### 9. Adjournment

The Board will allow an open comment period to receive public comment on any agenda item or other matter that is under the jurisdiction of the Board. No action will be taken on matters that are not part of the agenda for the meeting. For subjects that are not otherwise part of the agenda for the meeting, Board members may respond in accordance with Government Code, Section 551.042 and consider the feasibility of placing the matter on the agenda for a future meeting.

If you would like to comment on any agenda item (including an open comment under the agenda item for Public Comment), you must complete a speaker's form at the registration table prior to the agenda item being taken up by the Committee. Public comment will only be accepted in person. Each speaker will be limited to three minutes, and time allotted to one speaker may not be reassigned to another speaker.

Any individual with a disability who plans to attend this meeting and requires auxiliary aids or services should notify the department as far in advance as possible, but no less than two days in advance, so that appropriate arrangements can be made. Contact the Motor Vehicle Crime Prevention Authority by telephone at (512) 465-1485.

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

CERTIFYING OFFICIAL: David Richards, General Counsel, (512) 465-1423.

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Part A. Roll Call

# NOTES:

	Present
Assistant Chief Mike Rodriguez – Governor Designated Presiding Officer Law Enforcement Representative – Laredo, TX	
Kit Whitehill – Governor Appointed Board Member Insurance Consumer Representative – Coppell, TX	
Rebecca Cantu-Serrano – Governor Appointed Board Member Insurance Consumer Representative – Brownsville, TX	
Charla Brotherton – Governor Appointed Board Member Insurance Writer Representative – Fort Worth, TX	
P. Dean Smith – Governor Appointed Board Member Insurance Writer Representative – North Richland Hills, TX	
Lieutenant Julio Gonzalez – Governor Appointed Board Member Law Enforcement Representative – Dallas, TX	
Major Sharon Jones – Ex Officio Member Designee for the Public Safety Director Texas Department of Public Safety	

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Pledges



"I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

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# Part C. Approval of Transcript as Minutes

MVCPA staff emailed the June 8, 2022, Board Meeting Transcript to all MVPCA Board Members on August 11, 2022 for review.

**Staff recommendation:** Motion to Approve the transcripts.



Part D. Comments from Chairman



Part E. Comments from Board Members



Part F. Commendations and Congratulations

# **MVCPA Honors Former Board Members**

# Mr. Gilberto Salinas

March 17, 2021 – Appointed by Governor Greg Abbot – Consumer Representative

Gilberto Salinas was actively committed to his role with the leadership of the MVCPA. Having served as the Committee Chair for the MVCPA Education and Legislative Committee he was instrumental in working with staff and grantees with strategies to inform the public on how to prevent motor vehicle theft and burglary as well as recommending legislative priorities to the MVCPA Board.

Gilberto Salinas of Brownsville is Executive Director of the Kerr Economic Development Corporation. He is a member of the board of the International Economic Development Council and a member of the Texas Economic Development Council. He is also a recipient and member of North America's Top 50 Economic Developers 2021 by Consultant Connect. Additionally, he is a CARE Partner at Paredes Elementary School and a Ring Coach at Powerhouse Boxing Academy. Salinas received a Bachelor of Arts in Journalism from The University of Texas at Austin and a Master of Arts in Communication from The University of Texas Pan American – Edinburg and completed Certified Economic Developer training by the International Economic Development Council.

# **Bryan Earl Wilson**



Bryan Wilson served as the director of the Motor Vehicle Crime Prevention Authority (MVCPA) from 2015 to 2022. He came to the MVCPA from the Texas Indigent Defense Commission, where he served as grants administrator. There he was responsible for legal representation financial reporting, developing new court programs and awarding over \$30 million in grants per year to all 254 Texas Counties. He established the grant program and administration processes for the Texas Supreme Court Permanent Judicial Commission on Children Youth and Families. He served the Texas Department of Criminal Justice (TDCJ) as Program Director for Office of General Counsel supporting the prison system's civil litigation, opinions attorneys, habeas corpus division, and state and federal prison litigation reform section. He was the director and grants administrator for the Treatment Alternative to Incarceration program. His extensive background in grants administration allowed for enhancements to the MVCPA to bring the program to the level it is today. Bryan began his career in the 21<sup>st</sup> Judicial District as the Spanish speaking probation officer and court translator.

34 years of public service is a great accomplishment by itself, but it is only a small portion of the many facets of Bryan Wilson. Horticulture, land management, commercial farming, and ranching operations are a few of his many talents. He's well known for producing some of the finest fruits, nuts, vegetables, and grass-fed beef.

The MVCPA is appreciative of the evidence-based tracking system and dedication to support our local law enforcement that Bryan has given to the MVCPA and the citizens of the state of Texas. Congratulations Bryan, your retirement is well deserved, and you will be missed. We wish you the best with everything you do and are assured that you will enjoy the extra time spent with your grandchildren and working on the ranch.

MVCPA thanks the following for their service to their communities and to the people of the state of Texas:

## Jay Truelock – Lubbock District Attorney's Office – Chief Investigator

- Retired August 2022
- 31 years of service to the Texas Department of Public Safety Motor Vehicle Theft Service
- 4years of service to the Texas Department of Motor Vehicles Enforcement Investigator
- 8 years of service with the South Plains Auto Theft Taskforce

## Delia Dyer – El Paso Police Department – Detective

- Retired August 2022
- 21 years of service to the El Paso Police Department
- 12 years as a hostage negotiator
- Awarded detective of the year in 2013
- 5 years of service to the El Paso Police Department Auto Theft Taskforce

# Motor Vehicle Crime Prevention Authority August 23, 2022 Commendations and Congratulations TxDMV Staff

The MVCPA Board awarded 43 new FY22 Motor Vehicle Crime Auxiliary Grant (MAG) Awards in the amount of \$20,000 each. After issuing the awards, MVCPA increased the amount of grant requisitions that were created in the Centralized Accounting and Payroll/Personnel System (CAPPS). In providing these much needed grant to local law enforcement throughout Texas, additional work was added to MVCPA and TxDMV staff. The Finance & Administrative Services Division staff bore the brunt of this increase. In one vote, the MVCPA tripled the amount of grants requiring administrative support. All of the assigned employees in the Accounts Payable, Budget, and Purchasing sections provided assistance and guidance to MVCPA staff and the grantee.

MVCPA staff recommends that the MVCPA Board recognize the gracious support and offer a special thanks to the following TxDMV employees:

- Nhi Ge
- Diana Herrera
- John Ralston
- Lisa Selvera
- Jimmy Smartt
- Nagwa Tadros
- Matthew Windham

With their hard work and help of many others at TxDMV, MVCPA is continuing to combat motor vehicle crime in the State of Texas.



Part G. Consider Committee Appointments



# Board Agenda Item Section 2. Grants Budget and Reporting (GBR) Committee Report

Item A. FY23 Budget

- i. Consider GBR Committee recommendations to award Texas A&M University Grant for the MVCPA Grant Management and Tracking System (GMTS)
- ii. Obligation for Comptroller of Public Accounts Interagency Contract
- iii. Obligation for Rapid Response Strikeforce

Item B. Report on grants

- i. Consider recommendations for any needed changes to the FY23 Continued Taskforce Grant awards
- ii. Consider recommendations for any needed changes to the FY22 MAG applications or awards
- Consider recommendations for any needed changes to the FY22 Public Education and Public Awareness Grants application and award

**Item C.** Consider GBR Committee Report on FY24-25 grant scoring methodology and award determination process and provide staff direction

**Item D.** Receive summary of selected grantee reports: Dallas PD, Houston PD, and San Antonio PD taskforces

Item E. Report on MVCPA FY24-25 Plan of Operation

Item F. Report on grant violation documentation and notification policy

# Fiscal Year FY23 Budget

Motor Vehicle Crime Prevention Authority FY 2023 as of 8/16/2022									
MVCPA Budget Category		Budget		Expenditures		Encumbrances	Av	ailable Budget	% Available Budget
Grants	\$	14,119,773	\$	-	\$	175,000	\$	13,944,773	99%
Advertising and Promotion	\$	152,642	\$	-	\$	-	\$	152,642	100%
All Other Operating	\$	140,971	\$	-	\$	-	\$	140,971	100%
Consumable Supplies	\$	2,500	\$	-	\$	-	\$	2,500	100%
Professional Fees & Services	\$	133,250	\$	-	\$	2,500	\$	130,750	98%
Salaries and Personnel Costs	\$	412,969	\$	-	\$	-	\$	412,969	100%
Travel	\$	17,500	\$	-	\$	-	\$	17,500	100%
Grand Total	\$	14,979,605	\$	-	\$	177,500	\$	14,802,105	99%

**Note:** The MVCPA Budget Report was prepared by the TxDMV Financial and Administration Services Division from the state system **Note 2:** FY23 Taskforce Grants of \$13,600,000 have been awarded but POs are still being processed and not reflected as obligated in table above.

## **Action Item:**

**Recommendation 1:** Staff recommend that the MVCPA obligate the FY23 appropriations as shown below:

Texas A&M University	\$35,000
Rapid Response Strike Force Grants (No applications pending)	\$50,000
Comptroller of Public Accounts (use of WebFile and Miscellaneous Tax Unit)	\$10,000

**Recommendation 2:** Staff recommend that the MVCPA Award the continued grant in the amount of \$35,000 to Texas A&M University for the continued operation of the FY23 Grant Management and Tracking System.



# FY23 Motor Vehicle Crime Prevention Authority (MVCPA) Statement of Grant Award and Grantee Acceptance Notice

Grant Number:608-23-TAMU0002Grantee:Texas A&M UniversityProgram Title:Grant Management and Tracking SystemGrant Award Amount:\$35,000Grant Term:September 1, 2022 to August 31, 2023

That whereas, **Texas A&M University** (hereinafter referred to as Grantee), has developed and continues to maintain the **Grant Management and Tracking System (GMTS)** for the Motor Vehicle Crime Prevention Authority, State of Texas, entitled **Maintenance, Operations and Ongoing Support of GMTS**, and further identified by grant number **608-23-TAMU0002**; and

Whereas, the Motor Vehicle Crime Prevention Authority has approved the grant award on August 23, 2022 as evidenced by this FY23 Statement of Grant Award and certain special requirements from the Motor Vehicle Crime Prevention Authority dated August 23, 2022; and

Whereas, the Grantee desires to accept the FY23 grant award and use all funds for purposes and in compliance with the following requirements that are adopted in their entirety by reference:

- Texas Transportation Code, Chapter 1006;
- Texas Administrative Code: Title 43; Part 3; Chapter 57;
- Texas Grant Management Standards (TxGMS) as promulgated by the Texas Comptroller of Public Accounts;
- The Final Adopted Application attached to this Statement of Grant Award; and
- The Approved Grant Budget Summary:

Approved Grant Budget Summary									
	Quarter 1Quarter 2Quarter 3Quarter 4								
Maintenance, Operations and Ongoing Support of GMTS <u>set as</u> <u>fixed price with quarterly payment</u>	\$7,500	\$7,500	\$7,500	\$7,500					
Develop enhanced or new functionality	Subject to agreed functionality development request provided to TAMU by MVCPA and acceptance of price schedule submitted by TAMU up to \$5,000								
The MVCPA is awarding this continuing grant of \$35,000 from its FY2023 appropriations.									

Now, therefore, the Grantee accepts the FY21 Statement of Grant Award under the conditions above including the special requirements in the grant application and the Statement of Grant Award as evidenced by this agreement, executed by the official authorized to sign the original grant application, or the official's designated successor, as presiding officer of and on behalf of the governing body of this grantee; and

The Motor Vehicle Crime Prevention Authority has awarded the above-referenced grant subject to the availability of state funds. The approved budget is reflected in the above Approved Grant Budget Summary. This grant is subject to and conditioned upon the acceptance of the MVCPA Grant Administrative Guide promulgated for this specific program fund (referenced above) by the Motor Vehicle Crime Prevention Authority. Applicable special conditions are listed below.

## Special Conditions and Requirements: N/A

APPROVED AND ACCEPTED BY:

Authorized Official

Printed Name and Title

Date Signed

## Texas A&M University Grant Management and Tracking System (GMTS) Grant Detail for the Motor Vehicle Crime Prevention Authority

#### Objective

MVCPA operates the Grant Management and Tracking System (hereinafter referred to as GMTS) to meet its statutory obligations to: 1) provide financial support to law enforcement agencies for economic motor vehicle theft and fraud-related motor vehicle crime enforcement teams; 2) collect data to support the required education programs; and 3) meet legislative performance measures and reporting requirements. The objective of this grant from the Motor Vehicle Crime Prevention Authority ("MVCPA") to Texas A&M University ("TAMU") is to continue maintenance, operations and ongoing support of the existing grant management Software as a Service (SaaS) web application. Additionally, the MVCPA provides up to \$5,000 for deliverable based changes in programming or expansion of functionality that the MVCPA may request during the fiscal year. The grant is provided by MVCPA to TAMU in accordance with Transportation Code §1006.151.

#### Background

The MVCPA is a governor appointed board established in Transportation Code Chapter 1006. The MVCPA is administratively attached to the Texas Department of Motor Vehicles (TxDMV) and may only be provided personnel and various services by or through the TxDMV. The MVCPA entered into a four-year interagency agreement through the TxDMV in FY2017 to develop and maintain the Grant Management and Tracking Web Application. GMTS was developed to support MVCPA's existing grant making business model provided in Texas Transportation Code §1006.154. TxDMV provide staff to perform the MVCPA powers and duties as the MVCPA Division. The MVCPA may provide grants in its own name.

The MVCPA currently provides grants primarily to law enforcement agencies. Under statute and subject to availability of funds they may also fund local prosecutors, judicial agencies, and neighborhood, community, business, and nonprofit organizations for programs designed to reduce the incidence of economic motor FY23 PPRI Grant Proposal Page **2** of **5** 

vehicle theft and fraud-related motor vehicle crime. TAMU's development of the GMTS has become a critical part of MVCPA's ability to manage all aspects of the grants. MVCPA can collect expenditure and progress report data and to meet legislative reporting requirements. The GMTS has been fully operational and will have completed five full grant cycles on September 1, 2022. GMTS provides the web-based system for MVCPA-funded grantees to apply, manage grantee information, submit reports, manage inventory and meet statutory and state grant requirements. It allows the MVCPA to interface with grantees and provides workflow tracking, detailed reports and summary data reports.

#### Maintenance, Operations and Ongoing Support

These services will include Texas A&M University (TAMU) providing screens and interface systems to view grant application availability, to register a grant applicant agency, to allow for and provide screens and interface for application completion and application submission, to provide interface for scoring and tabulating grants reviews, to provide interface and screens to issue, to record and track grant award and acceptance, to provide interface for input and upload of grant acceptance documents, to allow for user administration with permission, profile maintenance and password changes, to allow input, track and report progress report submission, to provide expenditure report submission, to allow for payment tracking and reporting, to provide ongoing inventory and property management, to provide for annual inventory certification, to provide screens and interface for site visit and to monitor tracking and reporting, to provide compilation or screens to establish grant close-out, to provide for contact database and to allow for report (summary and detail) generation modules and business intelligence dashboards.

#### Location

TAMU will perform the work associated with this grant at TAMU facilities. The work and/or deliverables will then be deployed on a web portal and made available to MVCPA and grantees. TAMU staff will attend a monthly grantee webinar where input may be provided on operations of the systems unless an email notice is provided to MVCPA. Any specific training conducted by TAMU to MVCPA staff or grantees shall be via webinar.

#### **Roles and Responsibilities**

#### TxDMV, MVCPA Responsibilities

TxDMV staff assigned to the MVCPA will be responsive to TAMU questions, points of clarification and requests for additional information throughout the duration of maintenance, operations and ongoing support of the GMTS Software as a Service (SaaS) web application. MVCPA and staff will provide TAMU with updated Grant Administrative Manual and the Operations Guide including current forms and supporting documents that provide relevant business activities associated with the grant management and tracking.

#### **TAMU** Responsibilities

TAMU keeps the GMTS available on-line and operational to the grantees, MVCPA staff and board members. TAMU will develop and maintain system protection to ensure business continuity processes for MVCPA in the event of a catastrophic occurrence. TAMU will provide a description of the business continuity and disaster recovery plan including backup protections that conforms to State of Texas law.

TAMU will make available a client friendly copy of the database including attachments if requested by TxDMV, MVCPA. The ability to provide a copy of the database including attachments will be tested annually to ensure capability and readability of the data. (*TAMU will ensure the database is ODBC compliant: Verify that the database to be moved is in a clean shutdown state. If the database isn't in a clean shutdown state, a soft recovery can be performed. Ensure all database mappings, type mappings, and the Integrity of the database is correctly intact*).

#### **Detailed Description of Requirements**

Deliverable	Description
On-going Maintenance	Provide for Web Application support and on-going use, patches and timely
and support (includes	resolution of Web Application issues.
help desk for MVCPA	
staff)	
Cloud/Server based	TAMU will provide/ host the application in a secure environment. This would
hosting services	include providing all updates, patches and security features and meet disaster
	recovery and business continuity provisions of state law.
Training	Web Application administration role and train the trainer in use of the Web
	Application.
Administrative Manual	Manual providing operational instruction in the use of the Web Application.
Add or Change	Subject to MVCPA Director approve up to \$5,000 or MVCPA board greater
<b>Functionality Deliverables</b>	than \$5,000.

#### Training

The TAMU will provide training to MVCPA and grantee members (participants to be determined by TxDMV, MVCPA) at no cost to TxDMV.

TAMU will be invited and encouraged to attend monthly meetings with grantees to discuss Grant Management and Tracking System issues.

#### Cost/Price, Agreement Type and Funding Years/Restrictions

This is a fixed price grant agreement in the amount of \$30,000.00 from September 1, 2022 through August 31, 2023. The MVCPA will pay \$7,500 each quarter after confirming that the deliverables are met. The deliverables and payment schedule are:

Each quarter the Grant Management and Tracking System (GMTS) is operational and being maintained. It is fully available on-line and regularly used by MVCPA staff and grantees. Reports are generated on-line with limited ad hoc reports provided. Data entry screens are available to MVCPA and grantees. The program staff at Texas A&M routinely and promptly respond to questions, needed fixes, and requests for assistance.

An additional \$5,000 is available to add or change functionality of the current GMTS. The process to add or change functionality will be provided by the MVCPA staff. TAMU staff will provide a price for the added or changed functionality with a payment and deliverable schedule. If the requested added or changed functionality is estimated to be \$5,000 or less then the MVCPA Director will provide an Amended Statement of Grant Award that adds the new payment and deliverable schedule.

If the requested added or changed functionality is estimated to be more than \$5,000, then TAMU will provide the full estimate. Only the MVCPA board may provide additional funds to the program. If approved an amended Statement of Grant Award may be provided after consideration by the MVCPA.

#### Invoices

Voucher payment requests shall be sent to MVCPA for approval and submission to TxDMV Payment Processing. Invoices must clearly show: the grant number, itemized services delivered, date range for services. Payment requests should be emailed to grantsMVCPA@txdmv.gov (preferred) or mailed to the address below: Texas Department of Motor Vehicles Attention: MVCPA 4000 Jackson Avenue Austin, Texas 78731

**Research on Motor Vehicle Burglary and Theft Trends, Impacts or Initiatives** - PPRI is primarily a data and research organization within Texas A&M University. MVCPA may request research work be performed to include the use of data provided by these grants stored in the GMTS along with other data available from

grantees or other law enforcement agencies, to analyze or measure impact of the MVCPA program and related systems. The MVCPA Director will provide a written request describing the research and soliciting additional work. TAMU will provide written prices and deliverable schedule. The MVCPA board may consider the additional work and provide an amended Statement of Grant Award to include the additional work if approved.

**Electronic and Information Resources Accessibility Standards-** All efforts will be made to ensure that the products operated under this Grant are accessible to TxDMV, MVCPA. TxDMV, MVCPA and TAMU will avoid complex graphics and material that undermine accessibility of the information contained in the GMTS.

#### No Conflict of Interest

TAMU represents that it has no actual conflicts of interest in providing the requested items to TxDMV, MVCPA under this grant, and that TAMU's provision of the requested deliverables would not reasonably create an appearance of impropriety.

#### **Business Continuity and Disaster Recovery**

TAMU hereby represents that testing of network hardware or software procured or leased under this Grant is performed in compliance with all applicable laws, rules, and policies of Texas A&M University and the State of Texas.

# Motor Vehicle Crime Prevention Authority August 23, 2022, and Grants, Budget and Reports Committee August 22, 2022

# Extend the Pasadena FY22 Rapid Response Strikeforce Grant (RRS)

The Pasadena Police Department was awarded RRS Grant Number 608-22-RRS008 on March 2, 2022 in the amount of \$44,000. The award approved the lease of 20 fixed location automatic license plate readers (ALPR) to address an increase of stolen motor vehicles which has resulted in significant economic losses to vehicle owners. The grant term as defined in the Statement of Grant Award is from March 14, 2022, through August 30, 2022. The City of Pasadena has reported an issue that has delayed the instillation of the ALPR cameras and has requested an extension to implement the RRS Grant until August 31, 2023. The grant may discharge before this date once full implementation is complete and all obligations are met. Extending the grant term keep the FY22 funds obligated with Pasadena until the end of FY23.

From: Benjamin Hickman <bhickman@pasadenatx.gov>

Sent: Thursday, August 11, 2022, 2:53 PM

To: Zz - Resource - GrantsMVCPA <GrantsMVCPA@txdmv.gov>; Canady, Joe <Joe.Canady@txdmv.gov>;
Gresham Kay <Gresham.Kay@txdmv.gov>; Wilson, Bryan <Bryan.Wilson@txdmv.gov>
Subject: RRS Grant Extension

I am requesting an extension on the FY22 RSS grant awarded to Pasadena PD for the purchase of 20 FLOCK Safety cameras. We ran into some difficulties with local vs state properties and got hung up in city legal for a while. We are moving forward now with a total of 40 cameras, 20 additional cameras being purchased by the city, tentatively scheduled for installation in 6-8 weeks.

Thank you for your consideration,

Sergeant BJ Hickman

Auto Crimes Division

Pasadena Police Department

713-475-7235 (office)

Recommendation:

Action Item: Staff recommends that the MVCPA should extend the RRS Grant 608-22-RRS008 until August 31, 2023.

Grantee Name	Grant Award Certified Complete	Status	
City of Austin	8/3/2022	Accepted	
City of Beaumont	8/4/2022	Accepted	
City of Brownsville		Pending Signature	
Burnet County	7/13/2022	Accepted	
City of Corpus Christi	8/11/2022	Accepted	
City of Dallas		Pending Signature	
Dallas County	8/5/2022	Accepted	
City of Eagle Pass	8/16/2022	Accepted	
City of El Paso	7/29/2022	Accepted	
Galveston County	8/11/2022	Accepted	
Harris County	8/8/2022	Accepted	
City of Houston	8/5/2022	Accepted	
City of Laredo	7/29/2022	Accepted	
Lubbock County	7/21/2022	Accepted	
City of Mansfield	7/27/2022	Accepted	
Montgomery County	8/10/2022	Accepted	
City of Paris	8/4/2022	Accepted	
City of Pasadena		Pending Signature	
Potter County	8/3/2022	Accepted	
City of San Antonio		Pending Signature	
Smith County	7/15/2022	Accepted	
Tarrant County		Pending Signature	
Travis County	8/18/2022	Accepted	
City of Victoria	7/26/2022	Accepted	

# FY23 Continued Taskforce Grant Awards

Summary of Totals:	
Awards Complete	19
Awards Pending Signature	5

# FY22 MAG Grant Awards

	Date of	
Grantee Name	Acceptance	Status
City of Aransas Pass	7/21/2022	Complete
City of Balcones Heights		Incomplete
City of Blue Mound		Incomplete
City of Buda	8/18/2022	Complete
City of Cedar Hill	7/14/2022	Complete
Chambers County	7/1/2022	Complete
Cherokee County	7/14/2022	Complete
City of Cibolo		Incomplete
City of Conroe		Incomplete
City of Decatur	7/1/2022	Complete
City of Diboll	7/1/2022	Complete
City of Duncanville		Incomplete
Fannin County	7/1/2022	Complete
Fayette County	7/1/2022	Complete
Goliad County	7/6/2022	Complete
Gonzales County	8/5/2022	Complete
City of Grapevine		Incomplete
Gregg County		Incomplete
City of La Porte	7/14/2022	Complete
City of League City	7/14/2022	Complete
City of Marshall	7/1/2022	Complete

City of Mesquite	7/25/2022	Complete
City of Midland	7/14/2022	Complete
City of Mission		Incomplete
City of Navasota	7/1/2022	Complete
City of Odessa		Incomplete
City of Palmview		Incomplete
City of Pearland		Incomplete
City of Penitas	7/1/2022	Complete
City of Port Aransas		Incomplete
City of Red Oak		Incomplete
City of Richland Hills	8/5/2022	Complete
City of Robstown	7/11/2022	Complete
City of Rockport		Incomplete
City of Schulenburg		Incomplete
City of Seabrook		Incomplete
City of Temple	7/13/2022	Complete
City of Texarkana	7/13/2022	Complete
City of Tomball		Incomplete
Waller County	7/14/2022	Complete
Webb County	7/11/2022	Complete
City of White	7/11/2022	Complete
Settlement		
Wilson County	7/1/2022	Complete

Summary of Totals:	
Awards Complete	26
Awards Incomplete	17



# FY22 Motor Vehicle Crime Prevention Authority Statement of Grant Award and Grantee Acceptance Notice

Grant Number:608-22-ICT00001Grantee:Insurance Council of Texas (ICT)Program Title:Public Education and Awareness GrantGrant Award Amount:\$350,000Total Cash Match Amount:\$0In-Kind Match Amount:\$17,000Grant Term:August 10, 2022 to August 31, 2023

Whereas, the, Insurance Council of Texas (ICT) (hereinafter referred to as Grantee), has heretofore submitted a grant application in response to the Public Education and Public Awareness Grant (PEPA)- Request for Application issued on **April 29, 2022**, to the Motor Vehicle Crime Prevention Authority, State of Texas, entitled Public Education and Awareness Grant, and further identified by grant number **608-22-ICT00001**; and

Whereas, the Motor Vehicle Crime Prevention Authority has approved the grant application as evidenced by this FY22 Statement of Grant Award and certain special requirements from the Motor Vehicle Crime Prevention Authority dated **August 10, 2022**;

Whereas, the Motor Vehicle Crime Prevention Authority has approved for the grant to be issued without a bond and has accepted the Grantee's proposed in-kind match; and

Whereas, the Grantee desires to accept the FY22 grant award and use all funds for purposes and in compliance with the following requirements that are adopted in their entirety by reference:

- Texas Government Code Chapter 1006;
- Texas Administrative Code: Title 43; Part 3; Chapter 57;
- Texas Grant Management Standards (TxGMS) as promulgated by the Texas Comptroller of Public Accounts including TxGMS Standard Assurances by Local Governments and Standards for Financial and Program Management;
- The Request for Applications issued on April 29, 2022;
- The Application attached to this Statement of Grant Award; and
- The Approved Grant Budget Summary:

Approved Grant Budget Summary								
	MVCPA	Cash Match	Total	In-Kind				
Personnel								
Fringe								
Overtime								
Professional and Contract Services	\$150,000			\$12,000				
Travel								
Equipment								
Supplies and Direct Operating	\$200,000			\$5,000				
Totals	\$350,000			\$17,000				

Now, therefore, the Grantee accepts the FY22 Statement of Grant Award under the conditions above including the special requirements in the grant application and the Statement of Grant Award as evidenced by this agreement, executed by the official authorized to sign the original grant application, or the official's designated successor, as presiding officer of and on behalf of the governing body of this grantee; and

The Texas Motor Vehicle Crime Prevention Authority (MVCPA) has awarded the above-referenced grant subject to the availability of state funds. The approved budget is reflected in the above Approved Grant Budget Summary. This grant is subject to and conditioned upon the acceptance of the MVCPA Grant Administrative Guide promulgated for this specific program fund (referenced above) by the Motor Vehicle Crime Prevention Authority. Applicable special conditions are listed below.

## **Special Conditions and Requirements:**

X Application – The Grantee's Application is accepted with the condition that "The ICT Contractor will be responsible for the delivery of grant program objectives" be amended to say "will provide" instead of "will be responsible", and Media spend which was omitted in the Narrative be defined as direct Media costs for activities indicated in appendix "A"– Deliverable table attached to this Statement of Grant Award.

<u>X</u> Resolution Required – Submit the required Resolution signed by Grantee's Executive Director and provide authorization from its Board of Directors, a list of organization officers/directors, a copy of the organization's mission/purpose, by-laws, and information about its program accountability and internal control system.

X Service Marks – Grantee shall execute the MVCPA Service Mark License Agreement prior to the commencement of the Grant. Title to intangible property developed under this state award vests upon creation in the State government. The Grantee must use the intangible property for the originally authorized purpose, and must not encumber the property without approval of the state awarding agency. The Grantee must use and manage intangible property acquired under a state award by the Grantee in accordance with applicable law. As expressly provided by this state award, the grantee shall copyright any work that is subject to copyright or service mark and was developed, or for which ownership was acquired, under the state award the Copyrights and service marks shall show the MVCPA of the State of Texas as the owner of the intellectual property.

X Reimbursement – This is a reimbursement grant. Funds and will be reimbursed for all allowable, reasonable, and necessary costs incurred. MVCPA approval of evidence of acceptable performance is required prior to reimbursement. Grantee shall not proceed to the next project deliverables (outline in Appendix A – Deliverable Table) until approval by MVCPA of completed project deliverables.

X Grant Close Out – Final Expenditure and Performance reports are due within 45 days of the end of the Grant Period. – October 15, 2023. Any extension of this date is required to be approved in writing by the Director of the MVCPA. A close out of the Grant awards shall be finalized by MVCPA when all required work of the grant and all applicable administrative actions have been completed and a final payment has been made.

## APPROVED AND ACCEPTED BY:

Authorized Official

Printed Name and Title

Date Signed

# Appendix A – Deliverable Table

Project Timeline and Deliverables

IENT	1																																	
DGET	Insurance Council of Texas Agency Fees: \$100,000 Production: \$50,000 Media: \$190,000 Hard Costs: \$10,000																																	
	Total Budget: \$350,000	-																																
ll deliverables	s will be paid upon acceptance or approval of the MVCPA.		Ju	I 22	Aug	J 22		Sep 22		0	:t 22		Nov 22		Dec 22			Jan 23		F	eb 23		Ma	ar 23			Apr 23		M	lay 23		J	une 23	-
CHANNEL	DELIVERABLE/MILESTONE	\$ Value	27 4	11 18 25	1 8	15 22	29	5 12	19	26 3	10 17 2	4 31	7 14	21 28	5 12	19	26 2	9 1	6 23	30 6	13	20 27	7 6	13	20 2	7 3	10 1	7 24	1 8	15	22 29	5	12	19
Production	PROJECT DELIVERABLES TIMELINE	\$100																								_								
	CREATIVE CONCEPT FOR APPROVAL: > CONCEPT PLATFORM > VIDEO STORYBOARD > PRODUCTION ESTIMATE	\$15,000																																
	PRODUCTION PRE-PAYMENT	\$50,000																																
	CREATIVE PRODUCTION START DATE	\$100																																
	FINAL VIDEO DELIVERED	\$25,000																																
	EVENT BANNERS, PROMOTIONAL ITEMS DELIVERED TO AGENCY	\$100																																
	BREAK-BULK/DROP-SHIP ITEMS TO AGENCIES	\$1,500																																
									\$65,200							\$26,600																		
Media - Paid and Value-Add	TRADITIONAL MEDIA PLAN AND FLIGHTING	\$1,800																																
	MEDIA PLAN NEGOTIATED COSTS	\$100																																
	MEDIA COST, Q4 PRE-PAYMENT	\$75,000																																
	MEDIA COST - Q4	\$53,000																																
	MEDIA COST - Q1	\$37,000																																
	MEDIA COST - Q2	\$35,000																																
	MEDIA PLAN FINAL VALUATION	\$100																																
									\$76,900							\$53,000								\$3	7,000								\$35	35,100
	DIGITAL PLAN AND FLIGHT CALENDAR	\$5,000																																
	EXECUTED DIGITAL AD UNITS	\$10,000																																
	DIGITAL TARGETS AND AD SETS	\$5,000																																
	SOCIAL PAGES ESTABLISHED	\$1,800																																
Digital	COMMENCE SOCIAL AND DIGITAL AD BUYS	\$100					-																											
(Including Social)	END DIGITAL AD BUYS	\$100																																
	CAMPAIGN MICROSITE SITE MAP	\$2,000																																
	COMPLETE CAMPAIGN MICROSITE	\$15,000																																
	PERFORMANCE REPORTING	\$2,000					-																											
									\$23,800							\$15,100								\$2	,000								\$4,	4,100
	TASK FORCE OUTREACH COMMENCES	\$100																																
	EVENT CALENDAR COMPLETE	\$100																																
Relations and Grassroots	PUBLIC RELATIONS PLAN	\$5,000																																
		\$2,000																								-								
									\$5,100																.000								\$4	4,100



# **MOTOR VEHICLE CRIME PREVENTION AUTHORITY**

Public Education and Awareness Grant Application (PEPA)

4000 Jackson Avenue

Austin, Texas 78731

(800) Car Watch (227-9282) - 512-465-1485

Website: www.txwatchyourcar.com

[Email this completed expandable Application in MSWord and PDF with executed Resolution to grantsMVCPA@TxDMV.gov]

	Applica	Int Information	
Applicant Organization Name	Insurance Council of Texas	Organization Type	Non-Profit 501 (C) (6)
			Nonprofit Tax Code Designation: 501(c)(6)
			Defined as: Civic leagues, social welfare organizations and local
			associations of employees, created to promote community welfare for charitable, educational, or recreational purposes.
Applicant Address	2801 South IH35	Program Director	Rich Johnson
	Austin, TX 78741	Name	Director of Communications and
		(PD-serves as primary contact)	Public Affairs
Organization Phone	(512) 444-9611	PD Phone	(512) 637-5440
Organization e-mail		PD email	rjohnson@insurancecouncil.org
Organization website	www.insurancecouncil.org	Financial Officer (FO)	Paula Harmon
		Name	
Other Organization Information Contact Information		FO Title	Chief Financial Officer/Chief Operating Officer
Authorized Official Name	Albert Betts	FO Phone	(512) 637-5429
Authorized Official Phone	(512) 326-7600	FO email	pharmon@insurancecouncil.org
Authorized Official Email	abetts@insurancecouncil.org		
State Payee Identificat	ion Number		
Other Agencies Partici in this application	pating n/a		

Program Information							
Application Type:	New						
Grant Period:	Upon contract execution (est. July 15, 2022) through August 31, 2023						
Area of Project Activities:	All State of Texas						


### **MOTOR VEHICLE CRIME PREVENTION AUTHORITY Public Education and Awareness Grant Application (PEPA)**

### **Application Summary and Certification**

Application outlinary and optimication			
Please enter whole dollars only	Amount Requested / Provided		
Total State (MVCPA) Grant Funds Requested	\$350,000		
Cash Match Provided	0		
PROGRAM TOTAL	\$350,000		
Total In-Kind Match Provided	\$17,000		

By submitting this application, I certify that I have been designated by my organization as the authorized official to accept the terms and conditions of the grant. The statements herein are true, complete, and accurate to the best of my knowledge. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties.

By submitting this application, I certify that my organization agrees to comply with all terms and conditions if the grant is awarded and accepted. I further certify that my organization will comply with all applicable state and federal laws, rules and regulations in the application, acceptance, administration, and operation of this grant.

Type/Print name of Authorized Official	Title	Telephone Number/Email
	Executive Director	
Albert Betts, Jr.		(512) 326-7600/
		abetts@insurancecouncil.org
Signature of Authorized Official		Date Signed
albert both. J.		June 1, 2022

### APPLICATION ELIGIBILTY SUMMARY

**REQUIRED NARRATIVE:** Briefly describe the applicant organization and how this organization meets the three eligibility requirements posted in the RFA: 1) government or nonprofit organization; 2) established prior to date of issuance of this RFA; and 3) Five years of experience in statewide program related to MVCPA.

Insurance Council of Texas (ICT) is a non-profit state trade association that serves property and casualty insurance carriers and their customers by educating members and consumers on Texas insurance issues. As the collective voice of the Texas insurance industry, ICT helps its members stay current in an ever-changing marketplace and act as a critical conduit to ensure members' positions are heard on all insurance issues. ICT was created when the Texas Insurance Advisory Association and Texas Automobile Insurance Services Office merged, effective September 1, 1996. For over 80 years, these two Texas-based associations had been the principal property and automobile insurance associations for companies operating in Texas.

The merger of these two organizations created a stronger and more efficient trade association through which insurers can collectively represent their interests in the regulatory process and stay abreast of those events that affect the business of insurance in Texas. Importantly, ICT does not seek to compete with national trade associations but rather to work in harmony with them.

ICT is governed by a Board of Directors that is actively involved in the association's affairs. In addition to serving on committees, they establish the association's strategic vision and long-range plan, approve the annual budget and method of funding, and the staff's annual goals and objectives. Notably, the board provides the staff with a firsthand understanding of the needs of the industry and has a primary stake in ensuring the association serves the needs of its members. Membership in ICT is open to all property and casualty insurance companies operating in Texas. At present, our ranks include over 450 companies that are diverse in size, product line and method of distribution. The diversity in membership is reflected in the composition of our board of directors, which strengthens the association's leadership. Associate membership in ICT is available to any person, firm or corporation that provides services to property/casualty insurance companies whose interests are aligned with those of the industry.



### APPLICATION BUDGET SUMMARY

Budget Categories	Direct Cost of Program	In-Kind Match
Personnel (Direct Salaries)	0	0
Fringe Benefits	0	0
Overtime	0	0
Professional and Contractual Services	\$150,000	\$12,000
Travel	0	0
Equipment	0	0
Supplies and Direct Operating Exp.	\$200,000	\$5,000
	\$350,000	\$17,000
TOTAL		

	es of Match ources of Match.	
	CASH MATCH AMOUNT	CASH MATCH PERCENT
Source	Amount	
TOTAL CASH MATCH		
IN-KIND MATCH	1	TOTAL
Source	Amount	
TOTAL IN-KIND MATCI	H	



	Budget Detail		
Personnel			
Title or Position	% of Time in Grant	Program Total	In-Kind Match
Contractor	21%	\$150,000	\$12,000
TOTAL Direct Salaries	0	0	0
Fringe Benefits			
	% or \$ Rate	Program Total	In-Kind Match
FICA	@		
Retirement	@		
Insurance	@		
Other (Explain)			

### Overtime

**TOTAL Fringe Benefits** 

	% or \$ Rate	Program Total	In-Kind Match
TOTAL Overtime	0	0	0

0

0

0



### PERSONNEL NARRATIVE

### Provide a description of the duties and responsibilities of each position listed in the budget. Describe the benefits provided and how overtime will be used and approved.

ICT partner agencies support PEPA grant operations in Dallas, Ft. Worth, Corpus Christi, Austin, and San Antonio. ICT is requesting a waiver of the "Cash Match" to the grant. ICT will manage the PEPA grant utilizing existing personnel at ICT Headquarters to administer, plan, coordinate, and execute "the grant program."

Laredo, Brownsville, El Paso, Lubbock, Montgomery County, Harris County, Dallas County, Eagle Pass, and Amarillo will provide

- their expertise and assistance in the execution of education programs,
- education of law enforcement partners,
- delivery of anti-theft devices, and
- vehicle identification parts marking to combat vehicle theft and burglary.

ICT will provide financial accounting of the grant program.

The ICT communications department will manage the grant contractor and ensure program delivery.

The ICT Contractor will be responsible for the delivery of grant program objectives and provide a full accounting and reporting of program accomplishments to ICT to ensure timely quarterly progress reports to MVCPA.

ICT will consider an extension to a second subsequent year to manage the grant if the program objectives are accomplished, success is achieved, and the MVCPA and ICT agree that the grant program's continuation is of mutual interest and benefit.

### PROFESSIONAL AND CONTRACTUAL SERVICES

Description of Contract Positions or Service	Program Total	In-Kind Match
ICT Contractor – FY22 MVCPA PEPA Grant	\$150,000	0
TOTAL PROFESSIONAL AND CONTRACTUAL SERVICES	\$150,000	0

### **PROFESSIONAL AND CONTRACTUAL SERVICES NARRATIVE**

REQUIRED NARRATIVE: Briefly describe any proposed contractual arrangements and work products expected. Describe the basis of costs for each line item. Professional services (such as consultants, trainers, counselors, evaluators, etc.) should be described by type of service, number of hours, rate per hour, and travel costs, if any. [Note: separate itemized travel costs for professional contractual services may be subject to state travel rules.]



### MOTOR VEHICLE CRIME PREVENTION AUTHORITY Public Education and Awareness Grant Application (PEPA)

ICT with contract with "Contractor" to manage, coordinate, and deliver the FY22 MVCPA PEPA Grant in Texas. The program is designed to educate the public on vehicle theft and vehicle burglary mitigation activities to reduce the incidence of and costs associated with these crimes in Texas. The \$150,000 fee will be a maximum fee. Time contributed to the project by Contractor will be paid by ICT not to exceed a total cost of \$150,000.

<u>Travel</u>

Travel	Program Total	In-Kind Match
Contractor responsible	0	0
Out of State listed separate		
TOTAL TRAVEL	0	0

### TRAVEL NARRATIVE

**REQUIRED NARRATIVE:** Briefly describe any proposed travel expected to operate this program. Describe basis for arriving at the cost of each line item. Please use the federal and state guidelines for costs unless justification is provided. Please remember that itemized travel costs may be subject to state travel rules.

Contractor will be paid up to and not exceeding a fee amount of \$150,000 to deliver the full scope of the FY22 MVCPA PEPE Grant in Texas. Contractor is responsible for all travel and related expenses incurred.



### <u>Equipment</u>

Description of Equipment	Program Total	In-Kind Match
	0	0
TOTAL EQUIPMENT	0	0

### EQUIPMENT NARRATIVE

REQUIRED NARRATIVE: Briefly describe any proposed equipment needed to operate the program. Describe the basis for arriving at the cost of each line item. Equipment is defined as a useful life of more than one year and a cost of \$5,000 or more. There are some items designated by the Texas Comptroller of Public Accounts that may be below the value of \$5,000.

There is no equipment purchase proposed for this grant proposal.

Supplies and Direct Operating Expenses			
Description of Supplies and Direct Operating Expenses	Program Total	In-Kind Match	
Branded promotional items purchase	\$5,000	\$2,500	
Branded event vinyl banners	\$3,000	0	
Shipping costs to distribute to task forces	\$2,000	0	
Paid media costs	\$190,000	\$2.500	
TOTAL Supplies And Direct Operating Expenses	\$200,000	\$5,000	

### SUPPLIES AND DIRECT OPERATING EXPENSES NARRATIVE

**REQUIRED NARRATIVE:** Briefly describe any proposed Supplies and Direct Operating Expenses equipment needed to operate the program.

ICT will purchase \$5,000 in campaign promotional items such as but not limited to branded car air fresheners for distribution at events and through local law enforcement task forces. Additionally, ICT will produce campaign-branded vinyl banners for use at localized events.



### PROGRAM NARRATIVE – Public Education Functions of Program

### **REQUIRED NARRATIVE:** Briefly describe Public Education functions that will be performed under the program.

Statewide effort by the ICT Contractor to conduct operations designed to coordinate and support the public awareness efforts of the MVCPA and its grantees in pursuit of our mutual goal: preventing and reducing vehicle crimes in Texas. To achieve that goal, the focus of the 2022-2023 grant will be coordinating statewide public awareness events that

- heighten awareness of MVCPA and its grant programs,
- extends MVCPA services to entities with an interest in vehicle crime prevention,
- serves as the central distribution point for MVCPA vehicle crimes prevention information,
- acts as a media hub for the promotion of MVCPA grantee initiatives,
- and gathers and analyzes vehicle crimes statistical data for use by MVCPA and its grant programs.

The grant program will seek relationships with individuals, media, governmental, insurance industry, and civic organizations that can partner with MVCPA and ICT to promote vehicle crime awareness and prevention activities.

Target audiences will include vehicle owners, vehicle operators, law enforcement, community leaders, business organizations, civic groups, print, television, radio, and social media channels that have an interest in protecting the vehicles, customers, and constituents they serve.

### REQUIRED NARRATIVE: Briefly describe Public Awareness functions that will be performed under the program.

Video PSAs, earned media outreach, audio PSAs, print advertising, outdoor advertising, influencer engagement, online toolkit, event activations, and social media content throughout Texas. English and Spanish versions.

The distribution of promotional items, information, and theft-prevention services will occur at localized events across the state.



### **PROGRAM NARRATIVE – Activity Reporting and Performance Evaluation**

REQUIRED NARRATIVE: Describe Activity Reporting plan (showing progress toward functions) and Performance Evaluation (showing success and impact) that will be used. The grantee must report progress and expenditures quarterly showing that the program is performing the work and operating the grant. Grantees must also provide a plan showing how they will measure the impact their program has on combating motor vehicle theft, burglary from a motor vehicle and fraud-related motor vehicle crime.

Reporting of program metrics and KPIs pursuant to MVCPA Grantee Reporting requirements will be submitted quarterly. ICT is also requesting a waiver for the full "in-kind" request. A total of \$17,000 of funding and in-kind man-hours will be contributed by ICT.

ICT will utilize similar and appropriate data from comparable earlier programs as a baseline. At the end of the grant cycle, ICT will conduct additional analyses to determine and evaluate desired program outcome of crime reductions relating to vehicle theft, vehicle burglaries, and catalytic converter thefts.

All earned and unpaid media will be tracked and assigned an ad value to determine the success of the PR campaign.



ADDENDUM Fy22 Motor Vehicle Crime Prevention Authority Public Education and Awareness Grant Grantee: Insurance Council of Texas

### <u>Approach</u>

Contractor will conduct a year-long statewide education campaign around two primary issues: discouraging theft of catalytic converters and the general prevention and reduction of vehicle crimes in Texas. Messaging split will be approximately 25% catalytic converters, and 75% vehicle crime prevention and reduction. Target audiences will include vehicle owners, vehicle operators, law enforcement, community leaders, business organizations, and civic groups interested in protecting the vehicles, customers, and constituents they serve. **Content will be created in both English and Spanish.** 

Through a relationship with iHeart Media, Contractor will utilize a strategic and targeted media buy through the iHeart Media network, thereby securing value-added support that can augment campaign's reach across the state. Communication channels will include but are not limited to social media, digital media, print, radio, streaming services, and digital billboards.

### Creative Concept: Lock It Down

It's simple to protect your vehicle. Hide or take valuables with you, then lock your vehicle with the click of a button. But what if protecting other things, you care about was as straightforward? PSAs will illustrate a variety of relatable situations that we wish could be as simple as locking your vehicle. The message: It's easy to "lock it down."

### Examples:

• Sisters are great, but not when they borrow your clothes without permission. After her sister borrows something without asking, the other imagines "locking down" her closet with the press of a key fob.

• Pets are cute except when they're getting into things you don't want them to. The solution? Wouldn't it be great to lock down the trash can with the click of the fob before the dog turns it over?

We will engage viewers through scenarios like these examples and reinforce that securing their vehicles is the easiest way to keep the things inside safe and unwanted situations from happening.

### **Integrated Campaign Mix**

Contractor approach utilizes a variety of channels to communicate the overall campaign concept along with supporting information and data to educate target audiences.

**Short Videos:** Contractor will create several short video PSAs that can be used on digital media and distributed in a public toolkit. Short videos will be formatted for both vertical and horizontal channels and can be edited to various lengths. Videos will be housed on YouTube so they are searchable in this important search engine and can be posted on the campaign microsite. Videos and/or audio will also be used on streaming platforms.

**Organic Content:** Content for use on organic (unpaid) social media as well as the campaign microsite will educate on how to deter catalytic converters. Content may include but is not limited to blogs and videos.

**Print Ads:** Print ads will be created in a variety of dimensions appropriate for placement in free filler ad space within local papers across the state of Texas. Ads will feature the MVCPA and ICT logos and can also be formatted to provide space for localized task force branding.



### **MOTOR VEHICLE CRIME PREVENTION AUTHORITY Public Education and Awareness Grant Application (PEPA)**

**Digital Billboards:** Billboard artwork will be created in a variety of dimensions to be utilized as free filler ad space on digital billboards within billboard networks across the state of Texas.

**Social Graphics:** In addition to the short videos that will play on social media, a library of static social graphics will be created to support the campaign. The graphics will reiterate the call to "lock it down" by educating on the facts and figures around vehicle theft and burglary. Social graphics will be created in a variety of sizes to be appropriate on multiple platforms.

**Digital Toolkit:** A digital toolkit will be created to equip local task forces, stakeholders, organizations, and members of the media to utilize campaign materials as needed. This provides valuable content for others to use and increases the overall reach of the campaign by allowing others to share. Toolkit elements can include static social graphics for use, event flyer templates, vinyl banner artwork, or other campaign elements as developed.

**Campaign Microsite:** Contractor will create a microsite (a very limited site typically of 2-3 pages maximum) that will serve the following purposes.

• Provide a destination page to drive online and offline traffic for tracking and measurement purposes.

• Create a repository of information and resources for users, from facts and figures around vehicle crime prevention to a public toolkit of downloadable assets for use.

• House all short videos and creative content for the campaign.

A microsite can be linked on the Texas Department of Motor Vehicles website but does not need to live on the same server. Site will be managed and maintained by Contractor, with full administrative access given to ICT and MVCPA. Contractor utilizes WordPress for all website development.

**Event Marketing:** Facilitated by ICT relationships with vehicle crime prevention task forces across the state and supported by iHeart Radio stations where applicable, the campaign will include "Lock It Down" event activations in key Texas markets. Local representatives will be provided giveaway items (see Promotional Item below), a campaign banner to display at the event, and a step-by-step outline for event execution.

The events will include first-come, first-served catalytic converter etching/painting, as well as a guerilla parking lot activation called "Sticker Shock." Conducted in conjunction with the event so that all in the parking lot are aware, event organizers will canvas select vehicles in the lot for high-theft items in plain view. Utilizing a template created by Contractor, at-risk items will be tallied on a replica car lot sticker and placed on the car for the owner to see.

**Influencer Outreach:** Contractor will engage a diverse mix of social media influencers across Texas to share the message to "Lock it Down" with their social followers. Influencers will be provided detailed instructions and inspiration through the campaign videos and challenged to create their own authentic and personal content (user-generated content or UGC) around the campaign concept.

**Public Relations:** Contractor will conduct earned media outreach about the campaign as well as facts and figures associated with vehicle theft and burglary each year. Earned media outreach will be conducted statewide.

**Promotional Item:** To reiterate the "Lock it Down" concept, custom vehicle air fresheners will be created to be distributed at taskforce events across the state.



### **MOTOR VEHICLE CRIME PREVENTION AUTHORITY Public Education and Awareness Grant Application (PEPA)**



### Discussion of FY24-25 Scoring Methodology and Award Determination

### **MVCPA Controlling Law**

The MVCPA Board is responsible for the grant distribution to meet the purposes of Transportation Code Chapter 1006. Under the MVCPA enabling statute:

**Texas Transportation Code Sec. 1006.151. GRANTS**. (a) Subject to the requirements of this section, the authority may enter into contracts in the authority's own name and on the authority's own behalf with recipients of grants for purposes of this chapter.

(b) The authority shall:

(1) develop and periodically update standard performance measures for each category of grants provided by the authority for use in assessing grantee success in achieving the purposes of this chapter; and

- (2) ensure that grants are used to help increase:
- (A) the recovery rate of stolen motor vehicles;
- (B) the clearance rate of:

(i) motor vehicle burglaries and thefts; and

(ii) fraud-related motor vehicle crimes; and

(C) the number of persons arrested for motor vehicle burglary and theft and fraud-related motor vehicle crime.

(c) The authority shall allocate grant funds primarily based on the number of motor vehicles stolen in, or the motor vehicle burglary or theft rate across, and the number of fraud-related motor vehicle crimes committed in the state rather than based on geographic distribution.

(d) The authority shall, in consultation with the department, annually update the performance measures developed under Subsection (b).

Additionally, the **Texas Grant Management Standards (TxGMS)** provides guidance under the Transparency and Accountability Section on page 8:

### **Grantee Selection**

The Legislature intends for state agencies to exercise their legal authority in a fiscally responsible manner. State agencies are therefore responsible for ensuring the transparency, objectivity, and integrity of the grantee selection process. Written procedures should address the evaluation of applications and the award of grants as well as any conflict of interest disclosure requirements applicable to the individuals involved in the grant award process. Adequate documentation should also be retained by the state agency to support the evaluation scores, including justifications for any deviations to the established application scoring methodology. In addition, agencies should implement internal controls sufficient to ensure that all grant evaluation and award procedures are consistently followed

[NOTE: MVCPA is appropriated only state funds and must use TxGMS which is authorized under the Uniform Grant and Contract Management Act enacted in 1981 and subsequently codified in 1991 as Chapter 783 of the Texas Government Code. State agencies, unless specifically excluded by statute, are required to use the Uniform Assurances and the Standard Financial Management Conditions, developed under Chapter 783 of the Texas Government Code, in their grants and contracts with local governments.)

These two sections of law control the proper management of MVCPA grant determination and award process.

### **MVCPA History**

Prior to 2014 the MVCPA (ABTPA prior to 2019) did not have a recorded policy of awarding grants and the Board did at least once resort to executive session to decide awards amounts. Performance and compliance were not reflected in the award records or grant determination.

The MVCPA adopted the Redesign Project in 2014. The MVCPA director reported to the MVCPA board in March of 2015 that the adopted method did not reflect the incidence of motor vehicle burglary and theft as the primary factor for providing awards. Also, the calculation methodology provided more weight the amount requested by a grantee than any other factor. Finally, the needs determination adopted by the board precluded many agencies from consideration for a grant.

allow the not meet the statutory requirement of the being the primary MVCPA adopts methods to award grants under this law and consistent with Texas Grant Management Standards provide recommendations on the current or future Scoring or Approval process

- Current Grant Scoring Process was Adopted in October 2014 by Board
- Required staff and at least one board member to score
- o Uses minimum thresholds to disqualify applications based on need
- Board allowed first time use to remove two small grants in FY15
- $\circ$   $\;$  Since that time board has overridden disqualifications
- Modified slightly 2015 to incorporate MVT and BMV data
- Grant Scoring performed every Grant Cycle since approval
- Grant Scoring has never been used to determine Grants award amounts

Board members have repeatedly expressed disapproval of current scoring process. Texas Transportation Code Sec. 1006.151. provides that the MVCPA allocate grants primarily based on the number of motor vehicles stolen in, or the motor vehicle burglary or theft rate across, and the number of fraud-related motor vehicle crimes committed in the state rather than based on geographic distribution.

### Discussion of FY24-25 Scoring Methodology and award determination Continued

The scoring system in place is good as it requires MVCPA staff and selected board members to read the grants and place a numeric value on how well the grant applications meets the criteria. However, the current assignment of values can result in a greater overall score and award amount that conflicts with Transportation Code 1006.151.

### **Current Scoring Criteria Values**

- Budget (20 points)
- Need/Specific/Impactful (40 points)
- Reasonable/Realistic/Timely (30 Points)
- Evaluation Design-Measurable/Effective (10 points)
- Extra Credit (EC) (15 points)
- EC1 The grantee cash match is greater than the required 20% minimum. Review Budget Tables and sources of match. Scorers are not required to treat cash and "in lieu-of" the same.
- EC2 The subsequent results of all grantee suggested activities [not on the MVCPA provided list/other] are trend setting and measurable.

Staff recommends that the board consider the following:

- Change value of scoring criteria.
- Add criteria and a method to measure past taskforce performance.
- Determine the value of self-report verses the limited TxDPS data.
- Determine if other information or formulas are available to help allocate funds.

Examples of Self-Reported Data	
vehicles recovered by taskforce	
ranges from 67 to 2,877	
motor vehicle theft cases cleared	 I
ranges from 35 to 5,396	
persons arrested for MVT by tasl	cforce
ranges from 17 to 1,197	
MVT cases presented to prosecu	tor
ranges from 11 to 784	
	Examples of Self-Reported Data vehicles recovered by taskforce ranges from 67 to 2,877 motor vehicle theft cases cleared ranges from 35 to 5,396 persons arrested for MVT by task ranges from 17 to 1,197 MVT cases presented to prosecut ranges from 11 to 784

### **Colorado Auto Theft Prevention Authority (CATPA)**

As a preamble, the Board will consider guiding principles to review the applications. These guiding principles are to countermeasure, through prevention efforts, the incidence of auto theft based on geographical, crime origination and density rates represented within the State. As such, the Board will employ the use of weighting factors to guide decisions and increase objectivity of the application review process.

• **Geographical Distribution** – Funds should have geographical distribution and representation for a statewide impact to reduce auto theft crime.



- Initiative Apportionment Funds should have justifiable apportionment to the initiatives of prevention, education, intelligence, law enforcement, prosecution, and training.
- **Successful Programs** Should have relevance to programs that have demonstrated the ability to reduce auto theft based on previous funding.
- Crime Relevance Funds should be relevant to where auto theft crime is prevalent across the state.
- Auto Theft per capita rate Funds should have significance to per capita rate.
- Auto Theft and vehicle registration rate Funds should have a proportional distribution relationship to the fees collected as compared with the number of motor vehicle registrations.
- **Consideration of Land, Population and Theft Rates** Each areas are assigned with a net weighting factor resulting from the percentiles of land acreage, population density and volume of auto theft.
- **Consideration of Multiagency Applications** Priority will be given to multiagency applications.
- Criteria Based on Evaluation Applications will be evaluated for the overall value.

### Arizona Automobile Theft Authority (AATA)

- AATA staff reviews applications based on statistics generated from the previous year's program.
- AATA staff makes a recommendation to a subcommittee.
- AATA subcommittee makes a recommendation to the full board

### Pennsylvania Auto Theft Prevention Authority (PATPA)

- PATPA distributes funds based on an assessment of where and what the problem is geographically.
- Smaller jurisdictions are awarded grants based on suggested data indicating auto theft concerns.
- PATPA awards grants utilizing crime stats, NICB Hot Spots and individual agency data as the prime factor to determine where funds are allocated.
- PATPA analyzes applications to see if the need fits the problem.

### **Dallas Auto Task Force**

Motor Vehicle Theft (MVT) Data - Grantee Report to MVCPA in GMTS					
Grant Report ID #	Activity	FY 2019	FY 2020	FY 2021	FY 2022 YTD
1.1.15	Number of stolen motor vehicles recovered by taskforce	376	374	473	565
1.1.16	Report the number of MVT cases cleared	496	393	275	210
1.1.17	Number of persons arrested for motor vehicle theft by taskforce	237	156	132	90
1.1.4	MVT related cases presented to prosecutor	351	279	180	108

Motor Vehicle Theft - DPS Data reported by Dallas PD					
Classification 2019 2020 2021 2022 Y					
Motor Vehicle Theft	10,972	10,568	11,828	7,640	

Motor Vehicle Theft – Texas Courts Data for Dallas County					
Activity	2019	2020	2021	2022 YTD	
Filed by Indictment or Information	729	535	542	428	
Other Cases Reaching Docket	316	307	311	198	
Total cases added:	1,045	842	853	626	
Total Convictions	251	174	202	136	

### Houston Auto Crimes Task Force/30

Motor Vehicle Theft (MVT) Data - Grantee Report to MVCPA in GMTS						
Grant Report ID #	Activity	FY 2019	FY 2020	FY 2021	FY 2022 YTD	
1.1.15	Number of stolen motor vehicles recovered by taskforce	515	584	485	399	
1.1.16	Report the number of MVT cases cleared	607	629	689	336	
1.1.17	Number of persons arrested for motor vehicle theft by taskforce	112	144	100	76	
1.1.4	MVT related cases presented to prosecutor	159	205	151	101	

Motor Vehicle Theft - DPS Data reported by Houston PD and Houston Metro Transit PD					
Classification 2019 2020 2021				2022 YTD	
Motor Vehicle Theft	13,172	14,916	15,627	8,002	

Motor Vehicle Theft – Texas Courts Data for Harris County					
Activity	2019	2020	2021	2022 YTD	
Filed by Indictment or Information	1,041	1,343	1,408	622	
Other Cases Reaching Docket	433	466	698	360	
Total cases added:	1,474	1,809	2,106	982	
Total Convictions	445	318	513	276	

Burglary of a Motor Vehicle (BMV) Data - Grantee Report to MVCPA in GMTS					
Grant Report ID #	Activity	FY 2019	FY 2020	FY 2021	FY 2022 YTD
2.1.12	Number of BMV including parts cases cleared	52	240	276	38
2.1.13	Number of persons arrested for BMV including parts by taskforce	15	52	66	18
2.1.7	BMV related cases presented to prosecutor	13	44	54	10

Burglary of a Motor Vehicle - DPS Data reported by Houston PD and Houston Metro Transit PD					
Classification	2019	2020	2021	2022 YTD	
FROM MOTOR VEHICLES	32,795	27,395	23,252	12,447	
MOTOR VEHICLE PARTS AND ACCESSORIES	6,073	7,662	13,663	9,213	
TOTAL:	38,868	35,057	36,915	21,660	

### San Antonio - Regional Auto Crimes Taskforce

Motor Vehicle Theft (MVT) Data - Grantee Report to MVCPA in GMTS					
Grant Report ID #	Activity	FY 2019	FY 2020	FY 2021	FY 2022 YTD
1.1.15	Number of stolen motor vehicles recovered by taskforce	1,047	1,277	1,005	679
1.1.16	Report the number of MVT cases cleared	2,075	2,668	2,181	600
1.1.17	Number of persons arrested for motor vehicle theft by taskforce	980	1,250	1,197	410
1.1.4	MVT related cases presented to prosecutor	905	1,098	784	485

Motor Vehicle Theft - DPS Data reported by San Antonio PD					
Classification 2019 2020 2021 2022 Y					
Motor Vehicle Theft	7,781	7,015	8,909	6,212	

Motor Vehicle Theft – Texas Courts Data for Bexar County					
Activity	2019	2020	2021	2022 YTD	
Filed by Indictment or Information	603	614	613	394	
Other Cases Reaching Docket	552	481	567	284	
Total cases added:	1,155	1,095	1,180	678	
Total Convictions	248	182	197	122	



• FY22 Progress and Expenditure Reports Status and Due Dates

○Q4 Progress Report due September 30<sup>th</sup> and considered delinquent after the last day of the month.

 End of Year Report due October 1<sup>5<sup>th</sup></sup> (Critical Going into Legislative Session)

 Final Expenditure Report due October 15<sup>th</sup> (Critical Going into Legislative Session)



### Board Agenda Item Section 3. Grants Budget and Reporting (GBR) Committee Report

**Item A.** State Auditor Engagement and Designation of TxDMV Internal Auditor as Coordinator

**Information:** The State Auditors Office notified the TxDMV and the MVCPA on August 2, 2022, of an *"Engagement Letter for an Audit of Motor Vehicle Crime Prevention at the Department of Motor Vehicles."* The letter was sent to the Executive Director of the Texas Department of Motor Vehicles (TxDMV) and reflected copies sent to the Presiding Officer of the MVCPA and the MVCPA Director. The TxDMV Internal Auditor sent the electronic notice out to affected TxDMV executives. Since the TxDMV Internal Auditor reports to the TxDMV Board (a separate governor appointed board) the MVCPA Director recommends that the MVCPA appoint the TxDMV Internal auditor. Most records needed to perform the review of the operation are in the TxDMV system. MVCPA Board members as governor appointees have full time obligations outside of the MVCPA and may need the assistance of a full time professional auditor to assist them in providing appropriate responses.

**Recommendation:** Designate the Texas Department of Motor Vehicles Internal Auditor to serve as point of contact and coordinator for the State Auditor Office engagement of the Motor Vehicle Crime Prevention Authority.



Lisa R. Collier, CPA, CFE, CIDA, State Auditor August 2, 2022

Mr. Daniel Avitia, Executive Director Texas Department of Motor Vehicles 4000 Jackson Avenue Austin, TX 78731

Subject: Engagement Letter for an Audit of Motor Vehicle Crime Prevention at the Department of Motor Vehicles

Dear Mr. Avitia:

The State Auditor's Office will be auditing the Texas Department of Motor Vehicles (Department). The audit objectives are:

- (1) Determine whether the Motor Vehicle Crime Prevention Authority (Authority) has processes in place to ensure that it:
  - Awards, administers, and monitors its grants in accordance with applicable requirements.
  - Complies with selected statutory requirements, including limitations on administrative expenses.
- (2) Evaluate the Department's processes and controls related to ensuring the appropriate production and use of temporary vehicle tags.

Once we finalize our audit scope, we will communicate it to you. Our work will include the automated systems and processes that support the functions being audited. We will conduct the audit in accordance with generally accepted government auditing standards.

The audit is currently in the planning phase, and we are gathering information to help us understand the Department's and the Authority's operations. To avoid duplicating audit efforts, we will coordinate our work with the Department's internal audit department. The State Auditor's Office also has developed an engagement expectations memo to document what the Department and the Authority can expect from the State Auditor's Office and what the State Auditor's Office can expect from the Department and the Authority (see attachment). We will discuss that memo at the entrance conference. The audit is tentatively scheduled from August 2022 through January 2023. We expect to release the audit report in March 2023.

The State Auditor's Office understands that the Department's and the Authority's operations may be impacted by the COVID-19 pandemic. We will work with the

Robert E. Johnson Building 1501 N. Congress Avenue Austin, Texas 78701

P.O. Box 12067 Austin, Texas 78711-2067

> Phone: (512) 936-9500



الله Internet: www.s Mr. Daniel Avitia, Executive Director Texas Department of Motor Vehicles August 2, 2022 Page 2

Department and the Authority to perform our audit work in a manner that is feasible for all parties.

We will meet periodically with the Department's and the Authority's management to discuss interim and final audit results. Before releasing the report, we will provide management with a confidential draft and will request formal written responses. Those responses should address the audit results and include a corrective action plan, if necessary. The responses should be written on the Department's and the Authority's letterhead and submitted to the State Auditor's Office. Generally, the Department's and Authority's management will have 10 working days to provide responses. However, the response time may be fewer than 10 working days, based on the significance of any issues identified during the engagement. The published, public audit report will include management's formal responses.

Our office applies auditing standards, which emphasize that auditors should exercise professional skepticism and increased awareness to detect potential noncompliance, fraud, and abuse. As a result, our interviews will include specific questions to help us assess fraud risk at your entity. In addition, to help in our risk assessment and gaining an understanding of the Department and the Authority, our procedures will include a review of lawsuits filed against the Department and the Authority. We will request a list of filed lawsuits outstanding and those settled during a period to be determined.

A copy of the most recent external quality control review report on the State Auditor's Office is available at <a href="http://www.sao.texas.gov/About/PeerReviews/">http://www.sao.texas.gov/About/PeerReviews/</a>. Government Auditing Standards require audit organizations to have an external review every three years. The most recent review found that the State Auditor's Office conducts audits in accordance with auditing standards.

If you have any questions, please contact Cesar Saldivar (the audit manager overseeing the audit), Bianca Pineda (the project manager directing the audit on-site), or me at (512) 936-9500. Our office looks forward to working with the Department's and the Authority's personnel over the next few months.

Sincerely,

Liss R. Collier

Lisa R. Collier, CPA, CFE, CIDA State Auditor

Attachment



### THE MOTOR VEHICLE CRIME PREVENTION AUTHORITY Texas State Auditor Engagement and Designation of TxDMV Internal Auditor as Point of Contact and Coordinator

The Texas Motor Vehicle Crime Prevention Authority (Authority) has been notified by the Texas State Auditor's Office (SAO) of an SAO engagement to review the Authority's processes beginning in August 2022 through March 2023. The processes announced by SAO to review are related to how the Authority 1) awards, administers, and monitors its grants in accordance with applicable requirements; and 2) complies with selected statutory requirements, including limitations on administrative expenses.

The Authority does not have or employ an Internal Auditor. The Motor Vehicle Crime Prevention Authority (MVCPA) Division of the Texas Department of Motor Vehicles (TxDMV) is already included under the TXDMV's Internal Auditor duties and responsibilities.

To facilitate and support the SAO in this audit, the Authority hereby delegates to TxDMV Internal Auditor Salem Chuah, or his representative in his absence, the responsibility of serving as the MVCPA Division and Authority's point of contact and coordinator for the SAO engagement. During the SAO engagement and upon request, TxDMV Internal Auditor Salem Chuah shall make periodic reports to the Authority and Staff regarding the progress of the SAO audit.

The Authority's delegation to TxDMV Internal Auditor Salem Chuah is solely limited to the above-listed delegated duties and responsibilities as they relate to the SAO audit engagement. This delegation shall not affect the legal authority or power of the Authority to act with respect to the statutory responsibilities of the Authority under all applicable law.

This delegation to Salem Chuah shall expire upon the public issuance of the SAO audit and its presentation of written findings to the Authority or upon written notification of the Authority.

Considered by the MVCPA on August 23, 2022

MOTOR VEHICLE CRIME PREVENTION AUTHORITY

Mike Rodriquez, Chairman

Date



### Board Agenda Item Section 3. Grants Budget and Reporting (GBR) Committee Report

Item B. Report TxDMV Actions LAR and Legislative issues

### **Texas Department of Motor Vehicles**



### FY 2024–2025 Legislative Appropriations Request Update

### Legislative Appropriations Request (LAR) Update - Summary

- At the June 30, 2022, TxDMV Board meeting, information was presented regarding preliminary items to be considered for inclusion in the FY 2024-2025 Legislative Appropriations Request (LAR). The Board adopted a motion directing staff to prepare the FY 2024-2025 LAR to include the items presented by staff, and all reports and schedules required by the Legislative Budget Board (LBB) in its LAR Instructions, subject to any technical corrections approved by the department's Chief Financial Officer and Executive Director to comply with the instructions from the LBB.
- > After additional review, updates have been incorporated into the draft LAR, including:
  - Updates to certain exceptional item costs
  - Clarification of purpose for MVCPA exceptional item funding
  - New exceptional item for additional Full-time equivalent (FTE) positions supported by baseline funding
  - Recommended increase to maximum, authorized salary for the Executive Director
- > Details related to these updates are provided in this report.
- The LAR will be submitted to the LBB and Governor's Office on August 12, 2022.

Return to AGENDA

### Legislative Appropriations Request (LAR) Update – Exceptional Items

The following table provides a list of updates to the preliminary LAR exceptional items presented to the board in June 2022.

Item	Update
Registration and Title System (RTS) Replacement Phase One	The total cost of this project is increased from \$5.5 million to \$6.75 million to incorporate additional consulting support recommended by the Department of Information Resources (DIR), particularly focused on risk mitigation and ensuring the procurement process is fully supported for this high priority, statewide initiative.
Expanded Regional Service Centers (RSCs) in Houston and Dallas	The total cost has been updated to include critical technology-related items that are necessary for daily operations of the RSCs, including hardware, software, and network connectivity.
Provide Full Funding for Motor Vehicle Crime Prevention Authority (MVCPA)	The purpose of the request is clarified to reflect that additional funding will be used for grant programs to combat vehicle theft and burglary through enforcement, prevention, public information, and education initiatives.
Provide Budget Authority for Camp Hubbard Renewal Project	Staff is working with the Texas Public Finance Authority to properly reflect funding for this initiative in the department's appropriation pattern. This effort will likely be ongoing throughout the legislative appropriations process.
Increase in Authorized FTEs	Based on guidance from LBB staff, a new exceptional item has been added to provide for the recommended increase in authorized FTEs. The FTEs for MVCPA have also been added to this request item. Funding is available within the department's base appropriations to support these FTEs; therefore, the dollar amount for this exceptional item is zero.

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# Proposed Legislative Recommendations Packet:

# **MVCPA Board Requested Item:**

<u>+</u> The encourage the full statutorily required appropriation to the program for release as grant dedication would ensure the fee revenue could not be expended on other state purposes and The following proposed statutory additions/amendments would create a dedicated fund/account for the deposit of Motor Vehicle Crime Prevention Authority fee collections. This program funding to law enforcement agencies and administrative costs each biennium.

Section 1001.151, Transportation Code, is amended to read as follows:

outside Texas Department of Motor Vehicles fund is a special fund in the the general revenue fund and the state highway fund. treasury (a) The

(d Except as provided by Subsection (c), and unless otherwise

dedicated by the Texas Constitution, the fund consists of:

(2) (1)money allocated to pay fund accounting costs money appropriated by the legislature to the and related department;

liabilities ОĤ the fund;

(ω) gifts, grants, department;

money required by law to be deposited and donations received by the by law to be deposited to the fund;

interest earned on money in the fund; and

(6) (4)

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Vehicle Crime Jobr ц ц ор к Prevention depar 0 ti nto

Prevention Authority purposes and other revenue collected or received by Motor Authority may not be <del>deposited</del>

Transportation Code, is amended by adding Section 1006.156

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Page 1 of 1

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shall be deposited to the credit of a subaccount in the Texas Department

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HELPING TEXANS GO. HELPING TEXAS GROW.

Board Meeting Date: 8/11/2022 **BRIEFING ITEM** 

	Agenda Item: 9.A	From: Glenna Bowmar	To: Texas Departme	
Legislative Appropriations Request (LAR) Update		Glenna Bowman, Chief Financial Officer	Texas Department of Motor Vehicles Board	

### RECOMMENDATION

Briefing item with no recommendation.

## PURPOSE AND EXECUTIVE SUMMARY

(LAR) for the FY 2024-2025 biennium. The purpose of this item is to provide the Board with an update on TxDMV's Legislative Appropriations Request

### FINANCIAL IMPACT

necessary for the appropriation of funding for the FY 2024-2025 biennium. The LAR provides to the Legislative Budget Board, the Governor's Office, and the Legislature financial information

## **BACKGROUND AND DISCUSSION**

for inclusion in the FY 2024-2025 LAR. At the June 30, 2022, TxDMV Board meeting, information was presented regarding preliminary items to be considered

After additional review, updates have been incorporated into the draft LAR, including:

- Updates to certain exceptional item costs
- Clarification of purpose for MVCPA exceptional item funding
- New exceptional item for additional Full-time equivalent (FTE) positions supported by baseline funding
- Recommended change to maximum, authorized salary for the Executive Director

Details related to these updates are provided in the board materials

The LAR will be submitted to the Legislative Budget Board and Governor's Office on August 12, 2022.

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### **Board Agenda Item**

### Section 4. Consider a process for future development of MVCPA policies required under Texas Transportation Code Section 1006.060 in the following areas:

Item A. Grant Related Policies

- i. Law Enforcement Training and Communication
- ii. Develop a Grantee Violation Documentation and Notification Policy

Item B. Insurance Collection and Refund Policies

- i. Notification of failure to file or pay
- ii. Use of administrative adjustment policy
- iii. Insurance Refund Policies
- iv. Application and Refund of Penalty Policies

Item C. Activities and Personnel assigned to MVCPA

- i. Director Selection and Designation Policy
- ii. MVCPA Classification and Compensation Policy for Assigned TxDMV Employees
- iii. MVCPA Travel Designation Policy for Assigned TxDMV Employees

### <u>MEMORANDUM OF UNDERSTANDING</u> <u>BETWEEN THE TEXAS DEPARTMENT OF MOTOR VEHICLES AND</u> <u>THE TEXAS MOTOR VEHICLE CRIME PREVENTION AUTHORITY</u>

This Memorandum of Understanding (MOU) is entered into by the Texas Department of Motor Vehicles (TxDMV) and the Texas Motor Vehicle Crime Prevention Authority (MVCPA) pursuant to Texas Transportation Code Chapter 1006. Specifically, Transportation Code §1006.060 requires that the MVCPA, in coordination with TxDMV, develop and implement policies that clearly separate the policymaking responsibilities of the MVCPA and the management responsibilities of the TxDMV.

NOW, THEREFORE, the MVCPA and TxDMV enter into this MOU to set out their understanding and agreement of each agency's responsibilities under Transportation Code Chapter 1006.

IT IS AGREED THAT:

### I. <u>AUTHORITY AND DUTIES</u>

A. TxDMV and the MVCPA shall exercise and fulfill all the powers and duties granted to them under Transportation Code Chapter 1006;

B. The MVCPA will promulgate and maintain its own rules as authorized in Transportation Code Chapter 1006;

C. The MVCPA shall establish written policies for issues relating to MVCPA programs, including:

- performing financial support to authorized entities, education programs, and providing equipment;
- 2. collecting the required fee on any form of motor vehicle insurance;
- 3. notifying the Texas Department of Insurance of insurers that fail to file or pay the required fee; and
- 4. determining the validity of a request for refund of fees paid by insurers.
- D. TxDMV through its Executive Director (ED) with advice and consent from the Authority,

shall appoint a TxDMV employee to serve as MVCPA Director to perform all the actions required by the

E. The ED will designate the MVCPA Director to provide members of the MVCPA information regarding the members' qualifications for office and their responsibilities relating to standards of conduct.

F. All TxDMV management policies apply to MVCPA unless explicitly exempted, any exempted policies will be clearly outlined and specify their applicability to the MVCPA. The TxDMV will provide MVCPA services by or through the department as needed to carry out the authority's purposes, powers, and duties. These services include legal services not provided by the attorney general, fiscal services, administrative services, and personnel services;

G. The MVCPA Director appointed by the ED under Transportation Code §1001.041 shall manage MVCPA staff operations including, managing money appropriated to the department for authority purposes, administering the MVCPA fee collection program, administering the process to determine refunds, implementing the grant program, and all other staff duties relating to the MVCPA, as appropriate.

### II. <u>EFFECTIVE DATE AND TERMINATION</u>

This MOU is effective upon the date of the last signatory to this MOU.

This MOU may be terminated upon thirty (30) days written notice by either party.

TEXAS DEPARTMENT OF MOTOR VEHICLES

TEXAS MOTOR VEHICLE CRIME PREVENTION AUTHORITY

Whitney Brewster, TxDMV Executive Director

Tommy Hansen, MVCPA Chairman

DATE: 2-5-20

### THE MOTOR VEHICLE CRIME PREVENTION AUTHORITY DELEGATION OF AUTHORITY

### General remarks and official action taken:

The Motor Vehicle Crime Prevention Authority (Authority) may delegate duties or responsibilities to Texas Department of Motor Vehicles staff as needed under Transportation Code §1006.101. Under this authority, the Authority delegates the authority listed below to Bryan Wilson, MVCPA Director.

Delegated Authority:

Actions:

- 1. The authority to carry out and maintain policies adopted by the Authority under Transportation Code §1006.101 and §1006. 151
- The authority to notify the Texas Department of Insurance when insurers fail to pay assessment or fail to file required assessment forms under Transportation Code §1006.153(d).
- 3. The authority to prepare a Plan of Operation under Transportation Code §1006.102 subject to the approval of the Authority;
- 4. The authority to prepare an Annual Financial Report under Transportation Code §1006.155 subject to the approval of the Authority.

This delegation is expressly limited to the delegated authority listed above. This delegation shall not affect the legal authority or power of the Authority which retains authority to act in all things and at all times with respect to the statutory charge of the Authority.

Tommy Hansen, Chair MVCPA

1.5120

Date
# Process for Development of MVCPA Policies Required under Texas Transportation Code Section 1006.060

The Motor Vehicle Crime Prevention Authority (MVCPA or Authority) is required, in coordination with the Texas Department of Motor Vehicles (TxDMV), to develop and implement policies that clearly separate the policymaking responsibilities of the Authority and the management responsibilities of TxDMV.

The MVCPA adopts the following process to develop and implement the required policies:

- Policy Proposal and Consideration A member of the Authority, the MVCPA director (or designee), the assigned general counsel or the Executive Director of TxDMV (or designee) may propose in writing to the MVCPA Director an idea, issue, or concern that the Authority may develop into a policy related to the separation of responsibilities. The email or written memo shall identify the core issue(s) and the potential impact to MVCPA, TxDMV, and stakeholders of the proposed policy.
- 2. Development The MVCPA director with MVCPA presiding officer shall determine whether to develop a draft written policy based on the proposal in step 1. The committee chairs will be included in determining and drafting a policy when appropriate based on the committee charters. The policy will be marked draft and should address all issues presented in the original proposal. The MVCPA director will also develop a plan to implement the policy and measures to show compliance, impact, or outcomes of the policy.
- 3. Coordination The draft written policy will be provided to affected TxDMV divisions, TxDMV Executive Director Office by the MVCPA director. The MVCPA presiding officer and committee chair will review all comments and edits. The MVCPA Director will develop the final draft policy based on the comments and edits received.
- 4. Adoption The final draft policy will be considered by the MVCPA board at an open meeting. If adopted, the policy will be submitted to the TxDMV to work with the MVCPA Director to implement the policy.
- 5. Implementation The MVCPA director will ensure that the policies are maintained and implemented. The board will be notified when the policy is not maintained or becomes obsolete.
- **6. Reporting** The MVCPA director will report at least annually to the MVCPA board the compliance, impact, or outcomes of the policy.

## Examples of Future Policy Development Identified by MVCPA Board and Staff

## **Grant Related Policies**

## **MVCPA Motor Vehicle Crime Law Enforcement Training and Communication Policy**

- The MVPCA expects that all grant funded taskforce programs and motor vehicle crime investigators in these programs receive and maintain the highest level of specialized training and credentialing available to ensure MVCPA grants increase:
  - The recovery rate of stolen motor vehicles
  - The clearance rate of motor vehicle burglaries and thefts and fraud-related motor vehicle crimes
  - The number of persons arrested for motor vehicle crimes
- The MVCPA will develop policies to ensure that MVCPA funded programs and officers perform their duties successfully by prioritizing communication and intelligence sharing information 1) within taskforces programs; 2) with grant coverage agencies, 3) among all funded taskforce motor vehicle crime investigators, and 4) with other law enforcement agencies and program related state agencies (DPS, TxDMV, TDLR and TCOLE mainly).

## **Grantee Violation Documentation and Notification Policy**

- The MVCPA ensures that rule violations are properly documented, and notices are provided for grantees to take corrective actions prior to MVCPA consideration under 43 TAC § 57.23 specifically the policy must cover:
  - Notification for late or missing report provided in the MVCPA Grant Administrative Manual.
  - Notification of inaction or missing proof of compliance with special conditions in a Statement of Grant Award (SGA).

## Notification and Determination of Grant Violations

All grants shall be managed in accordance with the following: (TAC Title 43, Part 2 Chapter 57)

- Applicable federal or state laws, rules, regulations, policies, or procedures; and
- Terms, conditions, standards, or stipulations of grant agreements.

#### Financial, Progress, and Inventory Reports

- Each grantee shall submit all required reports in accordance with the instructions provided in the MVCPA Grant Administrative Manual (GAR).
- Grantee must submit required reports to the MVCPA as defined in section 2.7 of the FY20 Grant Administrative Manual or will be in violation unless grantee has received prior instructions from the MVCPA to submit after the delinquent date due to the submission influencing another report.

- MVCPA will transmit a reminder notice to grantees, via email, 5 days after the report due date reminding grantee that it must be submitted before the delinquent date.
- MVCPA will transmit a notice of grant violation to Grantees, via email, who fail to submit the report by the delinquent date.
- Grantees who fail to submit a delinquent report within 5 days after receiving notice of a grant violation may be subject to administrative penalties as defined in future policies:

## **Special Program Conditions**

Grantees with special conditions as required in the Statement of Grant Award may not receive payments until the special conditions are met, unless otherwise stated in the conditions issued by MVCPA. Special conditions may include one or more of the following:

- Border Security Report Requirement
- Intelligence Sharing
- Multi-agency grant
- Multi-agency Grant Operational Plan
- Resolution
- MVCPA will transmit a reminder notice to grantees, via email, 30 days after the beginning of the Fiscal Year, who have not complied with a special condition. A report must be received by date before it is considered delinquent will be provided.
- MVCPA will use grantee webinars and email to remand grantees to comply with special conditions. A notice of grant violation will be sent to Grantees, via email, after it is delinquent.
- Grantees who fail to fail to provide satisfactory evidence of the compliance within 30 days after receiving notice of a grant violation may be subject to administrative penalties in rule or policy.

#### **Insurance Collection and Refund Policies**

#### Notification to Insurers for Failure to File MVCPA Assessment Form or Pay Fee Policy

Non-Paying Insurers – In November 2017, the MVCPA provided input but did not adopt a policy for insurers who reported to the Comptroller of Public Accounts (CPA) Motor Vehicle Insurance revenue on the Texas Annual Insurance Maintenance, Assessment, and Retaliatory Report and either had not filed, or reported zero motor vehicle years on the MVCPA fee report. On September 13, 2017, certified letters were mailed to the 30 insurers and the attorney for service listed in the Texas Department of Insurance database. The original population of 2015 non-payers was 30: Of those: The number who have now paid: 11 The total amount paid as of 10/27/2017 \$17,153 The number who have claimed an exemption applies due to the current TAC: 12 Those who claim income was reported in error to CPA 1 Those been reported as Out of Business 1 Those who have not responded: (list for disposition) 5 Twelve (12) insurers state they are exempt from paying the fee due to the policies they provide being garage liability, non-ownership or hired auto coverage. One insurer was correcting their previous report and stated they did not owe the fee. MVCPA Staff since developed a process to notify the Texas

Department of Insurance to open enforcement actions on insurers who are non-responsive / non-paying insurers.

## **Use of Administrative Adjustment Policy**

#### Potential Policy for the Correction of Misapplication of MVCPA Payments

The MVCPA operates its insurance collections under Texas Transportation Code 1006.153 through an Interagency Agreement with the Comptroller of Public Accounts (CPA) executed by TxDMV on MVCPA's behalf.

In that agreement, the CPA to allowed to make corrections of contemporaneous misapplication errors made by insurers or CPA staff. These errors can be either between tax periods, types of tax (Fire Insurance fees vs MVCPA) and tax periods (First half vs second half). These have in some instances, resulted from the insurance companies' record keeping.

The follow criteria must be met by insurers for reapplication of payments:

- 1) reporting must be current no missed filings
- 2) in compliance for filings and payments for at least the last 3 filing periods
- 3) requests must be received by the CPA within 48 hours of the payment submission.

#### **Insurance Refund Policies**

Develop a formal review process and set minimum standards for record keeping and evidence to determine sufficiency of payments.

#### **Application and Refund of Penalty Policies**

Develop rules or a policy to provide refunds consistent with the CPA's guidelines or establish refund process (determination of sufficiency) for insures who overpaid. Develop rules and policy in coordination with CPA their guidelines. Need careful legal review prior to development because there may not be any authorization in the Transportation Code.

## Activities and Personnel assigned to MVCPA

The MVCPA presiding officer and board considered seeking TxDMV to request legislation to allow MVCPA to have its own director. After discussions with stakeholders, the MVCPA will instead develop policy required under Texas Transportation Code Section 1006.060 to clarify expectations for the MVCPA Director and MVCPA division to performs its duties. Policies shall be developed to address clarity on the appropriate role of TxDMV management's management of the MVCPA director and the MVCPA Division.

## **Director Selection and Designation Policy**

The MVCPA board as citizen appointed volunteers relies on the MVCPA director to perform their statutory duties. The Interagency Contract (IAC) was intended to make the designation of the MVCPA director and their duties clear. None of the MVCPA's statutory duties overlap or are a part of TxDMV's statutory duties or responsibilities to the citizens of Texas. The MVCPA desires appropriate policies to ensure its ability to select, retain, request dismissal, and support the MVCPA Director to perform its duties.

## MVCPA Classification and Compensation Policy for Assigned TxDMV Employees

The MVCPA wants to ensure that the MVCPA director has latitude to perform the duties of the MVCPA and have the proper classification under state guidelines. The MVPCA Director position performs highly advanced (senior-level) managerial work providing direction and guidance in strategic operations and planning for both a TxDMV division and governor appointed board. This includes the law enforcement field operation coordination, TCOLE training, program monitoring, performance measurement, budget management activities, expenditure approval, legislative reports, board support, technology development, interface with state agencies, insurance fee collections and many other duties assigned by the MVCPA Board. The management of a multifaceted operation (grants, collections, refunds, and training, statewide program development, and TxDMV division responsibilities) requires the director to be classified at a higher level within the job classification series. In addition, TxDMV assigned MVCPA Division staff also carry large roles to support the MVCPA Director and MVCPA Board, Board Committees.

It is the intent of the Motor Vehicle Crime Prevention Authority's Board to construct a marketbased" pay philosophy to maintain the average pay of the comparable directors within the TxDMV, while at the same time meeting financial limits of the Authority. Striving to maintain a pay structure that is "market-based" and utilizing the data of the comparable TxDMV is intended to improve the recruitment and retention of the MVCPA Director.

## **MVCPA Travel Designation Policy for Assigned TxDMV Employees**

It is the intent of the MVCPA Board that all positions assigned to the MVCPA Division are required to travel for monitoring, program development and training. Additionally, in-state and out-of-state travel is required for staff and the board to maintain national and international coordination to combat and prevent motor vehicle crime. The MVCPA board also sets the travel budget each year for the Board and Staff. A policy shall be developed to reduce the time transactional costs and approval requirements. Time spent associated with travel approvals shall be reduced while maintaining state payment requirements. The MVCPA director shall be the only approval authority for in-state travel on behalf of the MVCPA with MVCPA funds.



# **TxDMV Board Meeting**

9:00 a.m. Thursday, June 30, 2022

## **Board Policy Documents**

Governance Process (10/13/11)

Strategic Planning (10/13/11)

Board Vision (4/7/16)

Agency Boundaries (9/13/12)



## Texas Department of Motor Vehicles TxDMV Board Governance Policy

## 1. PURPOSE

The directives presented in this policy address board governance of the Texas Department of Motor Vehicles (TxDMV).

## 2. SCOPE

The directives presented in this policy apply to the TxDMV Board and TxDMV agency personnel who interact with the Board. The TxDMV Board Governance Policy shall be one that is comprehensive and pioneering in its scope.

## **3. POLICY**

#### **3.1. TxDMV Board Governing Style**

The Board shall govern according to the following general principles: (a) a vision for the agency, (b) diversity in points of view, (c) strategic leadership, providing day-to-day detail as necessary to achieve the agency vision, (d) clear distinction of Board and Executive Director roles, (e) collective decision making, (f) react proactively rather than reactively and with a strategic approach. Accordingly:

- 3.1.1. The Board shall provide strategic leadership to TxDMV. In order to do this, the Board shall:
  - 3.1.1.1. Be proactive and visionary in its thinking.
  - 3.1.1.2. Encourage thoughtful deliberation, incorporating a diversity of viewpoints.
  - 3.1.1.3. Work together as colleagues, encouraging mutual support and good humor.
  - 3.1.1.4. Have the courage to lead and make difficult decisions.
  - 3.1.1.5. Listen to the customers and stakeholders needs and objectives.
  - 3.1.1.6. Anticipate the future, keeping informed of issues and trends that may affect the mission and organizational health of the TxDMV.
  - 3.1.1.7. Make decisions based on an understanding that is developed by appropriate and complete stakeholder participation in the process of identifying the needs of the motoring public, motor vehicle industries,



and best practices in accordance with the mission and vision of the agency.

- 3.1.1.8. Commit to excellence in governance, including periodic monitoring, assessing and improving its own performance.
- 3.1.2. The Board shall create the linkage between the Board and the operations of the agency, via the Executive Director when policy or a directive is in order.
- 3.1.3. The Board shall cultivate a sense of group responsibility, accepting responsibility for excellence in governance. The Board shall be the initiator of policy, not merely respond to staff initiatives. The Board shall not use the expertise of individual members to substitute for the judgment of the board, although the expertise of individual members may be used to enhance the understanding of the Board as a body.
- 3.1.4. The Board shall govern the agency through the careful establishment of policies reflecting the board's values and perspectives, always focusing on the goals to be achieved and not the day-to-day administrative functions.
- 3.1.5. Continual Board development shall include orientation of new Board members in the board's governance process and periodic board discussion of how to improve its governance process.
- 3.1.6. The Board members shall fulfill group obligations, encouraging member involvement.
- 3.1.7. The Board shall evaluate its processes and performances periodically and make improvements as necessary to achieve premier governance standards.
- 3.1.8. Members shall respect confidentiality as is appropriate to issues of a sensitive nature.

## **3.2. TxDMV Board Primary Functions/Characteristics**

TxDMV Board Governance can be seen as evolving over time. The system must be flexible and evolutionary. The functions and characteristics of the TxDMV governance system are:

- 3.2.1. Outreach
  - 3.2.1.1. Monitoring emerging trends, needs, expectations, and problems from the motoring public and the motor vehicle industries.
  - 3.2.1.2. Soliciting input from a broad base of stakeholders.

## 3.2.2. Stewardship

- 3.2.2.1. Challenging the framework and vision of the agency.
- 3.2.2.2. Maintaining a forward looking perspective.
- 3.2.2.3. Ensuring the evolution, capacity and robustness of the agency so it remains flexible and nimble.
- 3.2.3. Oversight of Operational Structure and Operations
  - 3.2.3.1. Accountability functions.
  - 3.2.3.2. Fiduciary responsibility.
  - 3.2.3.3. Checks and balances on operations from a policy perspective.
  - 3.2.3.4. Protecting the integrity of the agency.
- 3.2.4. Ambassadorial and Legitimating
  - 3.2.4.1. Promotion of the organization to the external stakeholders, including the Texas Legislature, based on the vision of the agency.
  - 3.2.4.2. Ensuring the interests of a broad network of stakeholders are represented.
  - 3.2.4.3. Board members lend their positional, professional and personal credibility to the organization through their position on the board.
- 3.2.5. Self-reflection and Assessment
  - 3.2.5.1. Regular reviews of the functions and effectiveness of the Board itself.
  - 3.2.5.2. Assessing the level of trust within the Board and the effectiveness of the group processes.

#### **3.3. Board Governance Investment**

Because poor governance costs more than learning to govern well, the Board shall invest in its governance capacity. Accordingly:

3.3.1. Board skills, methods, and supports shall be sufficient to ensure governing with excellence.



- 3.3.1.1. Training and retraining shall be used liberally to orient new members, as well as maintain and increase existing member skills and understanding.
- 3.3.1.2. Outside monitoring assistance shall be arranged so that the board can exercise confident control over agency performance. This includes, but is not limited to, financial audits.
- 3.3.1.3. Outreach mechanisms shall be used as needed to ensure the Board's ability to listen to stakeholder viewpoints and values.
- 3.3.1.4. Other activities as needed to ensure the Board's ability to fulfill its ethical and legal obligations and to represent and link to the motoring public and the various motor vehicle industries.
- 3.3.2. The Board shall establish its cost of governance and it will be integrated into strategic planning and the agency's annual budgeting process.

## **3.4.** Practice Discipline and Assess Performance

The Board shall ensure the integrity of the board's process by practicing discipline in Board behavior and continuously working to improve its performance. Accordingly:

- 3.4.1. The assigned result is that the Board operates consistently with its own rules and those legitimately imposed on it from outside the organization.
  - 3.4.1.1. Meeting discussion content shall consist solely of issues that clearly belong to the Board to decide or to monitor according to policy, rule and law. Meeting discussion shall be focused on performance targets, performance boundaries, action on items of Board authority such as conduct of administrative hearings, proposal, discussion and approval of administrative rule-making and discussion and approval of all strategic planning and fiscal matters of the agency.
  - 3.4.1.2. Board discussion during meetings shall be limited to topics posted on the agenda.
  - 3.4.1.3. Adequate time shall be given for deliberation which shall be respectful, brief, and to the point.
- 3.4.2. The Board shall strengthen its governing capacity by periodically assessing its own performance with respect to its governance model. Possible areas of assessment include, but are not limited to, the following:
  - 3.4.2.1. Are we clear and in agreement about mission and purpose?

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- 3.4.2.2. Are values shared?
- 3.4.2.3. Do we have a strong orientation for our new members?
- 3.4.2.4. What goals have we set and how well are we accomplishing them?
- 3.4.2.5. What can we do as a board to improve our performance in these areas?
- 3.4.2.6. Are we providing clear and relevant direction to the Executive Director, stakeholders and partners of the TxDMV?
- 3.4.3. The Board Chair shall periodically promote regular evaluation and feedback to the whole Board on the level of its effectiveness.



## **Board Agenda Item**

Section 5. Reports on MVCPA activities identified by the Director as noteworthy, which may include reports on:

Item A. Personnel

Item B. Budget

Item C. Grant Activities and Analysis

Item D. Grant Adjustments

Item E. Educational Programs and Marketing

Item F. MVCPA Law Enforcement Training

Item G. Assessment, Collection, Refund Activities

Item H. Agency Operations

Item I. Law Enforcement Operations and TxDMV Collaboration

## Personnel

#### Motor Vehicle Crime Prevention Authority (MVCPA) Summer Intern

Iris Shea has completed her summer internship with the Texas Department of Motor Vehicles and MVCPA. Iris quickly became an asset to the MVCPA and was instrumental in organizing files and updating public awareness media. Iris will be missed and the MVCPA wishes her the best in her senior year at the University of Texas.

#### **MVCPA Director**

Bryan Earl Wilson has announced his retirement effective August 31, 2022. Bryan joined the MVCPA in 2014 after serving 18 years managing programs or grants for TDCJ, Texas Indigent Defense Commission, the Texas Supreme Court and 8 years in Texas District Courts. Bryan's service and dedication brought the MVCPA to the high level of accountability you see today. Bryan will be missed, and we wish him the best with life on the ranch.

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The MVCPA Budget Report was prepared by the TxDMV Financial and Administration Services Division

Motor Vehicle Crime Prevention Authority AY 2022 as of 8/16/2022									
MVCPA Budget Category		Budget		Expenditures		Encumbrances	Av	ailable Budget	% Available Budget
Grants	\$	14,438,325	\$	7,243,951	\$	7,174,250	\$	20,124	0%
Advertising and Promotion	\$	23,912	\$	15,175	\$	8,697	\$	40	0%
All Other Operating	\$	47,598	\$	20,044	\$	8,651	\$	18,903	40%
Consumable Supplies	\$	1,500	\$	671	\$	23	\$	806	54%
Professional Fees & Services	\$	37,801	\$	4,342	\$	23,160	\$	10,299	27%
Salaries and Personnel Costs	\$	412,969	\$	378,566	\$	-	\$	34,403	8%
Travel	\$	17,500	\$	9,091	\$	-	\$	8,409	48%
Grand Total	\$	14,979,605	\$	7,671,840	\$	7,214,781	\$	92,984	1%

## **Current Fiscal Year FY22**

## **Next Fiscal Year FY23**

Motor Vehicle Crime Prevention Authority FY 2023 as of 8/16/2022									
MVCPA Budget Category		Budget		Expenditures		Encumbrances	Ava	ailable Budget	% Available Budget
Grants	\$	14,119,773	\$	-	\$	175,000	\$	13,944,773	99%
Advertising and Promotion	\$	152,642	\$	-	\$	-	\$	152,642	100%
All Other Operating	\$	140,971	\$	-	\$	-	\$	140,971	100%
Consumable Supplies	\$	2,500	\$	-	\$	-	\$	2,500	100%
Professional Fees & Services	\$	133,250	\$	-	\$	2,500	\$	130,750	98%
Salaries and Personnel Costs	\$	412,969	\$	-	\$	-	\$	412,969	100%
Travel	\$	17,500	\$	-	\$	-	\$	17,500	100%
Grand Total	\$	14,979,605	\$	-	\$	177,500	\$	14,802,105	99%

Note: Taskforce Grants of \$13,600,000 have been awarded and are not reflected in encumbrances show above.

# FY22 Report <u>Year to Date</u>

# Statutory Performance Measures FY2022 Q1-Q3 (Q4 partial) As of: 8/18/22

1.1.15	Increase the recovery rate of stolen motor vehicles Number of vehicles recovered by taskforces	9,655
1.1.16	Increase the clearance rate of motor vehicle thefts Number of motor vehicle theft cases cleared	7,134
1.1.17	Increase the number of persons arrested for motor vehicle theft Number of persons arrested for motor vehicle theft by taskforces	2,052
2.1.12	Increase the clearance rate of motor vehicle burglaries Number of burglary cases cleared	1,614
2.1.13	Increase the number of persons arrested for motor vehicle burglary Number of persons arrested for burglary by taskforces	520
8.1.1	Increase the clearance rate of fraud-related motor vehicle crimes Number of fraud-related motor vehicle cases cleared	239
8.1.2	Increase the number of persons arrested for fraud-related motor vehicle crimes. Number of persons arrested for fraud-related motor vehicle crimes	78

# Other Performance Measures FY2022 Q1-Q4 (partial) As of: 8/18/22

1.1.10	Number of stolen vehicles recovered in response to LPR alerts Number of vehicles recovered from LPR detection	1,313
1.3.2	Conduct 68(A) inspections (for TxDMV assignment or reassignment of VIN). Number of vehicles inspected to complete 68(A) inspections.	21,634
4.1.2	Inspect vehicles at bridge/port Number of vehicles inspected	4,483

## **Grant Activities and Analysis**

When the COVID-19 pandemic hit Harris County, Texas in early 2020, incidents of catalytic converter theft increased significantly. From 2019 to 2021, there was a 2,571% increase in reports of catalytic converter theft. Based on the number of reported incidents year-to-date in 2022 a considerable increase is projected compared to 2021. There has also been a notable increase in violent crime associated with catalytic converter theft which has continued to rise each year. Unfortunately, this hit home for the Harris County Sheriff's Office when Deputy Darren Almendarez was shot and killed as he confronted three suspects stealing catalytic converters.

Deputy Almendarez gave 22 years of dedicated service to the citizens of Harris County and was a beloved member of the Auto Theft Unit. After his tragic death, the Harris County Sheriff's Office and numerous other law enforcement agencies vowed to seek justice for him and the countless other victims of catalytic converter theft. Three suspects were arrested the night of the murder but, investigators did not want to stop there. To cause a greater impact, investigators sought not only those who steal catalytic converters but, those who buy them as well. The Harris County Sheriff's Office, along with several other local, state and federal agencies, collaborated to share intelligence and resources. After a lengthy joint investigation, numerous suspects and locations were identified. Because of their relentless team effort, investigators were able to obtain evidence for six arrest warrants and seven search warrants. As a result, the following was recovered: 455 catalytic converters, 2,857 O2 sensors, 29 firearms (2 stolen and 1 with an auto switch), and a stolen Dodge Hellcat.

While there is still much more work to be done in the fight against catalytic converter theft, this investigation has special meaning to the Harris County Sheriff's Office. Deputy Almendarez did not die in vain. His death drew much needed attention to the catalytic converter theft epidemic. Law enforcement agencies and legislators are now giving more thought and effort to combat the crime to better protect and serve the community. This is what Deputy Almendarez lived for and ultimately what he died for.

Lt. Sandra Chapa

Harris County SO

## **Grant Activities and Analysis**

I'd like to add a few noteworthy items related to the Houston Auto Crimes Task Force. I was advised a few weeks ago that our Marine Unit would be naming their new vessel after Officer Henry Canales on September 24<sup>,2</sup> 2022. Officer Canales was shot and killed by a suspect while conducting an undercover buy/bust operation while he was part of the MVCPA Undercover Unit in 2009. The Canales family have all been invited. We will have more details as the date nears.

Next, as of last month Senior Police Officer Angel Ibarra, who served in Officer Canales' position after his passing, accepted another position in the Department and has left the HACTF Undercover Squad. Officer Ibarra was one of the few remaining original Undercover Officers from the unit. His ability to work a suspect while conducting buy/walk and buy/bust operations or just talking to them on/over the phone to set up a deal will be sorely missed.

This just seemed like the right time to mention these two Officers since they both contributed so much to making our Task Force a success.

Finally, as some of you know we have had a Special Crimes Prosecutor assigned to us for the last couple of years, ADA Tara Parker (now Hanover) of the Harris County DA's Office. Unfortunately, she has done such a good job she will be moved up to a trial court and will be replaced with ADA Carlos Aguayo. ADA Parker will be missed but we are sure we can bring the new prosecutor up to speed and continue our great work and partnership with the DA's office.

Commander Dana Hitzman

Houston PD

## FY2022 Grant Adjustment Report

Grant adjustment changes the terms of MVCPA contract with grantees. As such, the MVCPA director reports all requested modifications of grant awards to the MVCPA Board of Directors each meeting. The following grant adjustments were approved after the last board meeting on 06/08/2022:

Grant Program	Adjustment Type	Description	Budget Adjustment Total	Approval Date
Burnet County	Budget	Move \$24,939.40 from Program Income into Equipment for the purchase of a vehicle.	\$24,939.40	6/10/2022
Harris County	Budget	Move \$1,400 from Fringe to Equipment to purchase tracking devices and move \$1,100 from Fringe to Supplies/DOE for airtime for trackers and airtime for 1 LPR camera.	\$0	6/10/2022
Paris	Budget	Move \$50,578 from Program Income and \$3,422 from Professional and Contract Services to Equipment for the purchase of a vehicle.	\$50,578	6/13/2022
Travis County	Budget	Move \$15,540 from Program Income to Equipment, Supplies/DOE for additional cell service and supplies, and Overtime for surveillance operations.	\$15,540	6/14/2022
Potter County	Program	Approval for artwork wrap on a Potter County vehicle.		6/29/2022
San Antonio	Budget	Partnership with Bexar County District Attorney's Office to have an Assistant District Attorney's position within the taskforce will apply to FY 2023. Move \$45,568 from Professional and Contract Services to Overtime to assist detectives pursuing grant-related tasks and \$62,000 from Professional and Contract Services to Equipment to purchase laptop computers for investigators.	\$0	7/11/2022
Corpus Christi	Budget	Move \$11,000 from Supplies/DOE to Equipment to purchase computers.	\$0	7/15/2022
Potter County	Budget	Move \$24,940 from Supplies/DOE to Equipment, and \$6,430 from Program Income to Equipment for the purchase of automatic license plate readers.	\$6,430	7/26/2022
Paris	Budget	Move \$4,000 from Program Income to Supplies/DOE for the purchase of equipment for new vehicle and the remaining license plate readers lease cost.	\$4,000	7/26/2022
Burnet County	Budget	Move \$4,379 from Program Income to Supplies/DOE for the purchase of a grill guard and a vehicle drawer storage system, and \$2,719.56 in Program Income to Equipment for the purchase of a laptop computer.	\$7,098.56	8/1/2022

Victoria	Budget	Move \$47,252 to Equipment, including the introduction of \$24,800 in Program	\$24,800	8/1/2022
		Income, for the purchase of a 1/2-ton truck.		
Montgomery	Budget	Move \$21,240 from Program Income into Equipment for the purchase of data	\$21,240	8/15/2022
County		terminals and docking stations.		
Montgomery	Budget	Move \$4,005 from Supplies/DOE to Equipment for the purchase of tracking	\$0	8/15/2022
County		devices.		
San Antonio	Program	Purchase of two 5G Bait Trackers with existing Equipment funds.		8/15/2022
City of	Program	Change the description of the one of the vehicles budgeted to be purchased.		8/18/2022
Laredo				

FY22: 12 Budget Change – 3 Program Change

## **Educational Programs and Marketing**

#### Social Media

MVCPA continues to obtain information and communicate with grantees, stakeholders, and community members across the state using a variety of web-based and social media tools (Facebook, Twitter, MVCPA TxDMV website, and link taskforces across the state). We interact, like and share information relevant to vehicle crimes from the grantee agency of the taskforce as well.



## Public Education and Public Awareness (PEPA) Grant

With the application and award under consideration, the PEPA grant will provide the MVCPA and its funded law enforcement programs with support and coordinated messaging to combat motor vehicle theft, burglary from motor vehicles, and fraud-related motor vehicle crime. Insurance Council of Texas' (ICT) submitted application includes creation of a video and audio public service announcements, as well as digital targeted advertising. ICT also intends to conduct an outreach to MVCPA Taskforces in the joint execution of education programs. This includes events in key Texas markets emphasizing the creative concept of "Lock It Down". The grant cycle is a one (1) year funding cycle to begin on the issuance of the grant and end on August 31, 2023.

#### **Print and Marketing Media**

MVCPA continues to distribute promotional items and brochures to grantees, as well as place and receive orders for items. Grantees periodically contact MVCPA when they have upcoming events requesting that promotional items be mailed to them.

## FY22 YTD Education Materials Distributed to Taskforces and Other Law Enforcement

Materials	Number
Printed material (brochures and coloring books)	75,535
Promotional material	8,939
Parking lot signs	7

## Motor Vehicle Crime Prevention Authority August 23, 2022 Law Enforcement Training Report

The MVCPA began providing free Texas Commission on Law Enforcement TCOLE approved training to all motor vehicle crime investigators in 2017. The classes are open to MVCPA funded taskforce investigators and Texas Department of Public Safety (DPS) Texas first, and then if space is available to all investigators designated by their department as a motor vehicle crime investigator (except for DPS without this department designation the NICB is not able to provide to an investigator credentials to access proprietary and confidential motor vehicle databases). The MVCPA offers Intermediate and Advanced Motor Vehicle Crime Investigator (referred to as IMVIT and AMVIT) training to provide unqualified database access to law enforcement. The IMVIT Training is approved for 32 hours TCOLE credit and is intended for officers and investigators who are already trained investigators in their departments. AMVIT Training is approved for 24 hours. Investigators must have attended IMVIT as a prerequisite. Sheriffs and police chiefs must provide a letter of motor vehicle crime investigator designation for the attendee for acceptance into the program.

The Houston Police Department created a Vehicle Finance Fraud training that is approved for 4 hours TCOLE credit. The lesson plan for the Vehicle Fraud Unit's training is supported by a Rapid Response Strikeforce grant (travel cost) as an approved MVCPA course in FY22-23.

#### **MVCPA Completed Training 4th Quarter**

Intermediate Motor Vehicle Investigator –June 27 – 30<sup>th</sup>, 2022 – El Paso, Tx – 32 attending Vehicle Finance Fraud – July 19, 2022 – Travis County, Tx – 32 attending

#### Other trainings MVCPA Law Enforcement Coordinator Presented at 4<sup>th</sup> Quarter

NICB Auto Theft Training – July 14, 2022 – Denton, Tx – 50 attending NICB Auto Theft Training – August 18, 2022 – Houston, Tx – 64 attending (Class for TxDPS)

## Upcoming Training

MVCPA

MVCPA Advanced Crime Investigator October 2022 North Texas (Tarrant County) TBD MVCPA Intermediate Crime Investigator January 2023 South Central Texas (San Antonio) TBD MVCPA Intermediate Crime Investigator March 2023 Southeast Texas TBD MVCPA Advanced Crime Investigator May 2023 TBD MVCPA Intermediate Crime Investigator July 2023 TBD

NICB

NICB Auto Theft Seminar November 8 – 10, 2022 South Padre Island