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TEXAS DEPARTMENT OF MOTOR VEHICLES
CRIME PREVENTION AUTHORITY BOARD MEETING

HYATT REGENCY HILL COUNTRY RESORT
9800 Hyatt Resort Drive
San Antonio, Texas 78251

AUGUST 23, 2023
9:02 A.M. to 11:50 A.M.

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A P P E A R A N C E S

DMVCPA BOARD MEMBERS PRESENT AND PARTICIPATING:

Mike Rodriguez, Chair

Sharon Jones

Julio Gonzalez

Dean Smith

Charla Brotherton

ALSO PRESENT AND PARTICIPATING:

David Richards, General Counsel

Joe Canady, Director

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1 On the 23rd day of August, A.D., 2023, between the
2 hours of 9:02 a.m. and 11:50 a.m., the above entitled
3 board meeting came on for discussion, and the following
4 proceedings were held:

5 CHAIR RODRIGUEZ: Good morning.

6 AUDIENCE: Good morning.

7 CHAIR RODRIGUEZ: My name is Mike
8 Rodriguez and I'm pleased to open the meeting of the
9 Board of the Motor Vehicle Crime Prevention Authority.
10 It is 9:02 a.m. and I am now calling the board meeting
11 for August 23, 2023 to order. I want to note for the
12 record that the public notice of this meeting containing
13 all the items on the agenda was filed with the office of
14 the Secretary of State August 15, 2023. Before we begin
15 today's meeting, please place all cell phones and other
16 communication devices in a silent mode. Also, as a
17 courtesy to others, please do not engage in side
18 conversations in the meeting room.

19 I want to welcome those who are with us
20 for today's board meeting. If you wish to address the
21 board or speak on an agenda item in today's -- during
22 today's meeting, please complete a speaker's sheet at
23 the registration table. Please identify the specific
24 item you are interested in commenting on, your name and
25 address, and whether you are representing anyone or

1 speaking for yourself. If your comment does not -- does
2 not pertain to a specific agenda item we will take your
3 comment during the general public comment portion of
4 meeting.

5 In accordance with the department's
6 administrative rule comments of the -- to the board will
7 be limited to three minutes. To assist -- to assist
8 each speaker a timer has been provided at -- for you.
9 The timer light will be green for the first two minutes,
10 yellow when the speaker has one minute left, and then
11 red when the speaker's time is up. Individuals cannot
12 accumulate time from other speakers. Comments should be
13 pertinent to the issue stated on the comment sheet.

14 When addressing the board, please state
15 your name and -- and affiliation for the record. There
16 are a few things that will help to make the meeting run
17 smoothly and assist the court reporter to get an
18 accurate record. Please identify yourself before
19 speaking; speak clearly and slowly; do not speak over
20 others; and ask me for -- for permission to speak and be
21 sure to get recognized before speaking.

22 I would like to thank our court reporter
23 who is transcribe -- transcribing this meeting. Before
24 we begin today, I'd like to remind all presenters --
25 presenters and those in attendance of the rules of

1 conduct at our board meetings. In the -- in the
2 department's administrative rule, I have authority to
3 supervise the -- the conduct of meetings. This includes
4 the authority to determine when a speaker is being
5 disruptive of the meeting or is otherwise violating the
6 timing of presentation rules I just discussed.

7 Now, I'd like to have a roll call of the
8 board members. Please respond verbally when I call your
9 name.

10 Member Jones?

11 MEMBER JONES: Aye.

12 CHAIR RODRIGUEZ: Member Whitehill?

13 (No response.)

14 CHAIR RODRIGUEZ: The record -- let the
15 record reflect that Member Whitehill is not present
16 today.

17 Member Smith?

18 MEMBER SMITH: Present.

19 CHAIR RODRIGUEZ: Member Gonzalez?

20 MEMBER GONZALEZ: Present.

21 CHAIR RODRIGUEZ: Member Brotherton?

22 MS. BROTHERTON: Present.

23 CHAIR RODRIGUEZ: Member Cantu-Serrano?

24 (No response.)

25 CHAIR RODRIGUEZ: Let the record reflect

1 that Member Cantu-Serrano is not present and with us
2 today.

3 And let the record reflect that I'm Mike
4 Rodriguez, I am here, too, we have a quorum.

5 Agenda Item No. 2: Our pledges of
6 allegiance. Please all stand in honor of country and
7 state for the pledges of allegiance.

8 (Pledges of allegiance recited.)

9 CHAIR RODRIGUEZ: Thank you, Members.

10 Agenda Item No. 3: Chair Reports.

11 I just want to thank everybody for being
12 here today. I know that, you know, San Antonio is a --
13 a different destination. I went around the hotel, it's
14 a -- it's a beautiful hotel, and I hope that we start
15 moving one of the -- the things that we have talked
16 about is to have these meetings in different cities
17 where different task forces are located. And the reason
18 for that is to have the -- you know, continue the
19 conversation with each task force with specific needs
20 and things that are happening in your city in your
21 jurisdiction.

22 So today we are here with San Antonio and
23 we're going to -- want to make sure that we have that
24 conversation with San Antonio PD once we finish this
25 meeting, but more than anything is to make sure that we

1 connect with each other, continue this great
2 relationship that we have with task forces. I know some
3 of our -- our board members have constant communication
4 with you, and I think that that is very important to
5 make sure that we move -- continue moving forward the
6 way we are right now. So thank you for being here today
7 and thank you for the -- the staff and Joe for getting
8 this taken care of. It's a beautiful site so thank you.

9 Approval of transcripts from our June 15,
10 2023 meeting. If everyone has reviewed the transcript
11 would anyone like to make a motion?

12 MEMBER GONZALEZ: Member Gonzalez.

13 I move that the board adopt the transcript
14 as minutes from the June 15th, 2023 meeting.

15 CHAIR RODRIGUEZ: Have a member -- I have
16 a motion from Member Gonzalez.

17 Is there a second?

18 MEMBER BROTHERTON: Member Brotherton, I
19 second.

20 CHAIR RODRIGUEZ: Have a motion from
21 Member Gonzalez and a second from Member Brotherton.

22 Is there any further discussion?

23 Hearing none, I now call for the vote.

24 All those in favor of the motion say
25 "aye." All opposed say "nay."

1 (Aye.)

2 MR. RICHARDS: Call the ayes first.

3 CHAIR RODRIGUEZ: All in favor of -- of
4 the motion say "aye."

5 (Aye.)

6 CHAIR RODRIGUEZ: All opposed say "nay."

7 I, Mike Rodriguez, vote aye and the motion
8 passes.

9 Agenda Item 3B: Chair's Report.

10 I have no comments on -- on this item.

11 We will now move to Agenda Item 4: MVCPA
12 Director's Report.

13 Mr. Joe Canady?

14 DIRECTOR CANADY: Good morning. For the
15 record Joe Canady, MVCPA Director.

16 Agenda Item 4A: For recognitions we have
17 one -- one item that was presented for retirement of
18 Rene Cardona -- Sergeant Rene Cardona -- Cardona in
19 Eagle Pass. He has 27 years of law enforcement, was
20 with the Eagle Pass Police Department for 27 years. He
21 was an auto theft investigator for their task force for
22 20 years; served as the task force commander; was a
23 long-time member of the Texas Association of Vehicle
24 Theft Investigators and is currently the first vice
25 president and he retired this month from El Paso. So --

1 CHAIR RODRIGUEZ: You mean Eagle Pass?

2 DIRECTOR CANADY: Yes. Eagle Pass. I'm
3 sorry.

4 So moving on. We go to Agenda Item 4B.
5 Yesterday we had a -- what I believe is a very
6 successful and very productive meeting with the
7 commanders concerning the FY 2024 progress report
8 definitions and measures. The progress reports are
9 lengthy. There's lots of data that is requested to be
10 captured in there. I believe that we found a way that
11 we can combine some of the items, some of the
12 collaborations, some of -- some of the assists to make
13 it easier whenever the commanders are doing these
14 reports to reduce the amount of time spent on them,
15 doesn't -- where it's not as cumbersome to them. We --

16 Again, I think we came up with some great
17 definitions to make it clear on what MVCPA is looking
18 for on the information that should be in there, and
19 we're going to -- excuse me -- flush this out and get it
20 back to the GBR Committee for review before it's
21 implemented and goes live in the -- in -- in the grant
22 management system, but I -- I -- I'm very pleased with
23 how yesterday went with the commanders, it was very
24 beneficial.

25 CHAIR RODRIGUEZ: And are we talking about

1 the -- the reporting --

2 DIRECTOR CANADY: Yes.

3 CHAIR RODRIGUEZ: -- part of it?

4 DIRECTOR CANADY: Uh-huh.

5 CHAIR RODRIGUEZ: Okay. Is there anything
6 that was specific that was discussed that -- that we
7 can --

8 DIRECTOR CANADY: The -- getting everybody
9 on the same page was -- was, I think, primary --
10 primarily on the definition for recoveries of a vehicle
11 for the -- and then ensuring that everybody uses the UCR
12 definitions for clear -- clear cases, whether it be
13 cleared by arrest or cleared by exception. And then
14 other data, such as collaborations through -- it's
15 probably 15 or so different collaborations, while some
16 of them are unique and specific to the borders -- border
17 areas, those collaborations will remain the same, but
18 for general collaborations if we combine those into one
19 it's going to be -- we're going to receive the same
20 message from the task forces and the same data, they're
21 just not having to report it in 12 different sections to
22 get their -- to get the point across.

23 CHAIR RODRIGUEZ: Correct. And that's one
24 of the things that I think has been -- it's -- it's due,
25 that now we -- we can report the same numbers that we're

1 reporting -- or the agency is reporting with NIBIN
2 and -- and the UCR reports, because, you know, as we all
3 know, it -- it does not match our numbers.

4 DIRECTOR CANADY: Right.

5 CHAIR RODRIGUEZ: And I think it's
6 important that what -- what is reported to -- to DPS
7 and -- and NIBIN -- I mean, I'm sorry -- not NIBIN.

8 MEMBER JONES: NIBRS.

9 DIRECTOR CANADY: NIBRS.

10 CHAIR RODRIGUEZ: NIBRS. I'm sorry about
11 that. I keep think -- thinking about NIBIN.

12 -- NIBRS at -- that it -- that it -- that
13 it's the -- that it's the -- that they're the same
14 numbers that we're reporting to the authority. Because
15 when we go and we present these numbers to our
16 legislators and through -- through DMV and to the -- the
17 other groups that we -- we present our numbers to and
18 they don't match, it creates an issue because, you know,
19 we -- we -- we have to justify as to why we have higher
20 numbers in our statistics versus the NIBRS versus what
21 we're reporting to DPS and everybody else.

22 So, you know, I -- I -- I don't like to
23 justify because it -- it just -- you know, it doesn't --
24 it creates that doubt and -- and we're -- we have to get
25 better at this, and I think we're on the right track and

1 it's good that we're bringing and we're -- we're talking
2 and having those conversations with commanders who can
3 bring this back to the GBR so that we can get these
4 things going, and we can already start this -- this --
5 this grant year providing those numbers and then the --
6 that -- those clear numbers to -- to all and that data
7 to all those -- those -- those -- it's called --

8 DIRECTOR CANADY: Performance measures.

9 CHAIR RODRIGUEZ: -- performance measures
10 that we -- we're putting out there. So thank you for
11 that, Joe.

12 DIRECTOR CANADY: It may -- the NIBRS
13 numbers may never totally match because there's some
14 definitions that are different.

15 For example, in the State of Texas the
16 definition of a trailer is a vehicle, is a motor
17 vehicle, but for NIBRS it's not counted as a vehicle,
18 it's counted as property. So would they -- if they
19 recover different vehicles that are -- that are -- have
20 different definitions for NIBRS, you know, those numbers
21 are never going to totally match. Then, for example, if
22 there is a -- one suspect that steals 12 vehicles in one
23 night that's reported to NIBRS as one stolen vehicle
24 versus 12.

25 CHAIR RODRIGUEZ: Yeah. And -- and -- and

1 one of the things that I've seen a lot is that, you
2 know, we -- we get -- and as just an example, we get,
3 you know, Houston PD with an arrest warrant for an auto
4 theft, a theft of motor vehicle, and that suspect is
5 get -- gets caught in -- in -- in Brownsville or Laredo
6 and in Eagle Pass, they -- they affect the arrest and
7 who puts the arrest, you know? It should be Houston
8 because they're the ones who took out the warrant, but
9 yet we're putting a one over here at the border because
10 we -- we're the ones who affected the arrest.

11 So I think those are the numbers that we
12 also need to look at because it happens. You know,
13 we -- we say, hey, we arrested this individual on a
14 warrant at the bridge and we're putting that statistic,
15 and we need to make sure that we have clear definitions
16 as to what is it that we're doing at the border and what
17 is it that we're doing at Houston. And Houston should
18 become the -- as the arresting agency and for us it
19 should be an assist.

20 DIRECTOR CANADY: Correct.

21 CHAIR RODRIGUEZ: So, you know, it happens
22 and we just need to make sure we have those clear
23 definitions as to what kind of statistics we're putting
24 out there so that we can have a better picture as to
25 what each task force is doing.

1 DIRECTOR CANADY: Absolutely.

2 And that was one thing that we had talked
3 about, was removing some things and adding some things,
4 adding some measures to -- to capture that information,
5 capture those -- those arrest assists --

6 CHAIR RODRIGUEZ: Uh-huh.

7 DIRECTOR CANADY: -- where they're
8 assisting another agency, but they're still performing
9 the work, because we want -- it needs to be documented
10 and needs to be in there that they are doing this work.
11 So if we can come up with some categories for that, too,
12 so that everything that they're doing can be reported.

13 CHAIR RODRIGUEZ: Perfect.

14 Any questions?

15 MEMBER GONZALEZ: Member Gonzalez.

16 I want to say two things. One comment,
17 it's my understanding that -- that, I guess, not all of
18 the agencies have adopted NIBRS yet, but I do want to
19 remind them of House Bill 4879, which goes into effect
20 September 1st, and says all law enforcement agencies in
21 Texas will be using NIBRS to report to DPS. So it's not
22 optional.

23 The second thing I wanted to ask was: Did
24 we settle on a definition for the term "recovery"?

25 DIRECTOR CANADY: We did sort of. It's --

1 it -- there was some spirited discussion with that
2 which -- which is very good.

3 Primarily it's going -- they -- there may
4 be two separate definitions: One is for a recovered
5 vehicle that is actually recovered by the task force, by
6 a task force investigator that's a touch hands-on
7 recovery; and then the other part of that definition may
8 involve an assist recovery that we just talked about.
9 So we can capture those -- that information from -- if
10 Laredo recovers a vehicle on the border down there
11 stolen out of Houston. So they can capture that
12 information as well, too. So it -- it'll be clear
13 when the -- the final version is sent to the
14 GBR Committee for review to capture everything.

15 CHAIR RODRIGUEZ: So -- so what was the --
16 I guess, the -- when you -- when you discuss this about
17 the recovery what was the outcome, what's going to be
18 the -- the solution to it?

19 DIRECTOR CANADY: The -- the solution is
20 it needs to be written for the instructions to be able
21 to capture the work of the task force that's not the
22 work of other agents or another -- another agency or
23 another division within that agency that the task force
24 doesn't have involvement with. Such as, just for
25 example, if patrol your -- patrol division recovers a

1 vehicle and the -- the task force investigator has no
2 involvement in that case, whatsoever, that case
3 shouldn't be counted as a recovery or an arrest. But,
4 on the other hand, if the task force investigator has
5 hours and hours of follow-up investigations, go out and
6 process the vehicle, finds information for a suspect,
7 suspect information, and conducts investigations to
8 finish that case and present it to the prosecutor then
9 that should be claimed, claimed as involvement because
10 they're actively working that case. But the primary
11 thing is, we want to ensure that all of the case --
12 every activity is actual -- the actual work of the task
13 force has some involvement in there to be able to
14 claim -- claim that.

15 CHAIR RODRIGUEZ: Okay. Makes sense.
16 There -- the -- just, you know, that -- that recovery
17 rate, it -- it's the one that -- that's always killing
18 us where --

19 DIRECTOR CANADY: Right.

20 CHAIR RODRIGUEZ: -- everybody claims the
21 recovery. But, I mean, it's -- it's a -- it's an
22 ongoing, I guess, discussion that we can --

23 DIRECTOR CANADY: And we may have -- there
24 may -- excuse me. There may be some cases where,
25 especially on the clear cases where these numbers in the

1 future may look different than they are now that --
2 that's being reported, because not everybody has been
3 following the UCR definitions on cleared by arrest or
4 cleared by exception. There's some -- some task forces
5 that may have been using clear as unfounded which --
6 which doesn't meet the definitions that the board, you
7 know, wants to conform to as far as matching what's in
8 the FBI system.

9 CHAIR RODRIGUEZ: Okay.

10 DIRECTOR CANADY: But this -- it's a long
11 way -- it's going to be a long process, but I think that
12 we can ultimately get better.

13 CHAIR RODRIGUEZ: Yeah. I mean -- and --
14 and of course, this has been ongoing, I think, it's
15 conversation about how we're going to fix this and I
16 think it's time that we -- we fix it.

17 DIRECTOR CANADY: Yes.

18 CHAIR RODRIGUEZ: And -- and that we have
19 those clear definitions, too, and give them to the task
20 force as they're making sure that we -- we -- we have
21 those, you know, at least, you know, it's closer to what
22 we're reporting to every other agency that we need to
23 report to.

24 DIRECTOR CANADY: Yes.

25 CHAIR RODRIGUEZ: Especially with the --

1 with DPS and -- and the FBI, you know, that we're
2 reporting those numbers, you know, we want to get close
3 to what we're reporting there.

4 And of course, I -- the -- the -- the work
5 that the task forces are doing and that we're tracking
6 that is very different, you know, because we want to
7 know what they did, you know, the specific case and
8 things like that, that -- that's very different, that's
9 for us to track as an authority. But I -- what -- what
10 concerns me is, when we're -- we're -- we're putting
11 numbers up of motor vehicle thefts that do not match
12 what we're reporting to the state or to -- to the FBI,
13 and then that's -- that's what's -- what we want to make
14 sure that we take care of first, and then everything
15 else. But, yeah, of course, they -- we do need to make
16 sure that we clean it -- clean it up and we put forward
17 a plan to make sure that everybody is reporting
18 correctly.

19 DIRECTOR CANADY: Thank you.

20 CHAIR RODRIGUEZ: Thank you for starting
21 that up, Joe.

22 MEMBER JONES: Mr. Chairman?

23 CHAIR RODRIGUEZ: Yes.

24 MEMBER JONES: Unfortunately, I have a
25 question.

1 Did you say that if the agent -- an agency
2 input for a warrant and then another agency makes the
3 arrest the original agency gets the arrest? What's the
4 definition of "arrest"?

5 CHAIR RODRIGUEZ: Well --

6 MEMBER JONES: Who claims the arrest?

7 CHAIR RODRIGUEZ: So when we're reporting
8 to the authority and the task force is saying that they
9 arrested -- they put a statistic for an arrest, what we
10 want to make sure that we have a clear picture on is
11 when the agency that did the work, obtained the warrant,
12 that they get -- that they get to put the arrest for
13 that individual.

14 Now, the agency that executed or entered
15 the -- the warrant for the arrest, let's say, you know,
16 somebody gets stopped in Laredo, and they -- they
17 arrested somebody on a warrant from Houston or Dallas or
18 any other jurisdiction that we're not thinking over here
19 that they're the ones who did the arrest, that they're
20 the ones that got to obtain the warrant. So we need to
21 make sure that we have that clear picture as to who's
22 doing the work.

23 Because it's very easy for me to arrest
24 somebody on a warrant, it's just, you know, put the
25 handcuffs, you know, execute the warrant and that's it,

1 you know, but at the end of the day, who's -- who's the
2 one doing all the work to obtain that warrant, and
3 that's what we want to have a clear picture on.
4 Because, right now, the way it is, is, the agency that
5 obtained the arrest and did all of the followup and
6 investigation, puts the arrest, and then the agency that
7 executed the warrant puts the arrest or marks the
8 arrest.

9 MEMBER JONES: So on the definition of
10 arrest that you just gave, the task forces were in
11 agreements to that definition?

12 AUDIENCE: No.

13 CHAIR RODRIGUEZ: No.

14 MEMBER JONES: Because -- but literally an
15 arrest is, you literally detain someone, and then if
16 there's an incident to the arrest, the person who made
17 the arrest, that's pertinent, and the DA's going to
18 call -- they're not going to call the -- the original
19 agency who put it in. If something happened incident to
20 that arrest they're going to call the arresting officer,
21 which is the person who put handcuffs on that person,
22 which is the person who de- -- recovered the vehicle.
23 That's the person --

24 CHAIR RODRIGUEZ: Uh-huh.

25 MEMBER JONES: -- who made the arrest. I

1 think we've just got to figure out how to give credit
2 for both, but --

3 CHAIR RODRIGUEZ: Correct.

4 MEMBER JONES: -- I think we need to be
5 careful with the definition.

6 CHAIR RODRIGUEZ: And that's -- that's
7 where I'm going. So like, let's say, you -- you -- you
8 make the arrest. The officer makes the arrest out
9 there, and, yes, they can haul him in and say, oh, yeah,
10 we were just stopping him for -- we stopped him because
11 of a broken taillight, and then it came out that the
12 vehicle was stolen and I affected the arrest. At that
13 point, he can get him for unauthorized use of a motor
14 vehicle. But if there's another agency that already
15 knows that this individual is the one that stole that
16 vehicle, after all of the followup that they did, and
17 they obtained that warrant for that individual, the D.A.
18 is going to -- the D.A. from our jurisdiction, let's
19 just say, Laredo, Webb County, they're not going to call
20 the officer. They -- that -- that individual is going
21 to get prosecuted in -- in Harris County if it's in
22 Dallas -- I mean, in Houston.

23 So that D.A. is going to call the
24 investigator that did all of the leg work in trying to
25 obtain that warrant and making sure that he has probable

1 cause to -- to -- to get that warrant. And, yes, of
2 course, they can call the -- the arresting officer
3 for -- for stopping him and arresting him, but the
4 arrest should be counted under -- what I think it should
5 be fair is that the arrest should be counted on the --
6 the agency that obtained that arrest warrant.

7 Now, whomever ever affected the arrest on
8 the warrant that should be an assist, assisting that
9 agency for -- for the arrest.

10 MEMBER JONES: Maybe call it like warrant
11 served?

12 CHAIR RODRIGUEZ: Warrant served.

13 MEMBER GONZALEZ: Just a thought. And --
14 and I'm not sure if we have a category for probable
15 cause affidavits submitted to the magistrate, but that
16 might be a way, also, of getting credit for, you know,
17 that -- that work. Just a suggestion. And, I mean, we
18 probably need to have a whole 'nother meeting just on --

19 CHAIR RODRIGUEZ: Yes.

20 MEMBER GONZALEZ: -- that topic --

21 CHAIR RODRIGUEZ: What was -- what was
22 the --

23 MEMBER GONZALEZ: -- some, but --

24 CHAIR RODRIGUEZ: What was the definition
25 that you-all discussed?

1 DIRECTOR CANADY: Some of the discussion
2 yesterday on that was, for example, in Houston, if
3 there's a vehicle stolen in Houston, comes to Laredo,
4 Laredo finds the vehicle, arrests the person, Laredo
5 would claim that arrest because they're the ones that
6 actually made the arrest. Now, Houston, when the --
7 when they present that case -- or when they present to
8 the prosecutor or because Laredo has made that arrest,
9 Houston will claim the clearance of the case. So
10 they're still going to get credit for -- you know, for
11 the case, for the case being cleared, but the actual
12 arrest was done by Laredo in this case.

13 CHAIR RODRIGUEZ: But this is where I'm
14 going, that, see, now Houston is going to report, we
15 did, you know, 1,000 arrests throughout the year to the
16 authority; correct? 1,000. Let's just put a number out
17 there. 1,000. And then that 1,000 is going to be
18 arrests of what happened in Laredo, that arrest from
19 Laredo. So you put 1,000. Laredo's going to put 500,
20 and in those 500 they're also going to claim that arrest
21 in the -- Laredo.

22 So what I'm saying is that we need to make
23 sure that we identify who did what, because if we have
24 agencies in jurisdictions that are constantly getting
25 arrest warrants and -- and -- and -- and arresting

1 office -- suspects for motor vehicle theft, burglary,
2 whatever it is, that they put the statistics as
3 they're -- they're doing the arrest because they're --
4 they're the ones obtaining that warrant for arrest. The
5 other ones are just serving the warrant.

6 So I just think that it -- it's very
7 important that we identify for the authority who is
8 doing what. Because we have 1,000, they include the
9 arrest that happened in Laredo, too, and they're also
10 claiming that arrest. 500. 1,000. But they're
11 claiming -- they're both claiming arrests. So, in our
12 eyes, we're going to see, oh, Laredo has 500, Houston
13 has 1,000, but they're both claiming the arrest.
14 They're both putting that statistic as the arrest and I
15 think that we have to make sure that we, you know, I
16 guess, identify both as different. Because one, to me,
17 it is very -- it's a lot easier to -- to -- to serve a
18 warrant than to obtain the warrant.

19 DIRECTOR CANADY: We can --

20 CHAIR RODRIGUEZ: We probably -- we can
21 discuss this.

22 DIRECTOR CANADY: Yeah. We can -- we can
23 certainly come up with a way to capture the information
24 without being duplicative.

25 CHAIR RODRIGUEZ: Uh-huh. Just to get a

1 clear picture as to what everybody is doing pretty much.

2 DIRECTOR CANADY: Yeah.

3 CHAIR RODRIGUEZ: Anymore questions and
4 discussions?

5 MEMBER JONES: This is to be continued;
6 correct?

7 CHAIR RODRIGUEZ: Yes.

8 Okay. Mr. Canady.

9 DIRECTOR CANADY: Mr. Chairman, if I may
10 continue on to Agenda Item 4C?

11 CHAIR RODRIGUEZ: Go ahead.

12 DIRECTOR CANADY: For FY '24 because of
13 the -- the baseline budget and the Senate Bill 224 we
14 were fortunate to -- to be able to hire ten additional
15 staff members (FTEs) for this next year. For --

16 Just for the baseline budget there were
17 six additional FTEs beginning in -- authorized for
18 beginning in September 2020 -- 2023 for the 2024 budget
19 year. Positions authorized for this are training and
20 development specialists and audit manager, two program
21 specialists and two grant specialists, and because of
22 Senate Bill 224 we're able to add an administrative
23 assistant, a grant specialist, a program specialist and
24 addition -- an additional grant auditor to the staffing
25 level.

1 The additional FTEs will allow for the
2 development of five integrated teams to effectively
3 implement the required functions concerning catalytic
4 converter theft, motor vehicle theft, burglary of a
5 motor vehicle and fraud-related motor vehicle crime.
6 The staffing plan consists of the director, a manager,
7 an audit manager, a management analyst, administrative
8 assistant for the admin section, and for the grant
9 compliance unit two grant auditors, four grant
10 specialists and a fee collection unit, a public
11 awareness and education unit, and a law enforcement
12 training unit.

13 This is going to allow -- allow the MVCPA
14 to better track and make sure that the grantees are in
15 compliance, additional staff members to review
16 expenditure reports, progress reports, identify areas
17 that may need tweaking or have additional questions,
18 but, ultimately, we want to ensure that there is -- that
19 all of the expenditures and -- are allowable that have
20 occurred and the grants are operating within what they
21 say they're going to. It's going to allow for
22 additional monitoring visits to identify needs that the
23 task forces may have and work with them to ensure that
24 they're, one, doing what they're supposed to do and,
25 two, it's successful.

1 I'm very excited on where we're going with
2 this. It's been a need for a long time and it -- it's
3 going to help. It's certainly going to help and take
4 some -- take the workload off of some employees and
5 distribute it across.

6 If there's any questions?

7 MEMBER GONZALEZ: I have a question.

8 Director Canady, I have -- I mean, I think
9 this looks great. Especially very glad to see, you
10 know, the compliance section, the auditors.

11 My question to you is: What's our
12 timeline and expectations, I guess, for hiring these
13 folks?

14 DIRECTOR CANADY: We have completed the --
15 the job descriptions. They have been approved. They
16 will be posted here probably in the coming days, and
17 we'll start interviewing -- interviewing as soon as we
18 can to be able to hire these additional staff members,
19 you know, as early in the 2024 budget year as we can.

20 MEMBER GONZALEZ: And I think we've have
21 some discussions regarding the -- the importance of
22 thorough background checks on these individuals. Do you
23 want to expand on what our plans are to -- with that?

24 DIRECTOR CANADY: Some of these positions,
25 if not all of these positions, are privy to sensitive

1 information, information of a nature that not everyone
2 should be able to see. Confidential law enforcement,
3 intelligence bulletins, things -- things of that nature.
4 So we want to ensure that the persons that are hired for
5 certain positions should -- you know, has a background
6 where they should be allowed to view that information.
7 We're going to do everything we can to ensure that a
8 thorough background is done and performed to make sure
9 that we hire the right people for those positions.

10 Mr. Chairman, if I may one more thing.

11 It's not on the agenda, but part of my
12 report is the conference that -- the most recent
13 conference we had in Kerrville, we appreciate everyone
14 for being there. We'd like to hear your feedback. If
15 you can let us know what worked and what didn't work and
16 what you would like to see via training ideas and
17 training topics in upcoming conferences. Just reach out
18 and -- and let us know because, I mean, this is for you.

19 And we're looking at the -- a conference
20 for FY 2024 in the Houston area, and, I believe, it's in
21 July is our tentative dates. We'll send something out
22 once things are finalized. So we can pre- -- everybody
23 can preplan and have, you know, months out to -- to get
24 your -- everything done as far as travel and your
25 schedules.

1 CHAIR RODRIGUEZ: Thank you for that
2 brief, Director Canady.

3 I -- I wanted to ask on the -- on the
4 positions, all of these positions they -- they're --
5 they already have the description of what they're going
6 to be doing through -- is it the DMV that we --

7 DIRECTOR CANADY: Yes.

8 CHAIR RODRIGUEZ: -- have those titles?

9 DIRECTOR CANADY: Yes.

10 CHAIR RODRIGUEZ: Okay. And these grant
11 specialists, this is going to be the ones that are going
12 to be helping the task forces and the grant managers --

13 DIRECTOR CANADY: Correct.

14 CHAIR RODRIGUEZ: -- with updating?

15 DIRECTOR CANADY: Correct. They're going
16 to be reviewing the progress reports and expenditure
17 reports.

18 CHAIR RODRIGUEZ: And what would be the
19 difference between the -- the program specialist and
20 grant specialist?

21 DIRECTOR CANADY: It's just a different
22 category. The grant specialists primarily we're going
23 to be looking at progress reports, expenditure reports,
24 assisting the -- the grantees with things they need.
25 The program specialist is just a little categor- --

1 categorized a little bit differently. They're going to
2 be conducting training, training programs across the
3 state, identifying needs of training that -- that
4 grantees may have. So it's just a little different
5 level. And they're more so, to me, the program
6 specialists, they're going to be more so law enforcement
7 oriented -- oriented as far as the functions, and the --
8 the grant specialists are more review, I guess, per se,
9 versus out in the field and conducting travel.

10 MEMBER JONES: Mr. Chairman, may I?

11 CHAIR RODRIGUEZ: Go ahead, Member Jones.

12 MEMBER JONES: For the audience, I'm not
13 contagious. The doctor said so. I am negative.

14 My question is: For the new positions are
15 any of these administrative? Like if Yessenia is not
16 here, she's on vacation in Tahiti, who's going to pick
17 up for her? We don't want to wait for -- for Yessenia
18 to get back to work to get things done? If you're off
19 who's going to pick up for you? Just say -- and so
20 anyone -- positions? The names? Are any of these names
21 being administrative.

22 DIRECTOR CANADY: Major Jones, if you
23 pay -- if you look at on -- on page 7 the -- the first
24 solid blue line you'll see that there is the MVCPA
25 manager, which is Mr. Pence currently. If I am out he

1 is in -- he is the point of contact and if I'm on
2 vacation or gone.

3 MEMBER JONES: Uh-huh.

4 DIRECTOR CANADY: There is also the
5 administrative assistant, and that is a new position.

6 MEMBER JONES: Uh-huh.

7 DIRECTOR CANADY: So that will -- that is
8 not Yessenia. Yessenia is the management analyst.

9 MEMBER JONES: Right. So assistant is who
10 would cover for Yessenia?

11 DIRECTOR CANADY: There is a -- there may
12 not be someone who covers for Yessenia, but there is an
13 administrative assistant and that is obviously an
14 administrative position that will do administrative
15 duties.

16 MEMBER JONES: So that's the admin six
17 that's here?

18 DIRECTOR CANADY: No, ma'am. Yes. That's
19 correct.

20 MEMBER JONES: Okay. So that person's not
21 covering for Yessenia?

22 DIRECTOR CANADY: Yessenia's position is a
23 management analyst. They maybe -- well, she may be
24 working together with the administrative assistant on
25 administrative duties.

1 MEMBER JONES: Uh-huh.

2 DIRECTOR CANADY: But certainly everybody
3 is going to work together as a team. So if one person
4 is out somebody can step in and take care of the needs
5 for that position as well.

6 MEMBER JONES: Okay.

7 MEMBER GONZALEZ: Member Gonzalez.

8 I don't know if it would be possible, but
9 I do recall that the -- the state auditor's office one
10 of the medium risks that they identified with the MVCPA
11 was the grant administration monitoring process to
12 ensure that grant funds are used properly. And so I
13 don't know if we can maybe come up with some kind of
14 supplement or followup with them to let them know, hey,
15 look at these FTEs --

16 DIRECTOR CANADY: Yes.

17 MEMBER GONZALEZ: -- that we have hired
18 to, you know, better compete.

19 DIRECTOR CANADY: Yes. And we are
20 planning to do that at the end of this month.

21 But I'm -- I'm -- like I said, I'm
22 excited, we're all excited for the additional staff to
23 be able to -- I mean, staff has been spread pretty thin
24 for a long time. There's -- there's lots of duties.
25 I -- I often comment that there's never a slow down at

1 work. I mean, you start the day, you end the day, you
2 end the day busy. You start busy and end busy. So this
3 is really going to help and I'm excited.

4 CHAIR RODRIGUEZ: So on this org chart
5 I -- I -- I notice that, you know, under -- under Earl
6 we have the three Grant Specialist III, the Program
7 Specialist V and the VII, and then we have Training and
8 Development Specialist V. I know we're on -- we're a
9 team here and -- and I know you -- you -- you -- you
10 look after, you know, everything daily, and we've done
11 that for many years, but this is -- all of these people
12 are going to be reporting to Earl and then Earl is going
13 to report -- be reporting to you?

14 DIRECTOR CANADY: Correct.

15 CHAIR RODRIGUEZ: So he would be -- so
16 Earl would be, pretty much, overseeing the -- the grant
17 performances through the grant specialists, and then
18 he's going to also be seeing, tasked to be seeing --
19 overlooking over the -- the training part?

20 DIRECTOR CANADY: That is correct. Yes,
21 sir.

22 MS. BENAVIDES: Sir, if I may, we've lost
23 internet. Can we stand by for a minute, take a break?
24 We have lost internet.

25 CHAIR RODRIGUEZ: Okay. We'll stand by.

1 Okay. We're going to continue while they
2 get the -- the internet up.

3 So going back on the org chart, I just
4 want to make sure that we -- that -- that Earl
5 (Mr. Pence) is going to be able to oversee all of this
6 and just I don't want to over- -- be -- for him to be
7 overwhelmed. And again, I -- I strongly believe that
8 the -- the training specialist and whomever's going to
9 be providing these trainings have to have, you know,
10 this -- this, you know, good contacts within the -- the
11 task forces so that they can be -- the trainings that
12 are needed, you know, for -- for them to make sure that
13 they come up to us and say, hey, this is what we need
14 versus us telling them this is what you need to learn.
15 You know, it's -- I think it's very important that
16 everybody has, you know, a -- a complete, you know,
17 inclusive -- be inclusive of what we're doing, but at --
18 but at the end of the day, I just don't want to task too
19 many things to -- to one person, and -- and we -- I just
20 want to be careful about this. Because, you know,
21 overseeing grant management and overseeing trainings and
22 over -- I don't know if -- if that's the way we want to
23 go, and if -- and if you -- you're the director, if you
24 see that as that's possible and maybe later on if you --
25 you know, we need to tweak it, I'm going to leave that

1 door open for you to come back to us and say, you know
2 what, I need to do a -- a rearrangement of the -- this
3 org chart to make sure that -- that we -- we complete
4 the task that we're -- we're given.

5 DIRECTOR CANADY: Absolutely. You know,
6 any time -- any time that is there a need for a change,
7 you know, we can review this information and adjust it
8 as needed.

9 CHAIR RODRIGUEZ: Okay. Any other
10 questions from the board? No.

11 DIRECTOR CANADY: And if I may continue to
12 Agenda Item 4D, we are sche- -- we are planning a -- and
13 this is on page 8 of your board book. We are planning a
14 meeting, a visit with El Paso to the Texas DMV, members
15 of the executive team leaders, members of the vehicle
16 titles and registration division, and MVCPA are planning
17 to travel to El Paso to collaborate and coordinate with
18 the law enforcement stakeholders and tax assessor
19 collector, the El Paso tax office and the Texas DMV
20 regional service center to identify needs of their
21 offices, discuss current trends occurring in the El Paso
22 region and provide program updates.

23 CHAIR RODRIGUEZ: This is a meeting that's
24 going to take place?

25 DIRECTOR CANADY: Yes, sir.

1 CHAIR RODRIGUEZ: So -- okay. That's
2 great. And this is a meeting that was requested through
3 El Paso?

4 DIRECTOR CANADY: No, sir. This was a
5 meeting that was requested from EDO --

6 CHAIR RODRIGUEZ: EDO.

7 DIRECTOR CANADY: -- from the director's
8 office at DMV, and this is something I feel should occur
9 in more jurisdictions across the state. We need to be
10 having these communications and having these meetings
11 with all of our stakeholders.

12 CHAIR RODRIGUEZ: I think so. And that's
13 where I was going with this, you know, that this is a
14 great idea and maybe we should do it with other
15 jurisdictions as well.

16 DIRECTOR CANADY: And, Mr. Chairman, if no
17 question -- no questions that concludes my director's
18 report.

19 CHAIR RODRIGUEZ: Any questions from the
20 board for Mr. -- for Director Canady?

21 MEMBER JONES: Mr. Chairman, in reference
22 to the conference, the conference date is the week of
23 July 14. So please pencil that in. It's July 14. That
24 way you already can plan ahead of time to not be off
25 that week or go someplace else. So it's July 14th. We

1 have chosen a very nice, very nice hotel. We're all
2 going to be on the water room, which makes me very
3 happy, and we're going to have a lot of subcommittees,
4 we'll ask for Houston and for Harris County to assist us
5 with the conference doing a lot there. And so we're
6 going to have some committees, other board members will
7 be on subcommittees so it's not a lot that just goes on
8 with Yessenia and -- and Joey behind the scenes. So
9 we're doing that.

10 And also we're being proactive and for
11 2025 one of the finalists for the 2024 conference they
12 just need to do a little bit of tweaking with -- in
13 understanding our needs, but that hotel is possibly
14 be -- have been identified. So we're -- we're changing
15 a lot, we're doing things a lot differently based on
16 just interacting with you guys at the conference and
17 then interacting with you guys here yesterday. And so
18 we hear you and the hotel is very, very nice. I stayed
19 there before; it's a nice hotel. That's it,
20 Mr. Chairman.

21 CHAIR RODRIGUEZ: Thank you for sharing
22 that, Member Jones. There we go. July 14th. Mark it
23 on your calendars.

24 MEMBER BROTHERTON: 2024; right?

25 MEMBER JONES: 2024. Yes, ma'am. 2024.

1 CHAIR RODRIGUEZ: The other thing, I know
2 that previously we -- we -- we spoke about the -- the
3 retirement of Sergeant Cardona from Eagle Pass. Do you
4 know where we're at, Director Canady, on presenting
5 plaques to these retired officers that are leaving the
6 agencies and the MVCPA?

7 DIRECTOR CANADY: Yes, sir. We need to --
8 the staff -- we the staff needs to get those secured the
9 orders on those plaques, and then we will -- we will
10 make arrangements for -- reach out to see if they can
11 come to a board meeting and receive that. If not we'll
12 make arrangements to travel to their jurisdictions and
13 make a presentation as needed for them, whether it be
14 for their city council or commissioner's court in
15 whichever case it may be.

16 CHAIR RODRIGUEZ: I think that -- that
17 would be an excellent idea even if we have to travel.
18 I -- I'll -- I'll make myself available to go and --
19 and -- and make sure that we -- we present that to -- to
20 the investigators, the commanders that have been with us
21 for so many years, especially, you know,
22 Sergeant Cardona that -- that was with us for a long
23 time, and we -- we, if -- if we could, you know,
24 expedite that --

25 DIRECTOR CANADY: Sure.

1 CHAIR RODRIGUEZ: -- I would appreciate
2 it.

3 DIRECTOR CANADY: Yes, sir.

4 CHAIR RODRIGUEZ: Thank you, Director.
5 Okay. Moving on to Agenda Item 5.

6 MR. RICHARDS: Do you want to go to 7
7 first?

8 CHAIR RODRIGUEZ: Yes.

9 Just to give everybody a little bit of
10 visibility, we're going to jump over to Agenda Item 7
11 due to Major Jones being extremely -- not feeling well
12 today, I want to make sure that we get this already
13 voted on. And this is for the insurances, their refund
14 requests, so we're going to jump over to Agenda 7 --
15 Agenda 7, and then we'll come back to Agenda Item 5.

16 MR. RICHARDS: Mr. Chairman?

17 CHAIR RODRIGUEZ: Yes.

18 MR. RICHARDS: This is David Richards,
19 General Counsel. I just want to remind our two
20 insurance board members that they must recuse themselves
21 on -- on these votes under Transportation Code
22 Chapter 1006. Thank you.

23 CHAIR RODRIGUEZ: Thank you. We will now
24 move on to Agenda Item 7 and I will turn it over to Dan.

25 MR. PRICE: This is Dan Price, for the

1 record, MVCPA Auditor. This is the first time we'll be
2 approaching the board for requests for penalty waivers.
3 The penalty was put into place within the last couple of
4 years to be able to assess a penalty to people who are
5 paying late the MVCPA fee, and that is consistent with
6 other taxes and fees that are paid in the State of
7 Texas, so we're now being consistent with that.

8 We've had four penalty waiver requests to
9 date. The first one is for Employers Mutual Casualty
10 Company -- we're on page 11 of your board books. In
11 this instance, we -- the MVCPA staff is rem- --
12 recommending approval of the refund request to Employers
13 Mutual Casualty Company in the amount of \$1,453.

14 The reason for this is twofold: First,
15 the State of Texas has some systems for rendering
16 payment which take longer than most of the industry
17 standards. It can actually take up to a week between
18 the time a payment is initiated by an insurer and when
19 it actually posts to the comptroller's system. I'm sure
20 a lot of that has to do with increased security to make
21 sure that these payments are -- are secure.

22 Under the law David can tell you that, you
23 know, if somebody was to mail in a check the postmark
24 date is considered timely. So, in these instances,
25 where we're recommending payment the companies have

1 initiated the payment process on a timely basis but it
2 hasn't been posted to the comptroller until after the
3 due date. So we believe that -- that -- that they're
4 making a good faith effort to make those payments.

5 The second factor is, is that there are
6 people in general, from the comptroller's perspective,
7 that are requesting waivers continuously, they're always
8 late, and so if somebody is always requesting penalty
9 waivers the comptroller for other fees and taxes is
10 generally declining that. If somebody hasn't done it
11 before or somebody hasn't done it in years and years,
12 and it's just a one-off thing, generally the comptroller
13 is more lenient on approving those. So those are the
14 two criteria being used today on recommendations.

15 So I believe this requires an action item
16 from the board. Do you want to do them individually,
17 David?

18 MR. RICHARDS: Sorry?

19 MR. PRICE: Should we be doing these
20 individually? These refunds?

21 MR. RICHARDS: Individually, please.

22 MR. PRICE: Okay. So, I guess, we're
23 requesting a motion to approve the refund waiver request
24 for Employers Mutual Casualty at this time.

25 CHAIR RODRIGUEZ: Okay. Are there any

1 questions for Mr. Price?

2 I will now entertain a motion.

3 Thank you, Mr. Price.

4 I will now entertain a motion on Agenda
5 Item 7.

6 MEMBER GONZALEZ: Member Gonzalez.

7 I move that the board approve a refund
8 request to Employers Mutual Company in the amount of
9 \$1,453.

10 CHAIR RODRIGUEZ: I have a motion from
11 Member Gonzalez.

12 Do I have a second?

13 MEMBER JONES: Second.

14 CHAIR RODRIGUEZ: I have a second from
15 Major Jones. I hear you.

16 Any further discussion?

17 Yessenia, are there any public comments?

18 MS. BENAVIDES: No, sir.

19 CHAIR RODRIGUEZ: I will now call for the
20 vote.

21 Board members, when I call your name,
22 please state your vote for the record.

23 We have Member Brotherton from the
24 insurance --

25 MR. RICHARDS: It's just these three.

1 Just the three.

2 CHAIR RODRIGUEZ: Okay. So do I have --
3 do I have to let them --

4 MR. RICHARDS: No.

5 CHAIR RODRIGUEZ: Okay.

6 MR. RICHARDS: They're recused.

7 CHAIR RODRIGUEZ: Members, when I call
8 your name state your vote.

9 Member Gonzalez?

10 MEMBER GONZALEZ: Aye.

11 CHAIR RODRIGUEZ: Member Jones?

12 MEMBER JONES: Aye.

13 CHAIR RODRIGUEZ: And I,
14 Chairman Rodriguez, vote aye.

15 Let the record reflect that there are
16 three votes for and zero against. The motion the
17 passes.

18 We're now moving to Agenda Item 8 and
19 we'll turn it back over to Dan Price.

20 MR. PRICE: Hi. This is Dan Price again,
21 I'm MVCPA auditor. Item 8 is Emcasco Insurance Company,
22 and again, the staff is recommending approval of the
23 refund request to Emcasco.

24 Again, they initiated -- it's in the
25 amount of \$300.60. They did initiate the payment prior

1 to the deadline, it was posted after the deadline, and
2 they have not previously requested a waiver from the
3 comptroller for any taxes or fees in a very, very long
4 time.

5 So I'm asking for a motion to approve the
6 Emasco -- Emcasco Insurance Company refund at this time.

7 CHAIR RODRIGUEZ: Okay. Any questions for
8 Mr. Price? Are there any questions for Mr. Price?

9 MEMBER GONZALEZ: I've got a question.
10 And this may be a question for -- for Mr. Richards.

11 So, I mean, we're talking \$300 here, I
12 mean, it sounds like this is something that we, you
13 know, should owe to them. So, I don't know, would it be
14 possible to explore the possibility of, you know,
15 granting the -- the MVCPA director the authority to
16 approve these without having to go to the board?

17 And I say that because I -- I mean, if we
18 owe the money, we owe the money, and I would imagine
19 that the request was sent to us probably a few months
20 ago, and if we can't have the other insurance members,
21 you know, vote on these refunds, if one of us is gone,
22 it could be even longer until that refund gets approved.
23 So, I mean, kind of my thought would be, if we could get
24 it -- I -- I would be happy if we were to have something
25 from Dan in writing recommend -- or, you know,

1 recommending approval of payment, and then give the
2 authority to the director for a certain amount; right?
3 Like the \$77,000 I -- I'd probably want to talk about
4 it; right? But for \$300, to me, you know, this is -- if
5 we have something in writing from the auditor saying
6 this is what we should do, this is what we owe, I mean,
7 I would be comfortable with that. Mr. Richards?

8 MR. RICHARDS: David Richards, General
9 Counsel, for the record.

10 Member Gonzalez, I'm hesitant to agree
11 there only because the statute is explicit on the
12 procedure for issuing refunds. I will look into, in the
13 meantime, after this meeting, the possibility of
14 delegation of authority from -- from the Chair or from
15 this board to Director Canady to do that, but, as of
16 right now, the statute's pretty clear in the
17 transportation code.

18 MEMBER GONZALEZ: Okay.

19 MR. RICHARDS: But I will look into it.
20 Thank you.

21 CHAIR RODRIGUEZ: Okay. So I will now
22 entertain a motion on Agenda Item 8.

23 MEMBER GONZALEZ: Member Gonzalez.

24 I move that the board approve a refund
25 request to Emasco Insurance Company in the amount of

1 \$300.60.

2 CHAIR RODRIGUEZ: I have a motion from
3 Member Gonzalez.

4 Do I have a second?

5 MEMBER JONES: Second.

6 CHAIR RODRIGUEZ: I have a second from
7 Major Jones.

8 Any further discussion?

9 Yessenia, are there any public comments on
10 this?

11 MS. BENAVIDES: No, sir.

12 CHAIR RODRIGUEZ: All right. I will now
13 call for the vote.

14 Board members, when I call your name,
15 please state your vote.

16 Member Gonzalez?

17 MEMBER GONZALEZ: Aye.

18 CHAIR RODRIGUEZ: Member Jones?

19 MEMBER JONES: Aye.

20 CHAIR RODRIGUEZ: And I, Chairman, vote
21 aye.

22 Let the record reflect that there are
23 three votes for and zero against. The motion passes.

24 Agenda Item No. 9: American Access
25 Casualty Company.

1 We'll now move to Agenda Item No. 9 and
2 will turn it back over to Dan Price.

3 MR. PRICE: For the record this is Dan
4 Price, MVCPA Auditor. For Agenda Item 9 on page 13 of
5 board books we're requesting denial of a refund request
6 to American Access Casualty Company in the amount of
7 \$77,560.40.

8 In this instance, the payment was
9 initiated by the insurer after the deadline. They also
10 repeatedly have asked for waiver requests in the past,
11 the most recent being in 2019. So, again, we want
12 people to pay us timely and, in this instance, we feel
13 that since there are repeated requests within the last
14 three years that -- that that along with the fact they
15 initiated it after the due date that we would deny the
16 penalty waiver.

17 So, at this time, I'm asking for a board
18 motion and approval of the denial of a refund request to
19 American Access Casualty Company in the amount of
20 \$77,560.40.

21 CHAIR RODRIGUEZ: Okay. I have a question
22 for -- for David.

23 MR. RICHARDS: Yes.

24 CHAIR RODRIGUEZ: In these insurance
25 denials or approval of refunds do the members

1 representing the insurance, can they come in and have a
2 discussion as to maybe give us what their take is on
3 this? Or there's absolutely no engagement on that.

4 MR. RICHARDS: Are they aware of the
5 background information on this?

6 I mean, let -- let me say this. Let me
7 back up. Are you asking -- have a specific question for
8 them to -- from their insurance perspective?

9 CHAIR RODRIGUEZ: Yeah. I mean, I -- what
10 I would want from them to see the -- if they understand
11 what we're doing here and if they have a different, I
12 guess, perspective as to, yes, give the refund, no,
13 what -- may be something that -- that -- that they can
14 ask. You know, I -- I just don't want -- want them to
15 feel that they cannot ask any questions.

16 MR. RICHARDS: I mean, you're -- I think
17 their -- their -- David Richards for the record.

18 Their statutory obligation is to recuse
19 themselves.

20 CHAIR RODRIGUEZ: Okay.

21 MR. RICHARDS: If there's a technical
22 insurance question involved that you need to seek their
23 help with, that's fine. Not an approval, disapproval or
24 anything like that. Otherwise, they're recused from
25 the --

1 CHAIR RODRIGUEZ: Okay.

2 MR. RICHARDS: -- the discussion of this
3 item.

4 MEMBER SMITH: Mike, are you asking about
5 the -- about the employees that -- the insurance company
6 employees to come and -- and provide testimony? Is that
7 what you're asking?

8 MEMBER GONZALEZ: No. I think he's
9 saying that --

10 CHAIR RODRIGUEZ: Yes.

11 MEMBER GONZALEZ: -- he would like y'all's
12 guidance.

13 CHAIR RODRIGUEZ: Yeah. So your --

14 MEMBER SMITH: Oh.

15 CHAIR RODRIGUEZ: -- your --

16 MEMBER GONZALEZ: Your opinion, what you
17 think of --

18 MEMBER SMITH: Okay.

19 CHAIR RODRIGUEZ: Penalties?

20 MEMBER SMITH: I don't -- I don't -- yeah.
21 I don't -- I don't know enough about that --

22 MEMBER GONZALEZ: Okay.

23 MEMBER SMITH: -- to have any -- any
24 opinion one way or the other. I don't know about
25 Charla.

1 CHAIR RODRIGUEZ: So that that -- that's
2 where I'm -- that's where my next question would be.
3 Can we have insurance representatives from the requester
4 come in and -- and explain?

5 MR. RICHARDS: Well, Mr. Chairman, David
6 Richards for the record again.

7 They are given notice of the -- this
8 meeting.

9 CHAIR RODRIGUEZ: Okay.

10 MR. RICHARDS: It's posted.

11 CHAIR RODRIGUEZ: Sure.

12 MR. RICHARDS: And did we have anybody
13 come from that insurance company that would like to
14 speak?

15 MS. BENAVIDES: I don't have comment
16 cards.

17 MR. RICHARDS: Okay. So that -- this is
18 the time for them to come and --

19 CHAIR RODRIGUEZ: Okay.

20 MR. RICHARDS: -- to address.

21 CHAIR RODRIGUEZ: I just want to make sure
22 on that.

23 MR. RICHARDS: Sure.

24 CHAIR RODRIGUEZ: Thank you.

25 MR. RICHARDS: You're welcome.

1 MEMBER GONZALEZ: I have a question for
2 Mr. Price.

3 So, I mean, this is a substantial amount
4 of money. \$77,000. Is that an overpayment or is that
5 interest? What is the \$77,000?

6 MEMBER JONES: How do we get to this
7 number?

8 MEMBER GONZALEZ: Yeah.

9 MR. PRICE: That -- that is a penalty
10 which is a percentage of the amount that was due, and
11 they missed the deadline by -- once again, the -- the
12 statute provides that, and they be assessed a fee if
13 they miss the payment deadline.

14 MEMBER GONZALEZ: And the fee is \$77,000
15 for a week late?

16 MR. PRICE: We -- we have some that have
17 been over \$400,000.

18 MEMBER JONES: Is this the same company we
19 voted on prior to? There was a company that we -- we
20 gave --

21 MR. PRICE: No. This company has not been
22 voted on, to my knowledge, in last few years.

23 MR. RICHARDS: Mr. Chairman, David
24 Richards for the record again.

25 The board is clearly -- has the -- the

1 right to table this today and -- and bring it back to
2 another meeting if they want to consider more
3 information, be better prepared to -- to address this if
4 you're having any difficulty with -- with approving or
5 denying. That's your obligation.

6 CHAIR RODRIGUEZ: I -- I think -- I think
7 it's just, you know, trying to -- we see a number like
8 this -- and I know I've seen the \$400,000 number and --
9 and we just want to make -- you know, for us, it sounds
10 like a lot of money, but maybe for an insurance company
11 it's, you know, it's \$400,000. But again, it's --
12 it's -- this -- do these numbers come through audits on
13 their end where, oh, we -- we think we overpaid MVCPA,
14 you know, this amount so we're requesting a refund? Is
15 that the way this -- this is working?

16 MR. PRICE: No. This is a -- this is a
17 penalty again.

18 I mean, again, something y'all may be able
19 to relate to is, when your taxes are due to the IRS you
20 have to pay them by a certain date or you get a penalty
21 and interest. So these people owed, in this instance,
22 over \$700,000, probably close to \$800,000 to the
23 authority, to the State of Texas, and they just decided
24 they weren't going to pay us on time, for whatever
25 reason. It could be internal bureaucracy, whatever it

1 is.

2 And, once again, the only -- the only
3 standard that -- that I have to go by is: Did you
4 initiate your payment in a timely manner or did you -- I
5 hate to use the slang term -- "blow it off" -- you know.
6 Did you -- did you just decide, you know, hey, you know
7 what, I'm too busy this week. I'm going not to pay the
8 MVCPA. I'm going to go pay other people instead, and if
9 their internal systems and processes do not allow them
10 to pay their MVCPA fee on time the penalty was put in
11 place. That has happened traditionally for years.

12 CHAIR RODRIGUEZ: Yes.

13 MR. PRICE: And, you know, the -- the --
14 this was put in place to ensure that the insurers are
15 paying promptly when it is due. That's the reason that
16 this was put in place.

17 CHAIR RODRIGUEZ: Understood.

18 DIRECTOR CANADY: Mr. Chairman, if I may,
19 for the record, Joe Canady.

20 Some of these amounts may seem high, you
21 know, \$77,000, but in the bigger scheme of things you're
22 talking about an insurance company that may have
23 thousands and thousands of vehicles that they are
24 insuring.

25 CHAIR RODRIGUEZ: Okay. Understood.

1 Understood. Okay. Thank you, Mr. Price.

2 I will now entertain a motion on Agenda
3 Item No. 9.

4 MEMBER GONZALEZ: Member Gonzalez.

5 I move that the board deny a refund
6 request to American Access Casualty Company in the
7 amount of \$77,560.40.

8 CHAIR RODRIGUEZ: Do we have a second?

9 MEMBER GONZALEZ: Member Jones seconds.

10 MEMBER JONES: Second. Yes.

11 CHAIR RODRIGUEZ: Member Jones second.

12 Any further discussion?

13 Yessenia, any public comment?

14 MS. BENAVIDES: No, sir. No comment.

15 CHAIR RODRIGUEZ: Okay. I will now call
16 for the vote.

17 Member Gonzalez?

18 MEMBER GONZALEZ: Aye.

19 CHAIR RODRIGUEZ: Member Jones?

20 MEMBER JONES: Aye.

21 CHAIR RODRIGUEZ: And I,

22 Chairman Rodriguez, vote aye.

23 Let the record reflect that there are
24 three votes for and zero against. Motion passes.

25 CHAIR RODRIGUEZ: Let's take a -- a

1 15-minute break and then we'll be back. It's 10:06.

2 Let's be back at the -- let's be back at 10:25.

3 (Recess.)

4 CHAIR RODRIGUEZ: Okay. It's 10:25 and
5 we're back in session.

6 We'll now move to Agenda Item 10 and I
7 will turn it back over to Dan Price.

8 MR. PRICE: For the record, this is Dan
9 Price, Grant Auditor. On page 14 of your board books
10 for the MVCPA staff is recommending denial of a refund
11 request of Unitrin County Mutual Insurance Company in
12 the amount of \$7,511.80.

13 Similar to Agenda Item No. 9 they did not
14 tender payment by the due date to the comptroller of
15 public accounts, and they have also requested penalty
16 waivers from the comptroller for other fees and taxes
17 within the last two years. So I am asking the board to
18 move for denial of the refund request to Unitrin County
19 Mutual Insurance Company in the amount of \$7,511.80.

20 CHAIR RODRIGUEZ: Thank you, Mr. Price.

21 I will now entertain a motion on Agenda
22 Item No. 10.

23 MEMBER GONZALEZ: Member Gonzalez.

24 I move that the board deny a refund
25 request to Unitrin County Mutual Insurance Company in

1 the amount of \$7,511.80.

2 CHAIR RODRIGUEZ: Motion -- I have a
3 motion from Member Gonzalez.

4 Do I have second?

5 MEMBER JONES: Second.

6 CHAIR RODRIGUEZ: I have a second from
7 Member Jones.

8 Any further discussion?

9 Yessenia, are there any public comments on
10 this item?

11 MS. BENAVIDES: No, sir.

12 CHAIR RODRIGUEZ: I will now call for the
13 vote.

14 Board members, when I call your name,
15 please state your vote.

16 Member Gonzalez?

17 MEMBER GONZALEZ: Aye.

18 CHAIR RODRIGUEZ: Member Jones?

19 MEMBER JONES: Aye.

20 CHAIR RODRIGUEZ: And I,
21 Chairman Rodriguez, vote I.

22 Let the record reflect that there are
23 three votes to none -- and zero against. The motion
24 passes.

25 We're now going back to Agenda Item 5. We

1 will now move to Agenda Item 5 and we'll turn it over to
2 David Richards.

3 MR. RICHARDS: Mr. Chairman, Members, good
4 morning. David Richards for the record, General
5 Counsel, I'm presenting today on Agenda Item No. 5.
6 We're adding or proposing to add -- and, by the way, an
7 action item, a new section 57.52 which pertains to the
8 MVCPA fee penalty for late payment or filing of report.
9 This is simply putting into rule what is already
10 codified in statute. However, there is one addition to
11 this particular rule proposal and that is, it allows for
12 an appellate or an appeal procedure for insurers who are
13 denied the -- the waiver request and who are assessed a
14 penalty or interest for late payment or late filing of
15 the report.

16 To file an appeal with this board they can
17 show what reasons or any documentation why they were
18 late with payment. They will come to the board to make
19 their presentation for that purpose. The simple
20 majority of the -- of the board non-insurance members
21 will approve or disprove, but a majority vote is -- is
22 all that's required. The majority vote of the board is
23 the final decision. This particular statute and -- and
24 new rule do not allow for a -- an appeal to the State
25 Office of Administrative Hearings which is for a

1 contested case.

2 So, as you know, the -- as I stated, the
3 penalty for -- for a late payment of the fee or a late
4 filing of the report is one aspect of it. Interest
5 can -- also as -- as Dan has already kind of alluded to,
6 we kind of put the cart before the horse, but that was
7 fine. Dan's presentation was supported by the current
8 stat- -- statute, the Chapter 1006 of the Transportation
9 Code. We're simply putting in a rule, as well.

10 The tax code -- the two tax code
11 provisions that provide are actually used by the
12 comptroller's office for assessing a penalty and also
13 assessing interest for late payment of the penalty.
14 The -- other -- like I said, the other provision that's
15 provided for is a procedure, an appeal procedure, and
16 this will be a new section in 43 TAC, it will be 57.52.

17 I'm asking for your approval for
18 publication in the Texas Register for a 30-day comment
19 period. Once that 30-day comment period runs we'll
20 bring it back to -- to the board for its next meeting
21 for final adoption.

22 CHAIR RODRIGUEZ: Okay. Are there any
23 questions for Mr. Richards?

24 Hearing none -- thank you, Mr. Richards --
25 I will now entertain a motion on Agenda Item 5.

1 MEMBER GONZALEZ: Member Gonzalez.

2 I move the board approve new
3 Section 57.52, a rule relating to MVCPA fee penalty for
4 late payment or filing of report appeal for filing in
5 the Texas Register for a 30-day comment period.

6 CHAIR RODRIGUEZ: I have a motion from
7 Member Gonzalez.

8 Do I have a second?

9 MEMBER JONES: I second.

10 CHAIR RODRIGUEZ: I have a second from
11 Member Jones.

12 Any further discussion?

13 Yessenia, are there any public comments on
14 this item?

15 MS. BENAVIDES: No, sir.

16 CHAIR RODRIGUEZ: I will now call for the
17 vote.

18 Board members, when I call your name,
19 please state your vote.

20 MR. RICHARDS: Everybody votes.

21 CHAIR RODRIGUEZ: Member Smith?

22 MEMBER BROTHERTON: Can we vote?

23 MR. RICHARDS: Yes. Insurance members can
24 vote --

25 MEMBER BROTHERTON: Okay.

1 MEMBER SMITH: Okay.

2 MR. RICHARDS: -- on this -- on this
3 proposal. Yeah. This.

4 CHAIR RODRIGUEZ: Member Brotherton?

5 MEMBER BROTHERTON: Aye. Yes.

6 CHAIR RODRIGUEZ: Member Jones?

7 MEMBER JONES: Aye.

8 CHAIR RODRIGUEZ: Member Gonzalez?

9 MEMBER GONZALEZ: Aye.

10 CHAIR RODRIGUEZ: And I,
11 Chairman Rodriguez, vote aye.

12 Let the record reflect that there are five
13 votes for and zero against. Motion passes.

14 Agenda Item 6: Chapter 57 Relating to
15 MVCPA Fee, Motor Vehicle Years of Calculations.

16 Mr. David Richards?

17 MR. RICHARDS: For the record David
18 Richards, General Counsel for MVCPA.

19 Mr. Chairman, members, this an action
20 item. The rule amendments that are being proposed at
21 this time for publication in the Texas Register for a
22 30-day comment period are necessary to implement Senate
23 Bill 224 that was enacted during the 88th Texas
24 Legislative regular session this year.

25 There are two provisions in Section 57.48

1 that need to be amended and it's a simple amendment of
2 the new fee of \$5 from \$4. The -- as you'll recall, \$1
3 is going to be deposited to the credit of the general
4 revenue fund to be used by MVCPA and other law
5 enforcement to detect and prevent catalytic converter
6 theft in Texas.

7 So I'm asking for a vote to approve the --
8 essentially the -- the change from \$4 to \$5 in the two
9 places in Section 57.48. Thank you.

10 CHAIR RODRIGUEZ: Are there any questions
11 for Mr. Richards?

12 Hearing none -- thank you, Mr. Richards --
13 I will now entertain a motion -- motion on Agenda
14 Item 6. Is there a motion on Agenda Item 6?

15 MEMBER GONZALEZ: Member Gonzalez.

16 I move that the board approve amendments
17 to Section 57.48 a rule relating motor vehicle years of
18 calculations for filing with the Texas Register for a
19 30-day comment period.

20 CHAIR RODRIGUEZ: Have a motion from
21 Member Gonzalez.

22 Do I have a second?

23 MEMBER JONES: Second.

24 CHAIR RODRIGUEZ: I have a second from
25 Member Jones.

1 Any further discussion?

2 Yessenia, are there any public comments?

3 MS. BENAVIDES: No, sir.

4 CHAIR RODRIGUEZ: I will now call for the
5 vote.

6 Board members, when I call your name,
7 please state your vote for the record.

8 Member Jones?

9 MEMBER JONES: Aye.

10 CHAIR RODRIGUEZ: Member Gonzalez?

11 MEMBER GONZALEZ: Aye.

12 CHAIR RODRIGUEZ: Member Brotherton?

13 MEMBER BROTHERTON: Aye.

14 CHAIR RODRIGUEZ: Member Smith?

15 MEMBER SMITH: Aye.

16 CHAIR RODRIGUEZ: And I, Chairman
17 Rodriguez, vote aye.

18 Let the record reflect that there are five
19 votes for and zero against. Motion passes.

20 Okay. We'll now move to Agenda Item 11
21 and I will turn it over to Joe -- Mr. Joe Canady.

22 DIRECTOR CANADY: For the record Joe
23 Canady.

24 For the fiscal year 2024 budget, House
25 Bill 1, General Appropriations Act, in the 88th

1 Legislative session -- Legislative session appropriated
2 Texas Department of Motor Vehicles \$24,189,100 for
3 fiscal year 2024 to -- to appropriate or to provide to
4 MVCPA to pay for administrative costs and achieve the
5 purposes of Texas Transportation Code, Section 10.06, to
6 include providing financial support to law enforcement
7 agencies for economic motor vehicle theft and
8 fraud-related motor vehicle crime enforcement teams;
9 financial support to law enforcement agencies, to local
10 prosecutors, judicial agencies, neighborhood community
11 business, nonprofit; for purpose -- for programs
12 designed to reduce the incidents of economic motor
13 vehicle theft and fraud-related motor vehicle crime;
14 conducting educational programs designed to inform motor
15 vehicle owners with methods of preventing motor vehicle
16 burglary or theft and fraud-related motor vehicle
17 crimes; providing equipment for experimental purposes to
18 assist motor vehicle owners in preventing motor vehicle
19 burglary or theft; and establishing a uniform program to
20 prevent stolen vehicles from entering Mexico.

21 And this was at the full 20 percent
22 funding that was provided to DMV for MVCPA. Also
23 contingent upon enactment of Senate Bill 224, the 88th
24 Legislative session -- Legislature regular session
25 appropriated amounts \$314,000 -- more than \$314,000 for

1 fiscal year 2024 to increase the number of FT -- FTEs by
2 four off of Senate Bill 224; and an additional
3 \$24,352,279 for purposes of combating catalytic
4 converter theft.

5 We have Glenna Bowman, Director of the
6 Finance and Operations Division of DMV, she is here if
7 you have additional questions about the budget that you
8 would like to ask.

9 CHAIR RODRIGUEZ: Do we have any questions
10 for Mr. Canady or Glenna?

11 Hearing none -- thank you, Mr. Canady --
12 we'll now move to Agenda Item 12, and I will turn it
13 over to Director Canady and Keith Yawn.

14 DIRECTOR CANADY: Mr. Yawn is not here,
15 but we will present the information to --

16 Senate Bill 224 as you know was passed and
17 provided us a level of funding that's going to be able
18 to address the catalytic converter theft in Texas.
19 There are a couple of requirements for this bill.

20 One is that the MVCPA coordinate with the
21 Texas Department of Public Safety, Texas Department of
22 Licensing and Regulation, and the Texas DMV to develop
23 and implement a plan to review the records of persons
24 regulated by each of these agencies that involve the
25 purchase, acquisition, sale or transfer of catalytic

1 converters removed from vehicles, and respond to
2 suspicious activities that may be detected through the
3 analysis of these records.

4 The three entities are, of course, Texas
5 DPS, they primarily register and regulate the metal
6 recycling entities (also known as MREs) involved in
7 performing the manufacturing process by which scrap is
8 used or obsolete metal is converted into raw material
9 products consisting of prepared grades having an
10 existing or potential economic value under the authority
11 of Texas Occupations Code, Chapters 1956, and related
12 administrative rules.

13 The Texas Department of Licensing and
14 Regulation, they license and regulate used automotive
15 parts and recycling businesses involved in the
16 dismantling and resale or reuse of re- -- reuse and
17 resale of used automotive parts under the authority of
18 Texas Occupations Code, Chapter 2309, and Texas
19 Administrative Code, Chapter 87.

20 The Texas Department of Vehicles licenses
21 and regulates salvage vehicle dealers who buy and sell
22 more than five salvage or non-repairable motor vehicles
23 in a calendar year or rebuild more than five salvage
24 motor vehicles in a calendar year under the authority of
25 Texas Transportation Code, Chapters 501, Occupations

1 Code, Chapter 2302, and 43 Texas Administrative Code,
2 Chapter 221.

3 Of these -- of these three agencies,
4 including MVCPA as the fourth, MVCPA believes that we
5 should coordinate with these agencies to develop
6 criteria to identify suspicious -- suspicious activities
7 involving the purchase, acquisition, sale or transfer of
8 catalytic converters removed from vehicles.

9 Some of this criteria could be sale of
10 multiple catalytic converters by one individual or
11 entity; sale of catalytic converters involving multiple
12 transactions over a period by individuals; failure to
13 keep proper records, or purchase or acquisition of
14 catalytic converters; multiple violations of statutes
15 and rules.

16 Now, that's just some of the criteria it
17 could be, along with -- and we take this information
18 toward the MVCPA analysts with the assistance of
19 analysts from the other state agencies who regulate
20 these businesses involving the purchase of catalytic
21 converters -- can sit down and review -- review these
22 records. They can meet on a monthly basis, a quarterly
23 basis.

24 In the beginning, I believe it should be
25 monthly that they meet on this to expand on things and

1 identify the suspicious circumstances so we can get it
2 out to the task forces. And the proposed plan for that
3 is these act -- the purchases and situations that are
4 identified as suspicious, if they're criminal
5 violations, can be forwarded to task forces and to DPS
6 for -- and I know some of you are going to hate this
7 word, but -- followup or additional investigations.

8 If the activities are civil of nature or a
9 rule violation, administrative violations, these can be
10 forwarded to TDL -- TDLR and TxDMV for inspection and
11 followup. MVCPA shall track suspicious activities
12 referred to state agencies and report to the MVCPA
13 board.

14 In developing and implementing the plan
15 MVCPA shall focus on protecting each step in the
16 legitimate stream of commerce that begins with the
17 removal of catalytic converters from a vehicle. It
18 includes recycling these converters to ensure the
19 persons regulated by the agencies are not the means for
20 inserting stolen catalytic converters back into the
21 stream of commerce, providing risk base, and targeting,
22 and random auditing of the records of persons regulated
23 by the agencies listed.

24 And the final component of this that's --
25 that's separate from the plan that needs to be developed

1 is that MVCPA may establish a task force made up of
2 persons regulated by the agencies who have substantial
3 business experience in transactions involving catalytic
4 converters. This task force is more known -- to me, is
5 more of a committee, an advisory committee, that will be
6 made up of representatives from the salvage industry,
7 recycling entities, things like that, plus other
8 individuals could be board members, members from task
9 forces, how ever the board wants to -- you know, sees
10 fit to make up that committee. Again, the authority may
11 appoint members to the task force as it determines
12 appropriate. Except that persons regulated must be
13 included in the composition.

14 This is an action item and I rec- --
15 MV- -- the MVCPA recommends that we work with
16 commanders, commanders from certain task forces, who
17 deal a lot with salvage to come up and work -- and also
18 coordinate with these other agencies that are involved
19 here to develop this plan that's due on January 1st.
20 Maybe have a meeting, schedule a meeting in -- beginning
21 in September with these other agencies, and certainly by
22 October schedule a meeting to try to coordinate with,
23 involve the task -- certain task force commanders that
24 have experience and knowledge in this field to develop
25 this plan and report back to the board with a final

1 recommendation for a November meeting.

2 MEMBER SMITH: Dean Smith for the record.

3 Do -- has anybody visited with TDLR? Do
4 we know what their position is or what their -- what
5 their contingency plan is for cases that are -- are --
6 are administrative violations or cases forward to them?
7 Do -- do -- is -- is anybody here from TDLR or do we --
8 have we heard from them?

9 DIRECTOR CANADY: We have reached out --
10 for the record Joe Canady.

11 We have reached out to TDLR and, in fact,
12 they've reached out to us and we began those
13 discussions. We haven't gotten to that point, that far
14 in depth as to -- as to the meat of the subject, as far
15 as, you know, what -- what they would like or -- or the
16 input from them on what they're going to do on reviewing
17 those -- reviewing the records and responding to
18 administrative violations. But we've start -- began the
19 lines of communication and more is going to come from
20 that.

21 MEMBER SMITH: So do -- do they have a
22 timeline when they would like to get that moving
23 forward?

24 DIRECTOR CANADY: I think the timeline is
25 going to -- we're the ones that are going to have the --

1 have to have the timeline because we have to have the
2 plan in place by January 1st of this next year.

3 MEMBER SMITH: Okay.

4 DIRECTOR CANADY: So we're trying to speed
5 things up to get with these other agencies to ensure
6 that everybody's on the same page and it's a viable plan
7 that will make an impact to catalytic converter theft.

8 MEMBER SMITH: Thank you.

9 MEMBER BROTHERTON: Member Brotherton, I
10 have a question.

11 I see on here where it says on the salvage
12 dealers -- and it gets back to this -- the same TDLR --
13 that if -- if someone, say me, I decide I want to go
14 into the buying and selling of salvage vehicles, I'm
15 understanding that I should register with TDLR. If I
16 don't register with TDLR what offense to -- what -- what
17 happens to me if I don't do that?

18 DIRECTOR CANADY: We'll certainly have to
19 look at the statutes, but I feel like there's going to
20 be a violation, potential criminal and civil violations
21 for operating that type of business without a license.

22 MEMBER BROTHERTON: Okay.

23 CHAIR RODRIGUEZ: So --

24 MEMBER BROTHERTON: Is -- and is that in
25 place now currently?

1 DIRECTOR CANADY: Yes.

2 MEMBER BROTHERTON: Okay. Thank you.

3 CHAIR RODRIGUEZ: I -- I believe that's
4 being handled by DPS the -- the regulations the -- the
5 TDLR and then the -- the inspections. Some
6 jurisdictions do those inspections. Some others don't
7 do it. But it just depends on the jurisdiction.

8 MEMBER BROTHERTON: We -- we have a
9 specific case that I'm familiar with that -- that
10 they're -- they're actually dismantling vehicles in
11 their back yard. So there's no way that they're
12 licensed to do anything. It's been -- it's been turned
13 over. I'm just trying to figure out what statute that
14 was that I could look at.

15 CHAIR RODRIGUEZ: Is anybody from Houston
16 here? I think Houston has a -- a division on -- on that
17 on the salvage vehicles and -- you have an ordinance, if
18 I'm not -- I'm not mistaken; correct?

19 AUDIENCE MEMBER: Yeah. Our auto dealers
20 unit they're responsible for inspecting all of the
21 auto -- auto plated businesses if there -- there's no --

22 CHAIR RODRIGUEZ: Can we get you up in
23 front, Commander, just so we can actually discuss this?

24 MR. HARDING: For the record, Tolan
25 Harding, Houston Police Department.

1 The Houston Police Department is part of
2 the auto theft division as an auto dealer's unit that's
3 responsible for inspecting motor vehicle related
4 businesses. They -- sorry.

5 Tolan Harding for the record, Houston
6 Police Department.

7 The Houston Police Department auto theft
8 division has a separate dealers unit that's responsible
9 for inspecting motor vehicle related businesses.

10 CHAIR RODRIGUEZ: Okay. So the -- I mean,
11 this, Member -- Member Brotherton, the -- the -- the
12 Houston has its own division to address those concerns.

13 I know for -- for Laredo PD if somebody
14 brings that concern to the -- the department we assign
15 the task force, our -- our -- I will get the task force
16 to go and investigate. If they see anything that is
17 criminal they will go ahead and proceed with a followup.
18 If they see anything that is civil in nature then they
19 will -- they will contact the right agency to go and
20 cite the person for whatever it is that they're doing,
21 whether it's a -- a -- they're doing salvage vehicles or
22 things like that in a -- in a zone that they're not
23 supposed to or repairing them to be resold and things
24 like that, that it's a civil matter, then they'll direct
25 it to the right city division to go and address that

1 concern.

2 MEMBER BROTHERTON: Okay.

3 DIRECTOR CANADY: Mr. Chairman, if I may,
4 Joe Canady, for the record.

5 Some of these businesses such as the --

6 CHAIR RODRIGUEZ: Thank you, Commander.

7 DIRECTOR CANADY: -- the used automotive
8 parts recyclers they may have two licenses. They may be
9 licensed under TDLR and they may also be licensed under
10 Texas DMV, because Texas DMV licenses all salvage
11 vehicle dealers. And a lot of these businesses also
12 include what we used to refer to as shade-tree mechanics
13 and that may be what -- what the --

14 MEMBER BROTHERTON: What kind of mechanic.

15 DIRECTOR CANADY: A shade-tree mechanic.

16 That may be what the business you referred to that's
17 operating, maybe, illegally in certain situations.

18 MEMBER BROTHERTON: Don't know if I'd call
19 it shade tree, but okay.

20 DIRECTOR CANADY: There are -- like I say,
21 there may be multiple agencies that are involved in the
22 licensing -- licensing and there are administrative
23 rules from each agency that these licensed people must
24 abide by.

25 MEMBER SMITH: Dean Smith for the record.

1 I -- back to -- to Houston PD -- the
2 Houston PD. Did -- did the city -- am I correct, the
3 City of Houston passed a city ordinance -- sorry to
4 bring you back up, but I -- I meant to ask you this
5 before you left. Did the city pass a -- a -- an
6 ordinance governing catalytic converters probably within
7 the last 18 months, two years, something like that?

8 MR. HARDING: Tolan Harding for the
9 record.

10 Yes, sir, we did. It had a huge impact on
11 the reduction of thefts of catalytic converters because
12 it made it much more difficult for them to sell.

13 MEMBER SMITH: Okay. So was that targeted
14 towards the -- I -- I guess, the recyclers? Is that how
15 that is written?

16 MR. HARDING: I believe so yes. I'm not
17 completely familiar with that ordinance.

18 MEMBER SMITH: Okay.

19 MEMBER GONZALEZ: Member Gonzalez for the
20 record.

21 I just want to point out SB 224 has a
22 provision in there that says that a municipality cannot
23 further regulate individuals involved in this -- in
24 the -- in the transaction of catalytic converters
25 anymore than is what is in the bill with respect to the

1 reporting requirements. So --

2 MEMBER SMITH: Yeah. But this -- this
3 ordinance was passed some several years ago; is that
4 correct? A couple years?

5 MR. HARDING: I'm not exactly sure when it
6 was.

7 MEMBER SMITH: Okay. All right.

8 MR. HARDING: Recently.

9 MEMBER SMITH: Yeah. Thanks.

10 CHAIR RODRIGUEZ: Thank you.

11 Okay. So going back, Director Canady, on
12 the -- on this -- on this item, so it -- it's a must, we
13 have to have this -- this -- this task force --

14 DIRECTOR CANADY: It's -- it's a must.

15 CHAIR RODRIGUEZ: -- put together, and --
16 and I know that we have to have the solid staters, a
17 representative -- representative from the used
18 automotive part recyclers and a metal recycling entity;
19 am I correct on that?

20 DIRECTOR CANADY: For the record Joe
21 Canady.

22 It's a must that we have to have a plan in
23 place to coordinate these other agencies and review
24 records and identify records as suspicious and respond
25 to those by -- we have to have that in place by January

1 of this next year.

2 It is an -- it's not a requirement to
3 develop the task force made up of entities that are
4 involved in the purchase and sale of these catalytic
5 converters, but that is a rec- -- recommendation that I
6 believe we should do that, but there is -- like I say,
7 it is not a -- there is no requirement for it to be done
8 or a date due by on that portion of it.

9 CHAIR RODRIGUEZ: So can we -- can we
10 have -- and you said -- I don't know -- but can we have
11 a workshop on this to see what the plan would look like
12 and something that we can be -- that's recommendable to
13 the board say this is the strategic plan to -- to -- to
14 start, you know, either granting awards to specific
15 jurisdictions, how are we going to base ourselves in --
16 in -- in -- in granting that award, the needs of
17 jurisdictions and -- and pretty much get the SMEs (the
18 ones that have been working these cases) to see what is
19 it that they need what they think what technology can be
20 used to -- to -- to address this issue? Because we
21 would like a representative from -- from -- from our --
22 from the authority --

23 DIRECTOR CANADY: Yes.

24 CHAIR RODRIGUEZ: -- from the task forces,
25 and then DPS for -- or TDLR and DMV because with TDLR

1 we're going to have questions for them as to what --
2 what is it that they can do when they -- they see a
3 violation or what is -- what's the process, and I think
4 we need to all be on -- have the understanding of ex- --
5 what exactly can we do right now as opposed to what can
6 we do with -- with the -- the -- the -- the -- the money
7 that was given to us to -- to address this problem.

8 So I would like to propose or recommend
9 that the board have a workshop at the very near future
10 so that we can have that conversation with this
11 different -- and by these entities and these agencies so
12 that we can have this conversation and start going into
13 a strategic plan as to what is it -- what exactly do we
14 need so we can make that recommendation.

15 DIRECTOR CANADY: Absolutely.

16 MEMBER GONZALEZ: Member Gonzalez for the
17 record.

18 It -- it -- Mr. Chairman, it says the --
19 the authority -- if we were to have the task force,
20 right, it says, The authority may appoint members to the
21 task force as the authority determines appropriate.

22 In my opinion, if, you know, we're going
23 to have this task force I'm going to highly, strongly
24 recommend that we have some thorough background checks
25 on those individuals, because it sounds like if we

1 develop this, and there is that recommendation from
2 Director Canady, the individuals that are going to be
3 appointed to this task force committee, whatever you
4 want to call it, are going to be privy to very sensitive
5 information, law enforcement information, and so I would
6 recommend that we either enter into some kind of MOU
7 with DPS to, you know, have a -- a -- you know, a robust
8 background check or utilize a vendor to -- just to
9 ensure that, you know, we're able to communicate freely
10 and openly with the individuals that are going to be
11 appointed to this task force. That way I -- I would
12 feel comfortable talking to them about operations or
13 whatnot, so --

14 CHAIR RODRIGUEZ: And -- and this agenda
15 item is just to start that process; correct?

16 DIRECTOR CANADY: Correct.

17 CHAIR RODRIGUEZ: Okay.

18 MEMBER JONES: Mr. Chairman?

19 CHAIR RODRIGUEZ: Member Jones?

20 MEMBER JONES: In reference to background
21 checks, Texas DPS has a MOU with the Texas Racing
22 Commission and in that MOU we conduct the background
23 investigations for the employees and that's also in the
24 administrative rule. So that's just something to think
25 about. And, also, for this task force committee,

1 Mr. Chairman, are you the chairperson of this task
2 forces? Because I'm hearing about committees and
3 committee meetings, but I don't know who's running the
4 committee.

5 CHAIR RODRIGUEZ: So it would be me. I
6 would -- I would be standing in -- in -- in there and I
7 would be making sure that we have a collaborative effort
8 from all of our board members and make sure that we
9 assign board members to this -- to this task force. But
10 I am -- I do want to chair this -- this committee and/or
11 task force, or be in the task force and be involved
12 in -- in the actual strategic plan that we're going to
13 be putting into play.

14 Any other questions for Director Canady?

15 MEMBER JONES: In reference to the action
16 item that we're supposed to vote on, we've had so much
17 discussion or -- I'm not sure this action item are we
18 voting on it as presented or the -- is there something
19 as to chairperson that you want to see done differently?
20 Are we tabling this -- the action item?

21 CHAIR RODRIGUEZ: So -- so the action item
22 as I'm -- I'm reading it and as I'm getting from
23 Director Canady, this is just to start the process that
24 we want to do as far as assigning a task force and make
25 sure that we start picking, you know, who's going to be

1 in that task force.

2 So this is for that mechanism to start
3 taking place; correct?

4 DIRECTOR CANADY: (Indicating.)

5 CHAIR RODRIGUEZ: Okay. Are there any
6 questions for -- for staff or Director Canady?

7 I will now entertain a motion on Agenda
8 Item 12.

9 MR. RICHARDS: Mr. Chairman, David
10 Richards, General Counsel.

11 I think we -- procedurally we ought to
12 hear from Mr. Bresnen first before we vote. He had a
13 public comment. Thank you.

14 CHAIR RODRIGUEZ: We will now hear from
15 Steve Bresnen. Okay. He's approaching the -- the
16 podium.

17 State your name for the record and if
18 you're representing anyone.

19 MR. BRESNEN: My name is Steve Bresnen and
20 I'm here on behalf of PGM of Texas the largest recycler
21 of catalytic converters in North America.

22 I think it's fair to say, although, when I
23 spoke to you in Kerrville I -- I -- I said I lacked in
24 humility, but I think it's fair to say that I'm the
25 principal drafter of Senate Bill 224, obviously, working

1 with the members of the legislature.

2 Mr. Canady, I appreciate your
3 accessibility to me when I've reached out to you very
4 much. I -- I'd like to answer a couple of your
5 questions, if I might, with respect to the bill so
6 everybody behind me, those carrying weapons, have the
7 uniform information that -- that this bill provides.

8 Member Gonzalez, with respect to the
9 preemption pieces in this bill, it does not preempt
10 totally local ordinances. It -- if there are additional
11 recordkeeping requirements be- -- beyond what's in the
12 bill those are preempted, and if there are any
13 prohibitions on who can deal in catalytic converters
14 beyond the prohibitions in the -- or the authorizations
15 in the bill then those are preempted.

16 Usually laws like this become effective
17 September 1st and you-all and local governments and
18 everybody have a chance to -- to conform to the law and
19 so I expect that there will be some changes in some
20 municipal ordinances going forward. I think the word's
21 kind of percolating out like that. In the meantime our
22 advice to PGM facilities around the state has been to
23 continue to comply with local ordinances with respect to
24 the recordkeeping until -- until the cities have had a
25 chance to conform those standards.

1 Member Brotherton, with respect to your
2 question, if the shade-tree mechanic or the person doing
3 it in the back yard there owns the vehicle then there's
4 a procedure under prior law where they can come down,
5 they would come to, say, a PGM facility, they get
6 fingerprinted, photographed, PGM and other metal
7 recycling entities would make sure that the type of
8 catalytic converter corresponds with the type of vehicle
9 that's shown on the title which they have to possess.
10 An alternative to that, there is a way to get
11 dismantling authority from the DMV where basically the
12 person ends up with title to the -- to the vehicle
13 through that process anyway.

14 If that person doesn't own that vehicle
15 and they liberate that catalytic converter from the
16 motor vehicle, they are in possession of -- of a -- a
17 catalytic converter, and if they don't hold one of the
18 licenses or fit into one of the categories in the bill
19 then they are committing the new crime of unauthorized
20 possession of a catalytic converter which is a state
21 jail felony. So the bill has got plenty of -- plenty of
22 teeth in it.

23 I'm probably going to exceed my three
24 minutes, Mr. Chairman, if -- if -- if you don't mind.

25 With --

1 CHAIR RODRIGUEZ: Go ahead.

2 MR. BRESNEN: -- respect to the plan and
3 the task force, I have recommended with their approval
4 individuals from the following types of businesses that
5 are part of the legitimate stream of commerce for
6 catalytic converter. PGM would like to be involved with
7 that; there's nobody knows more about this end of the
8 business than the people at -- at PGM and we've given
9 one of their executive's name's for that purpose.

10 The Texas Automobile Dealers Association
11 they get -- they have catalytic converters -- converters
12 in the course of repairs, particularly warranty re- --
13 repairs on new vehicles, and so we've given the name of
14 the president of the Texas Automobile Dealers
15 Association that we would like to see be involved.

16 Gulf States Toyota is a large distributor
17 of, obviously, Toyota vehicles. I've given the name of
18 the senior counsel for Gulf States Toyota -- all of
19 these people, by the way, were involved with us in
20 drafting the -- this bill. Toyotas, you may not know,
21 are the -- seem like the single biggest target for
22 catalytic converter thieves, and they're a motor vehicle
23 distributor as distinct from a new car dealer.

24 And also the name of someone from the
25 National Federation of Independent Businesses because

1 they have car repair shops, muffler repair shops and so
2 forth within their membership.

3 All of these individuals deal on a regular
4 basis with the DMV, TDLR and DPS on these matters. They
5 are well familiar with what kinds of records the
6 authority of the agencies and local law enforcement, by
7 the way, to enter the premises and review the records,
8 and they deal with these regulatory agencies, they --
9 they're familiar with when your license is at issue or a
10 fine that you have certain processes to go through that
11 can result in a revocation of your license or a serious
12 fine.

13 In the case of metal recycling entities,
14 we put a fine up to \$10,000 in there for a failure to
15 maintain the records or a failure to exercise due
16 diligence in purchasing from an entity that's an
17 approved entity in -- in the list.

18 Just as an aside, I also represent a
19 salvage dealer, they're not -- they're not in the list
20 because they deal with the whole car, they don't
21 separate the -- the -- or they've got more than one
22 license that would authorize them.

23 When we drafted that we envisioned that
24 the regulatory agencies would do their thing, and that
25 means being on site inspecting records and all of that.

1 The whole point of this is to protect the legitimate
2 stream of commerce and not have organized crime. This
3 is primarily a feature of organized crime is what drove
4 these through the roof. We want to protect the
5 legitimate stream of commerce because these precious
6 metals that are in the catalytic converters are
7 strategic, they've been declared strategic metals
8 important to the economy of the United States, for the
9 national security of the United States. That's what's
10 in those things. And so they're valuable and they're --
11 it's important and it's a whole lot -- whole lot cheaper
12 to recycle them than it is to do mining in Russia.
13 We're not getting too many -- too many of these minerals
14 from Russia these days. Or you can get them out of
15 South Africa, but that's kind of secondary provider.

16 So this is an extremely important element
17 of our commerce in the United States and Texas, in
18 particular. This law is being reviewed, looked at
19 favorably by many other jurisdiction in the United
20 States so making it work out on both the criminal
21 justice side and the regulatory side is extremely
22 important.

23 I have to say every time I hear
24 \$24 million it completely blows me away, because I
25 assumed somebody along the way was going to say that

1 dollar is too high, you -- Steve, we've got to cut that
2 down, but now you've got this money available to you. I
3 would beseech you to make sure that your sister agencies
4 receive some of that money in order to -- to support
5 their programs because their people are already trained
6 in looking for these records, they already know the
7 licensees, they already have relationships with those
8 licensees, and -- and as you all know from your daily
9 jobs, you have a sense of who ain't doing it right. And
10 so we would strongly suggest that they be your -- your
11 lead dogs with some support from that money working with
12 local jurisdictions.

13 I'm working with Chief Hester at the
14 Department of Public Safety, one of the finest public
15 servants -- I can't believe he's a regulator and he
16 does -- does a hell of a job over there. We're working
17 with him on some rules that they're going to take up and
18 consider tomorrow, some of which have to do with -- with
19 the recordkeeping.

20 We're working -- I've talked frequently
21 with Commander Anderson, Jessica Anderson with the
22 Houston PD and coordinating sort of getting our feet in
23 the water, everybody's feet in the water on this.

24 So working hard and we want to keep
25 working with y'all. We hope you'll take our

1 recommendations. I love the idea of having a workshop,
2 getting the agencies together. I'd be pleased to join
3 you to share my understanding of the bill and the -- the
4 details of it, and given the opportunity we would work
5 with y'all to do something that's not overly burdensome
6 to business and protects legitimate stream of commerce
7 but also follows up and does something that the
8 legislature intended.

9 I've got one more suggestion then I'll
10 shut up.

11 The -- there are -- the senator and the
12 state representative sponsors of this bill have staff
13 members each who are particularly aware of the details
14 of this bill and the legislative intent. I would
15 strongly suggest that if -- if they're not members of
16 the task force that they be included to -- to join up
17 and -- and monitor what you're doing, that they know
18 when the task force is being formed, the meeting, and --
19 excuse me -- and -- and all of those -- those -- those
20 kinds of things.

21 I'll be happy to answer any questions.

22 MEMBER SMITH: Dean Smith for the record.

23 MR. BRESNEN: Yes, sir.

24 MEMBER SMITH: How -- who are the top
25 three companies doing recycling business in Texas?

1 Obviously PGM would be one of them?

2 MR. BRESNEN: PGM would be the -- would be
3 the largest. There's a company called Techemet that --
4 that does some of this that's down in Pasadena.

5 MEMBER SMITH: Okay.

6 MR. BRESNEN: And they -- they do -- I
7 know they do refining. I -- there's two processes
8 really when you get to that. Three ways a metal
9 recycling entity gets involved: Someone brings the --
10 brings the catalytic converters to them, and many --
11 most of them are not going to have the facilities for
12 decanting, what they call decanting, which is -- which
13 is getting the honeycomb materials --

14 MEMBER SMITH: Yeah.

15 MR. BRESNEN: -- with the --

16 MEMBER SMITH: Yeah.

17 MR. BRESNEN: -- minerals out of it.

18 MEMBER SMITH: Yeah.

19 MR. BRESNEN: And then so many of them,
20 then they'll transfer them to a PGM or they may go to a
21 refinery out of state. They may go to a -- to Techemet.
22 PGM would process that material.

23 MEMBER SMITH: Yeah. Who -- I guess -- I
24 guess not to belabor it.

25 MR. BRESNEN: Yeah.

1 MEMBER SMITH: But who -- who -- I -- I
2 guess, with PGM, Techemet, who else might be somebody
3 that would be a significant stakeholder in the State of
4 Texas?

5 I think probably it -- it's probably a
6 better idea to reach out to some of these people that
7 you've talked about --

8 MR. BRESNEN: Uh-huh.

9 MEMBER SMITH: -- as being, you know, true
10 business leaders --

11 MR. BRESNEN: Yep.

12 MEMBER SMITH: -- that have a vested
13 interest in how this gets handled. You know, I -- I
14 always have a jaundiced eye sometimes with the motor
15 vehicle dealers lobby, you know, in --

16 MR. BRESNEN: I'm sorry --

17 MEMBER SMITH: -- Texas I --

18 MR. BRESNEN: -- to hear that.

19 MEMBER SMITH: -- they're very -- they're
20 very powerful and -- and -- but at the same time we've
21 heard a lot of stories across insurance carriers where
22 catalytic converters are trying -- trying to be replaced
23 and the dealers are charging innocent third parties, who
24 have been the victim of theft, a core charge, and that
25 just doesn't pass the sniff test, really. So, you know,

1 I'm hoping that there's something in there that we can
2 stop some of that going on.

3 And my -- and my last question is, and I
4 let you respond, how many municipalities have an
5 ordinance in place and -- or can -- do you know how
6 many --

7 MR. BRESNEN: Well, there's roughly --

8 MEMBER SMITH: -- possibly?

9 MR. BRESNEN: There's roughly about ten.

10 MEMBER SMITH: Ten.

11 MR. BRESNEN: I don't have the, you know,
12 there's -- I don't know -- probably 1,500
13 municipalities --

14 MEMBER SMITH: Sure.

15 MR. BRESNEN: -- in the state. So it's
16 unusual.

17 Houston, of course, does. I know Grand
18 Prairie does. There's another, you know, half a dozen
19 or eight more. I've got a list of them and I'm happy to
20 share them with the staff. They can --

21 MEMBER SMITH: No, I understand.

22 MR. BRESNEN: -- distribute them.

23 MEMBER SMITH: I understand.

24 MR. BRESNEN: I want to be real clear
25 about something, though. The -- this function is about

1 examining records, and the records that are required
2 are: Where did you get it from; what was the volume
3 that you got; and on what date did you get them. So the
4 situation that you're talking about between the insurers
5 and the motor vehicle dealers, I'm not going to find
6 myself in the middle of that, and I would suggest that
7 that's not really where we're -- where we're --

8 MEMBER SMITH: But it is a concern.

9 MR. BRESNEN: I understand you have a
10 concern about that. I'm just saying it's not addressed
11 in this bill.

12 MEMBER SMITH: No. I understand. But,
13 you know, it's -- it's --

14 MR. BRESNEN: Sure.

15 MEMBER SMITH: -- it -- it's a problem and
16 it needs -- there needs to be a part of a solution to
17 that, as well.

18 So I'm hoping that Mr. Canady and --
19 and -- and Chairman Rodriguez will consider bringing
20 some of these top people in.

21 MR. BRESNEN: Sure. Happy to do it.

22 MEMBER SMITH: And even perhaps some folks
23 from these municipalities that have some experience with
24 this to have a discussion and see how it all -- how it's
25 been working out for them.

1 MR. BRESNEN: Couldn't agree with you
2 more.

3 MEMBER SMITH: Yeah.

4 MR. BRESNEN: I -- sitting here right now
5 I can't think of the third name, but -- but I can
6 certainly get another couple of the major players.

7 The vast majority of metal recycling
8 entities that are regulated by DPS don't have anything
9 to do with the catalytic converters.

10 MEMBER SMITH: Right.

11 MR. BRESNEN: They don't want to have
12 anything to do with it because -- because there is
13 additional recordkeeping and things you have to do or
14 you're deeply in the ditch.

15 MEMBER SMITH: Uh-huh.

16 MR. BRESNEN: And especially now since if
17 you don't do your job there could be a \$10,000 fine.
18 Before it was a \$500 fine if you --

19 MEMBER SMITH: Yeah.

20 MR. BRESNEN: -- if you messed up.

21 MEMBER SMITH: But -- again, but I hope
22 you understand that -- that, you know, we're collecting
23 a dollar from everybody that buys insurance --

24 MR. BRESNEN: Sure.

25 MEMBER SMITH: -- and -- and so there has

1 to be some tangible benefit to them that they can see so
2 that the prevention authority, you know, is able to show
3 their work and their efforts in regards to this.

4 I mean, it's -- we don't want to -- we
5 don't want to take an act -- or at least I don't -- see
6 us taking an action just to appease the big recycling
7 companies in the State of Texas. We've got to do
8 something to show activity and show progress to the
9 consumer.

10 MR. BRESNEN: Sure.

11 MEMBER SMITH: And so, you know, what --
12 I -- I hope you will consider that rather than just, you
13 know, what --

14 MR. BRESNEN: Well, I --

15 MEMBER SMITH: -- you perceive the bill to
16 be written as. Because it -- it's -- I take my hat off
17 to you for doing it. It's a big undertaking and you've
18 done a great job.

19 MR. BRESNEN: Thank you.

20 MEMBER SMITH: I just think we need to
21 make sure that we keep the consumer in mind.

22 MR. BRESNEN: PGM is the one that took
23 this legislation to the legislature to solve this
24 problem.

25 MEMBER SMITH: Right.

1 MR. BRESNEN: Nobody has a bigger stake in
2 this than these people to have organized crime -- if
3 you -- if you read -- I'll send you, sir, the two arrest
4 warrant records that HPD and DPS and others put
5 together, a big bust down there, thousands of units of
6 catalytic converters got shipped off to be done
7 somewhere else by folks who don't care.

8 MEMBER SMITH: Right.

9 MR. BRESNEN: And so we're -- I -- I think
10 that we've shown our bona fides. We pledge to keep
11 showing them.

12 MEMBER SMITH: Great. Thank you for
13 your --

14 MR. BRESNEN: Yes.

15 MEMBER SMITH: -- time.

16 MR. BRESNEN: Yes, sir.

17 MEMBER JONES: I have a question, sir.

18 MR. BRESNEN: Yes, ma'am.

19 MEMBER JONES: Sharon Jones for the
20 record.

21 You stated that you gave recommendations
22 of names to -- I don't know -- a committee or whomever
23 and then those recommendations were approved. I'm not
24 clear on that part.

25 MR. BRESNEN: No, ma'am. I didn't say

1 they were approved. I said I -- I gave the names and --
2 of -- of the various entities whose members -- or in
3 case PGM directly -- would have a stake in this. I did
4 not say that they are approved.

5 MEMBER JONES: Okay.

6 MR. BRESNEN: No.

7 MEMBER JONES: You gave them to whom?

8 MR. BRESNEN: Mr. Canady.

9 MEMBER JONES: Okay.

10 MR. BRESNEN: I really just came to say, I
11 love y'all. I've told you that. I didn't mean to spend
12 this much time.

13 MEMBER SMITH: We love you, too.

14 MR. BRESNEN: But I appreciate -- I
15 appreciate your deference.

16 CHAIR RODRIGUEZ: Thank you, Mr. Bresnen.

17 MR. BRESNEN: Yes, sir.

18 CHAIR RODRIGUEZ: I would like to move
19 forward with the -- with the motion, but I would like to
20 see if we can amend the motion to include have a
21 workshop with the board sometime in the month of
22 October. Of course, we need to check those dates. I
23 wouldn't want to have it in September just because
24 there's -- TAPT is at the end of September, and then
25 we've got IACP coming in October so we have to look at

1 those days. Maybe some -- some -- sometime in October,
2 come back, full board, have a workshop, bring -- I think
3 the instructions would be to give to -- to you,
4 Director Canady, to bring in those -- those key entities
5 and representatives from those that we're going to be
6 looking at to come so we can start discussing what we're
7 going to do with this task force.

8 That -- that would be my -- my -- if
9 something that I can amend on this motion.

10 MEMBER GONZALEZ: Let me -- let me take a
11 stab. Are you calling for a motion, Mr. Chair?

12 CHAIR RODRIGUEZ: I'm calling for a
13 motion.

14 Are there any questions for staff or -- or
15 Director Canady at this time on this -- on this agenda
16 item? There are none.

17 Now I will entertain a motion for Action
18 Item 12.

19 MEMBER GONZALEZ: All right. Let me take
20 a stab at it, and if you don't like it then --

21 CHAIR RODRIGUEZ: Sure.

22 MR. BRESNEN: All right. I move the board
23 authorize the director form and establish a workshop no
24 later than the end of October to -- oh -- to come up
25 with solutions to -- and feedback to implement this --

1 the provisions of SB 224.

2 MR. RICHARDS: Mr. Chairman, David
3 Richards for the record.

4 Can we use Member Gonzalez's motion as an
5 amendment to the existing motion?

6 CHAIR RODRIGUEZ: Existing motion.

7 MR. RICHARDS: Yeah. So --

8 MEMBER GONZALEZ: Yeah. And then I was
9 going to pick up on --

10 MR. RICHARDS: Well, read that first and
11 then --

12 MEMBER GONZALEZ: Got it. Okay.

13 MR. RICHARDS: All right. Thank you.

14 MEMBER GONZALEZ: I move that the board
15 authorize the director to coordinate with Texas DMV,
16 Texas DPS and the TDLR to further develop and implement
17 a plan to review the records of persons regulated by
18 said agencies involving the purchase, acquisition, sale
19 or transfer of catalytic converters, and to respond to
20 suspicious activities detected through the review of
21 records. Further, that the -- that the director host a
22 workshop no later than the end of October with the
23 various interested stakeholders and report back to the
24 board the recommendations for implementation of SB 224.
25 Does that about cover it?

1 CHAIR RODRIGUEZ: That covers it.
2 We have a motion from board member -- we
3 have a motion from Board Member Gonzalez.
4 Do I have a second?
5 MEMBER BROTHERTON: Member Brotherton, I
6 second.
7 CHAIR RODRIGUEZ: I have second from
8 Member Brotherton.
9 Any further discussion?
10 Yessenia, we have any public comments?
11 Mr. Bresnen has already come --
12 MS. BENAVIDES: No --
13 CHAIR RODRIGUEZ: -- and spoke.
14 MS. BENAVIDES: -- additional comments.
15 CHAIR RODRIGUEZ: No additional comments?
16 MS. BENAVIDES: No, sir.
17 CHAIR RODRIGUEZ: Perfect.
18 I will now call for the vote.
19 Board members, when I call your name,
20 please state your vote.
21 Member Jones?
22 MEMBER JONES: Aye.
23 CHAIR RODRIGUEZ: Member Smith?
24 MEMBER SMITH: Aye.
25 CHAIR RODRIGUEZ: Member Gonzalez?

1 MEMBER GONZALEZ: Aye.

2 CHAIR RODRIGUEZ: Member Brotherton?

3 MEMBER BROTHERTON: Aye.

4 CHAIR RODRIGUEZ: And I,
5 Chairman Rodriguez, vote aye.

6 Let the record reflect there are five
7 votes for and zero against. Motion passes.

8 I will now move to Agenda Item 13A and I
9 will turn it over to Director Canady.

10 DIRECTOR CANADY: Mr. Chairman, for the
11 record Joe Canady.

12 These next five agenda items could have
13 probably been one agenda item that they are specific in
14 nature, but they all support additional funding for
15 priorities for moneys received from Senate Bill 224.

16 This first one, the MVCPA Automatic
17 License Plate Reader Program. License plate readers
18 have become a nonintrusive tool for law enforcement who
19 are investigating the theft of catalytic converters and
20 associated motor vehicle crimes. The equipment captures
21 license plate number of the vehicles operating in public
22 places. This captured data includes, of course, time,
23 date and the location of the vehicle; it also
24 crosschecks the license plate number with a stolen
25 vehicle database. The equipment only reads a license

1 plated vehicle and is not or cannot be used for facial
2 recognition.

3 And again, this is on page 19 and 20 of
4 your board book.

5 Task forces have reported that -- or have
6 identified that catalytic converter thieves are known to
7 operate between border regions of Laredo to the Rio
8 Grande Valley and to Houston and back and forth.

9 I believe there was a case a couple of
10 years ago that involved a theft of catalytic converters
11 in Laredo and there was a traffic stop by highway patrol
12 in Victoria. Am I remembering correctly?

13 CHAIR RODRIGUEZ: That is correct.

14 DIRECTOR CANADY: And we tracked those
15 back to the vehicle owners in Laredo?

16 CHAIR RODRIGUEZ: Correct. And there were
17 some victims in between.

18 DIRECTOR CANADY: Yes.

19 So we're proposing to continue to research
20 with the AL -- ALPR (license plate reader companies) to
21 identify locations and priorities of a network of
22 cameras that exist in the state because of the nature of
23 these crimes and the connection to organized crime, and
24 especially on the border we believe that the first
25 priority should be -- or first priorities should be the

1 border regions and Houston, as Houston has a -- one of
2 the largest amounts of motor vehicle situated crimes in
3 the state. We have reached out to -- on page 20 you'll
4 see a -- a map that includes the priorities from Laredo,
5 the Rio Grande Valley, Coastal Bend and Houston.

6 We have worked with Flock. Flock is still
7 the Flock Safety company and we will reach out to other
8 companies as well; they're still developing a list of
9 potential camera locations that we have given them to
10 create this network and be able to assist with the
11 identification of a vehicle in a -- a location where not
12 only catalytic converter crimes have occurred but other
13 crimes as well. The research or the back -- the back --
14 the back end of the software is able to search -- search
15 those.

16 So if we -- if there's -- for example, in
17 Corpus Christi there is -- they have ten catalytic
18 converters stolen in one night and they have some sort
19 of time period of when it happened, you know, they can
20 go back in and search the database on the back end of
21 the system and possibly identify some suspect vehicles
22 that may have been in the area if there was some -- if
23 there was an LPR camera, you know, close to where that
24 crime occurred.

25 So, again, we would like to further the

1 research with -- research into this with ALPR companies
2 and also with TxDOT and DPS to identify the needs that
3 would be as far as location of cars and cameras. And
4 it's -- I'm happy to entertain any questions.

5 MEMBER JONES: My only concern is that
6 I -- I keep hearing about conversations, conversations;
7 and I am not involved in any of these conversations that
8 are happening, and so I strongly suggest that before you
9 come up with plans and procedures that you include me
10 along the way, because all you -- all that's going to do
11 is, when it gets to DPS there'll be like 10,000
12 questions. I would rather start having -- going back to
13 having conversations with DPS so that we are all in step
14 together -- we're a team, we're married, happily
15 married -- as opposed to coming in at the end and then
16 having to play catch up.

17 DIRECTOR CANADY: If I may -- Joe
18 Canady -- this -- this wasn't done in effort to
19 circumvent anything. This is the -- this is the very --
20 the initial planning phases of this that I'm bringing to
21 the board at this point.

22 MEMBER JONES: Yes, sir.

23 DIRECTOR CANADY: And so there will be a
24 lot more information that we --

25 MEMBER JONES: Uh-huh. I understand that.

1 But the reason I say that is because
2 initially Chairman asked me to start having the
3 discussions and I started having discussions and got
4 DMV, got TxDOT involved, we had a plan, and then I don't
5 know what happened to that. So I don't know where we
6 are or what we -- what -- what we're doing, who you're
7 talking to, but I -- I took myself out of the equation.
8 So in order for us to get back in I've got to know
9 what's happening. Like, I've got to be in there with
10 you guys, not towards the end or hearing conversations
11 about it. I'm just -- I'm not saying you're
12 circumventing. I'm just telling you what's -- the
13 reality is.

14 CHAIR RODRIGUEZ: So I think that this
15 workshop is going to be ideal to -- to make sure that
16 we -- we come back all to the same page and see exactly
17 what direction we're going to take.

18 I do have a question on this.

19 Have we -- well, I think this is what
20 we're bringing it here for.

21 Discussion on maintenance of these
22 cameras, discussions as to do we need -- do we need LPR
23 going in or do we need cameras that's going to be able
24 to pick up individuals driving the vehicle? Have we --
25 who did we have this discussion as far as -- or have you

1 just had it with Flock?

2 DIRECTOR CANADY: We just have had it with
3 Flock at this point.

4 CHAIR RODRIGUEZ: Okay. And then we don't
5 know how much this is going to cost? We have no --

6 DIRECTOR CANADY: Not at this point. This
7 is just like -- say, this is just the initial
8 development stage. And we're looking for, you know,
9 approval to continue discussions, and involve DPS in --
10 in these discussions as well, so that everyone's on the
11 same page, to find out if this is a -- something that's
12 viable that can be utilized to address catalytic
13 converter issues.

14 CHAIR RODRIGUEZ: Well, this -- this not
15 only addresses for the authority for -- for MVCPA it not
16 only addresses catalytic converters, it addresses
17 everything that we do.

18 DIRECTOR CANADY: Yes.

19 CHAIR RODRIGUEZ: I mean, motor vehicle
20 theft, you know, anything that operates with motor
21 vehicles from different jurisdictions, we'll be able to
22 pick them up anywhere in the state. This is a great
23 idea, but I would like to see the financial impact that
24 we're going to have, and how long are we going to take
25 to -- to cover the remaining jurisdictions, and if -- if

1 we can cover them all. I think that would be -- that
2 would be a perfect scenario right there, if we can cover
3 the whole entire state.

4 Of course, we know where those -- the
5 majority of those stolen vehicles are going, but I would
6 like to see -- do we even have a timeline as to when
7 Phase 2 would kick in?

8 DIRECTOR CANADY: We do not.

9 CHAIR RODRIGUEZ: Well, this is going in
10 the right direction as the way I see it, but I do want
11 to get more input from -- from -- one, from DPS, the
12 other one from Flock, from -- from -- from different,
13 you know, I -- I want to say vendors as to --

14 DIRECTOR CANADY: Yes.

15 CHAIR RODRIGUEZ: -- what exactly are we
16 buying.

17 DIRECTOR CANADY: Yes.

18 CHAIR RODRIGUEZ: Because I -- I wouldn't
19 want just to see, you know, okay, that vehicle went by
20 at this hour. I want to see if we can get power and
21 everything to the cameras where we can get a picture of
22 this individual driving that vehicle, that would be
23 awesome, you know, the same -- the same way we have them
24 at the checkpoints.

25 DIRECTOR CANADY: Yes. It's certainly

1 something that we can -- we can inquire about.

2 CHAIR RODRIGUEZ: Okay. Any other
3 questions?

4 Hearing no questions, I will now entertain
5 a motion for Agenda Item 13A.

6 MEMBER GONZALEZ: Member Gonzalez for the
7 record.

8 I move that the board authorize the
9 director and staff to continue research of automatic
10 license plate reader (ALPR) equipment for the purpose of
11 developing a statewide network of ALPR cameras.

12 CHAIR RODRIGUEZ: I have a motion from
13 Member Gonzalez.

14 Do I have a second?

15 MEMBER JONES: Second.

16 CHAIR RODRIGUEZ: I have a second from
17 Member Jones.

18 Any further discussion?

19 Yessenia, are there any public comments on
20 this?

21 MS. BENAVIDES: No, sir.

22 CHAIR RODRIGUEZ: I will now call for a
23 the vote.

24 Board members, when I call your name,
25 please state your vote for the record.

1 Member Jones?

2 MEMBER JONES: Aye.

3 CHAIR RODRIGUEZ: Member Smith?

4 MEMBER SMITH: Aye.

5 CHAIR RODRIGUEZ: Member Gonzalez?

6 MEMBER GONZALEZ: Aye.

7 CHAIR RODRIGUEZ: Member Brotherton?

8 MEMBER BROTHERTON: Aye.

9 CHAIR RODRIGUEZ: And I,
10 Chairman Rodriguez, vote aye.

11 Let the record reflect that there are five
12 votes for and zero against. Motion passes.

13 We will now move to Agenda Item 13, and
14 we'll turn it over -- back over to Director Canady.

15 DIRECTOR CANADY: Mr. Chairman, Members,
16 for the record, Joe Canady.

17 We have long -- long had previous
18 discussions in board meetings concerning bait vehicles.
19 Bait vehicles have become a useful tool to not only
20 identify but apprehend and prosecute individuals who are
21 committing motor vehicle crimes. We believe that this
22 could also include catalytic converter crimes as well.

23 Houston -- the City of Houston has
24 partnered with Penske, I believe, and they're utilizing
25 a -- utilizing vehicles with a tracking device inside a

1 catalytic converter. So this is -- this may be -- and
2 Harris County is about to enter into some agreements as
3 well to do the same thing. This may be something that
4 we can provide additional research into. And, I
5 believe, it was Mr. Bresnen that talked about Toyotas
6 having -- being the most sought after vehicle for
7 catalytic converters. If we could provide additional
8 funds to come up -- or we could provide additional
9 funding through supplemental appropriations to task
10 forces to purchase a bait vehicle that's going to --
11 just, for an example, a Toyota, it might be -- may be
12 something different, but, in our mind, if each task
13 force has a bait vehicle like this to use in not only
14 catalytic converter theft but everything else, and
15 they're on the same network as far as the cameras in the
16 bait vehicle equipment then if it becomes that that
17 vehicle has been burned in that area and it's easily
18 recognizable, you know, they can be traded, per se,
19 or -- not traded or sold for a dollar, whatever it may
20 be, to another task force in another jurisdiction and
21 they have a new vehicle in that area.

22 So this is something that we would like to
23 research to see if it's a viable option for catalytic
24 converter thefts.

25 CHAIR RODRIGUEZ: Thank you, Mr Canady.

1 Any questions for Mr. Canady or staff?

2 I will now entertain a motion on Agenda

3 Item 13B.

4 MEMBER GONZALEZ: Member Gonzalez for the
5 record.

6 I move that the board authorize the
7 director and staff to research the purchase of bait
8 vehicles by task forces to identify and apprehend
9 suspects committing catalytic converter theft and
10 associated motor vehicle crimes.

11 CHAIR RODRIGUEZ: I have a motion from
12 Member Gonzalez.

13 Do I have a second?

14 MEMBER JONES: Second.

15 CHAIR RODRIGUEZ: Second from
16 Member Jones.

17 Any further discussion?

18 Hearing none -- Yessenia, are there any
19 public comments on this?

20 MS. BENAVIDES: No, sir. Not on this
21 agenda item.

22 CHAIR RODRIGUEZ: Thank you.

23 No public comments, I will now call for
24 the vote.

25 Board members, when I call your name,

1 please state vote for the record.

2 Member Jones?

3 MEMBER JONES: Aye.

4 CHAIR RODRIGUEZ: Member Smith?

5 MEMBER SMITH: Aye.

6 CHAIR RODRIGUEZ: Member Gonzalez?

7 MEMBER GONZALEZ: Aye.

8 CHAIR RODRIGUEZ: Member Brotherton?

9 MEMBER BROTHERTON: Aye.

10 CHAIR RODRIGUEZ: And I, Chairman
11 Rodriguez, vote Aye.

12 Let the record reflect there are five
13 votes for and zero against. Motion passes.

14 We will now move to Agenda Item 13C and I
15 will turn it back over to Director Canady.

16 DIRECTOR CANADY: Mr. Chairman, Members,
17 for the record Joe Canady.

18 There may be an option for -- to utilize
19 some of the funding from Senate Bill 224 for new task
20 forces. We understand that there is a need in more
21 jurisdictions for organized -- organized activities to
22 occur -- to occur to prevent these crimes and address
23 these crimes than the -- than that there are in task
24 force -- current task force jurisdictions, such as
25 Midland, Odessa, far North Texas, Wichita Falls area,

1 Abilene, things like that, and there -- we want to look
2 at coming up with a -- coming up with something to
3 identify other jurisdictions on their needs -- and it's
4 not just at those jurisdiction as well -- to develop
5 a -- an RFA (request for applications) for new grants
6 where there is a need to address not only catalytic
7 converter theft but all associated motor vehicle crimes
8 that come with that as well.

9 CHAIR RODRIGUEZ: I like the idea. I
10 think it's good that we're looking for new grantees to
11 apply, but, again, it has to be -- it has to be a
12 problem.

13 DIRECTOR CANADY: Yes.

14 CHAIR RODRIGUEZ: It has to be where we're
15 not going to come in and try to prevent this, just we --
16 we have a problem and need the help.

17 CHAIR RODRIGUEZ: Member Gonzalez for the
18 record.

19 Would it be -- I don't know if it would be
20 too much of a crime -- time crunch for this -- all of
21 these research motions, right, can we have preliminary
22 reports before the workshop, and then that way those are
23 discussion items at the workshop?

24 DIRECTOR CANADY: Sure.

25 MEMBER GONZALEZ: That way it's something

1 that could be discussed, talked about, opportunity for
2 feedback.

3 DIRECTOR CANADY: Uh-huh.

4 CHAIR RODRIGUEZ: Thank you, Mr. Canady.
5 Any questions for Mr. Canady or staff?

6 Hearing none, I will now entertain a
7 motion on Agenda Item 13C.

8 MEMBER GONZALEZ: Member Gonzalez.

9 I move that the board authorize the
10 director and staff to identify jurisdictions with high
11 crime rates for catalytic converter theft and develop a
12 request for application grant award program for -- for
13 new task forces to combat catalytic converter theft and
14 associated motor vehicle crimes.

15 CHAIR RODRIGUEZ: I have a motion from
16 Member Gonzalez.

17 Do I have a second?

18 MEMBER BROTHERTON: Member Brotherton, I
19 second.

20 CHAIR RODRIGUEZ: I have motion from
21 Member Gonzalez and second from Member Brotherton.

22 Any further discussions?

23 Yessenia, are there any public comments on
24 this item?

25 MS. BENAVIDES: No, sir.

1 CHAIR RODRIGUEZ: Thank you.

2 I will now call for the vote.

3 Board members, when I call your name,
4 please state your vote for record?

5 Member Jones?

6 MEMBER JONES: Aye.

7 CHAIR RODRIGUEZ: Member Smith?

8 MEMBER SMITH: Aye.

9 CHAIR RODRIGUEZ: Member Gonzalez?

10 MEMBER GONZALEZ: Aye.

11 CHAIR RODRIGUEZ: Member Brotherton?

12 MEMBER BROTHERTON: Aye.

13 CHAIR RODRIGUEZ: And I,
14 Chairman Rodriguez, vote aye.

15 Let the record reflect that there are five
16 votes for and zero against. Motion passes.

17 We will now move to Agenda Item 13D and I
18 will turn it back over to Director Canady.

19 DIRECTOR CANADY: Mr. Chairman, Members,
20 for the record Joe Canady.

21 Like pretty much these previous agenda
22 items, last couple, this will be also relating to
23 supplemental grant awards, and I believe we kind of
24 touched on this with the potential purchase of bait
25 vehicle equipment.

1 And we can also provide this,
2 Member Gonzalez, an update. In October meeting we can
3 identify what the task forces may -- existing task
4 forces may have a need for as far as equipment or
5 potentially any new personnel for investigators to -- to
6 specifically investigate catalytic converter theft.

7 And I will be happy to answer any
8 questions.

9 CHAIR RODRIGUEZ: No questions?
10 Any questions for the Director Canady?
11 Hearing none, I will now entertain a
12 motion on Agenda Item 13D.

13 MEMBER GONZALEZ: Member Gonzalez.
14 I move that the board authorize the
15 director and staff to identify grantees to demonstrate a
16 need for additional funding to address the prevention
17 and theft of catalytic converters.

18 CHAIR RODRIGUEZ: Have a motion from
19 Member Gonzalez.

20 Do I have a second?

21 MEMBER JONES: Second.

22 CHAIR RODRIGUEZ: Have a second from
23 Member Jones.

24 Any further discussion?

25 Yessenia, any public comments on this

1 item?

2 MS. BENAVIDES: No, sir.

3 CHAIR RODRIGUEZ: Thank you.

4 I will now call for the vote.

5 Board members, when I call your name,
6 please state your vote.

7 Member Jones?

8 MEMBER JONES: Aye.

9 CHAIR RODRIGUEZ: Member Smith?

10 MEMBER SMITH: Aye.

11 CHAIR RODRIGUEZ: Member Gonzalez?

12 MEMBER GONZALEZ: Aye.

13 CHAIR RODRIGUEZ: Member Brotherton?

14 MEMBER BROTHERTON: Aye.

15 CHAIR RODRIGUEZ: And I,

16 Chairman Rodriguez, vote I.

17 Let the record reflect that there are five
18 votes for and zero against. Motion passes.

19 We'll now move to Agenda Item 13E and I'll
20 turn it back over to Director Canady.

21 DIRECTOR CANADY: Mr. Chairman, Members,
22 Joe Canady for the record.

23 This is the last item for 13. Thank you.

24 On -- in reference to catalytic converter marking
25 equipment.

1 We were Member Jones and -- and I were in
2 El Paso a while back and were shown some equipment that
3 El Paso is -- I believe, going to utilize or they had
4 saw that's made from a company in California.

5 MEMBER JONES: Correct.

6 DIRECTOR CANADY: Catalytic converter
7 marking equipment. That may be easier process than --
8 than Houston and Harris County and other task forces are
9 using -- currently using for marking these catalytic
10 converters, so we want to research and see what
11 equipment is available.

12 And again, this may be things that can
13 be -- that MVCPA can purchase and issue to task forces
14 or it may be through supplemental grants to existing
15 task forces if there is an easier process to mark these
16 catalytic converters, because it -- it seems to be that
17 the research findings indicate that these -- these
18 thieves, they see one that's been pained and marked, you
19 know, they don't necessarily take it because they know
20 they can't sell it. It's harder to sell or to get rid
21 of. So if we can do more of those in a faster time
22 period so be it.

23 And I'll be happy to answer any questions.

24 CHAIR RODRIGUEZ: Any questions for
25 Director Canady?

1 Any further discussion?

2 I will now -- I will now entertain a
3 motion on Agenda Item 13E.

4 MEMBER GONZALEZ: Member Gonzalez for the
5 record.

6 I move that the board authorize the
7 director and staff to research equipment available to
8 effectively mark catalytic converters to discourage and
9 prevent catalytic converter theft.

10 CHAIR RODRIGUEZ: I have a motion from
11 Member Gonzalez.

12 Do we have second.

13 MEMBER SMITH: Member Smith, I second.

14 CHAIR RODRIGUEZ: A motion from
15 Member Smith -- a second from Member Smith.

16 Any further discussion?

17 Yessenia, any public comments on this
18 item?

19 MS. BENAVIDES: No, sir.

20 CHAIR RODRIGUEZ: I will now call for the
21 vote.

22 Board members, when I call your name,
23 please state your vote for the record.

24 Member Jones?

25 MEMBER JONES: Aye.

1 CHAIR RODRIGUEZ: Member Smith?

2 MEMBER SMITH: Aye.

3 CHAIR RODRIGUEZ: Member Gonzalez?

4 MEMBER GONZALEZ: Aye.

5 CHAIR RODRIGUEZ: Member Brotherton?

6 MEMBER BROTHERTON: Aye.

7 CHAIR RODRIGUEZ: And I,

8 Chairman Rodriguez, vote aye.

9 Let the record reflect that there are five
10 votes for and zero against. Motion passes.

11 We'll now move to Agenda Item 14, and
12 we'll turn it back over to Director Canady.

13 DIRECTOR CANADY: Mr. Chairman, Members,
14 for the record Joe Canady.

15 This -- the purpose of this agenda item is
16 to authorize the Texas DMV to renew a contract
17 through -- through an amendment with the Texas
18 Comptroller of Public Accounts. The CPA collects for
19 the Texas Department of Motor Vehicles the fees assessed
20 against all Texas licensed property and casualty
21 insurers who write policies covering motor vehicles,
22 pursuant to the Texas Transportation Code 1006, two
23 times per year, one being no later than August 1st for
24 the six months of the year, and then one no later than
25 March -- March 1st for the second six months of the

1 year.

2 The comptroller has done this for us for
3 several years and it has been allocated as \$10,000 each
4 year for the work that they're performing to collect the
5 fee, and this -- the next -- the new contract can be up
6 to \$60,000 not to exceed -- however, for the last
7 several years it's been \$10,000 each time.

8 And I'll be happy to entertain any
9 questions.

10 CHAIR RODRIGUEZ: Any questions for
11 Director Canady?

12 I will now entertain a motion on Agenda
13 Item 14.

14 CHAIR RODRIGUEZ: Member Gonzalez for the
15 record.

16 I move that the board approve the contract
17 amendment between the Texas Comptroller of Public
18 Accounts and the MVCPA for the purpose of collecting the
19 MVCPA for the fiscal years 2024 and 2025.

20 CHAIR RODRIGUEZ: Do I have a second?

21 MEMBER BROTHERTON: Member --

22 MEMBER JONES: Second.

23 MEMBER BROTHERTON: -- Brotherton, I
24 second.

25 CHAIR RODRIGUEZ: I have a motion from

1 Member Gonzalez and a second from Board Member
2 Brotherton.

3 Any further discussion?

4 Hearing none -- Yessenia, do we have any
5 public comments on this item?

6 MS. BENAVIDES: No, sir.

7 CHAIR RODRIGUEZ: Thank you. I will now
8 call for -- call for the vote.

9 Board members, when I call your name,
10 please state your vote for the record.

11 Member Jones?

12 MEMBER JONES: Aye.

13 CHAIR RODRIGUEZ: Member Smith?

14 MEMBER SMITH: Aye.

15 CHAIR RODRIGUEZ: Member Gonzalez?

16 MEMBER GONZALEZ: Aye.

17 CHAIR RODRIGUEZ: Member Brotherton?

18 MEMBER BROTHERTON: Aye.

19 CHAIR RODRIGUEZ: And I,

20 Chairman Rodriguez, vote aye.

21 Let the record reflect there are five
22 votes for and zero against. Motion passes.

23 We'll now move to Agenda Item 15 and turn
24 it back over to Director Canady.

25 DIRECTOR CANADY: Chairman -- Mr. Chairman

1 and Members, Joe Canady for the record.

2 This is the Texas A&M Grant Monitoring &
3 Tracking System grant that we historically have done.
4 It's in the amount of \$35,000 and they operate and
5 maintain the system that we utilize to monitor and
6 manage and track all of the grantees. This is all
7 grantees' progress report information, financial
8 information the -- it's a great system; however, just
9 one additional caveat to this, is, we would like to look
10 into, beginning in the fiscal -- fiscal year '26, this
11 being hosted within the DMV. The DMV actually have a --
12 can, you know, develop a program to meet all of the
13 needs and will have a greater control over this.

14 And the reason behind it is the
15 programmer, who has been with it developed the system in
16 2017 when it went live, he has recently retired, so
17 there is a new programmer. And anybody who speaks code
18 and tech -- I don't, by the way -- may understand that
19 this is an old system utilizing old technology and new
20 IT people don't have a clue about how it works. So
21 there's -- will be a learning curve for them to be able
22 to do this. So we want to -- we want to bring it into
23 DMV in the future years.

24 CHAIR RODRIGUEZ: Okay. So the -- the
25 system that we're using right now it's old code?

1 DIRECTOR CANADY: It -- it's old code, but
2 it works well.

3 CHAIR RODRIGUEZ: Uh-huh. Okay. And --
4 and the DMV is going to have internal personnel?

5 DIRECTOR CANADY: We've actually
6 created -- we've actually started working --

7 CHAIR RODRIGUEZ: Algorithms?

8 DIRECTOR CANADY: Well, not the -- we're
9 not to that point yet, but we've -- we're actually
10 talking about what's going to be needed to develop this.

11 CHAIR RODRIGUEZ: Oh okay.

12 DIRECTOR CANADY: If -- if there's
13 something that can be purchased out of the box or if
14 it's something that has to be built from the ground up
15 to serve the needs of everybody.

16 MEMBER JONES: And we have an app.

17 DIRECTOR CANADY: An app?

18 MEMBER JONES: There is an app for that.

19 DIRECTOR CANADY: May be.

20 CHAIR RODRIGUEZ: Okay. It sounds like a
21 plan.

22 Okay. Any other questions for
23 Director Canady?

24 Hearing none, I will now entertain a
25 motion for Agenda Item 15.

1 CHAIR RODRIGUEZ: Member Gonzalez.

2 I move that the board award a grant to
3 Texas A&M for an amount of \$35,000 to maintain, operate
4 and provide support for the grant management tracking
5 system.

6 CHAIR RODRIGUEZ: We have a motion from
7 Member Gonzalez.

8 Do I have a second?

9 MEMBER JONES: Second.

10 CHAIR RODRIGUEZ: We have a second from
11 Member Jones.

12 Any further discussion?

13 Hearing none -- Yessenia, are there any
14 public comments on this item?

15 MS. BENAVIDES: No, sir.

16 CHAIR RODRIGUEZ: Thank you.

17 I will now call for the vote.

18 Board members, when I call your name,
19 please state your vote for the record.

20 Member Jones?

21 MEMBER JONES: Aye.

22 CHAIR RODRIGUEZ: Member Smith?

23 MEMBER SMITH: Aye.

24 CHAIR RODRIGUEZ: Member Gonzalez?

25 MEMBER GONZALEZ: Aye.

1 CHAIR RODRIGUEZ: Member Brotherton?

2 MEMBER BROTHERTON: Aye.

3 CHAIR RODRIGUEZ: And I,
4 Chairman Rodriguez vote aye.

5 Let the record reflect there are five
6 votes for -- for and zero against. Motion passes.

7 We'll now move to Agenda Item 19 --
8 actually 18, Public Comments.

9 Agenda Item 16 will not -- we won't have a
10 closed session.

11 MR. RICHARDS: We don't.

12 CHAIR RODRIGUEZ: Item 16 is for a -- a
13 closed session. We will now have -- we will not have a
14 closed session at this board meeting.

15 MR. RICHARDS: Continue to --

16 CHAIR RODRIGUEZ: We will skip Item 17 and
17 go to Agenda Item 18, Public Comments.

18 Yessenia, do we have any public comments?

19 MS. BENAVIDES: No public comments, sir.

20 CHAIR RODRIGUEZ: Thank you.

21 We'll now move to Agenda Item,
22 Adjournment.

23 Unless there are any other further
24 business discussions, I would like to entertain a motion
25 to adjourn.

1 MEMBER GONZALEZ: Member Gonzalez.
2 I move that we adjourn.
3 MEMBER JONES: Second.
4 CHAIR RODRIGUEZ: I have a motion from
5 Member Gonzales and a second from Member Jones.
6 Board members, when I call your name,
7 please state your vote for the record.
8 Member Jones?
9 MEMBER JONES: Aye.
10 CHAIR RODRIGUEZ: Member Smith?
11 MEMBER SMITH: Aye.
12 CHAIR RODRIGUEZ: Member Gonzalez?
13 MEMBER GONZALEZ: Aye.
14 CHAIR RODRIGUEZ: Member Brotherton?
15 MEMBER BROTHERTON: Aye.
16 DIRECTOR CANADY: And I,
17 Chairman Rodriguez, vote I.
18 Let the record reflect that the vote was
19 unanimous. It is now 11:50 p -- a.m., meeting is
20 adjourned.
21 (Meeting adjourned.)
22
23
24
25

1 THE STATE OF TEXAS)
2 COUNTY OF BEXAR)

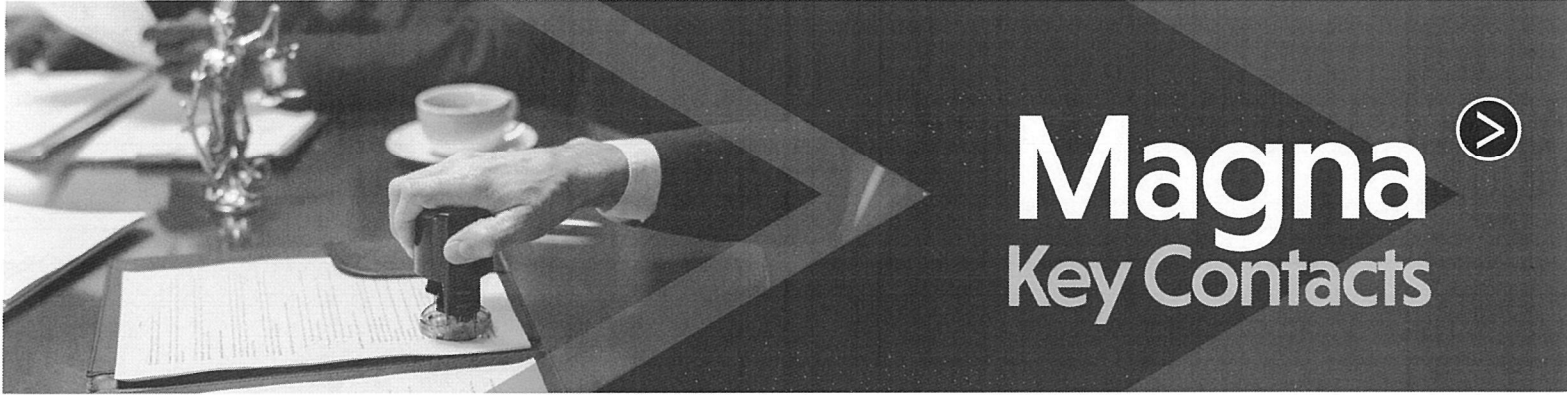
3 I, DICIE LEE EYTCHESON, a Certified Shorthand
4 Reporter in and for the State of Texas, do hereby
5 certify that the facts stated by me in the foregoing
6 caption hereto are true, and later transcribed from
7 stenograph into typewriting.

8 I further certify that the above and foregoing
9 transcript as set forth in typewriting, is a full,
10 true, and a correct transcription of the statements
11 made at the time of the taking of said oral/videotaped
12 deposition.

13 WITNESS MY HAND, this the 10th day of September,
14 2023.



15
16 _____
17 DICIE LEE EYTCHESON, Texas CSR 5392
18 Expiration Date: 10/31/25
19 Firm Registration No. 633
20 Magna Legal Services
21 16414 San Pedro Avenue, Suite 900
22 San Antonio, Texas 78232
23 (210) 697-3400
24
25



Schedule a Deposition:

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MAGNA 
LEGAL SERVICES

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