

# Motor Vehicle Crime Prevention Authority

Board Meeting Austin, Texas January 31, 2024



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AGENDA BOARD MEETING Motor Vehicle Crime Prevention Authority Texas Department of Motor Vehicles 4000 Jackson Ave., Building 1, Lone Star Room Austin, Texas 78731 Wednesday, January 31, 2024 9:00 A.M.

Link to January 31, 2024, MVCPA Board Meeting Documents (under Calendar tab): <u>https://www.txdmv.gov/about-us/MVCPA</u>

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

### 1. Roll Call and Establishment of Quorum

### 2. Pledges of Allegiance – U.S. and Texas

### 3. Chair's Reports – Chairman Rodriguez

- A. Approval of Transcript as Minutes (December 7, 2023) (ACTION ITEM)
- B. Chair's Report
- 4. **MVCPA Director's Report** William Diggs (BRIEFINGS ONLY)
  - A. Staffing Update
  - B. Conference Update
  - C. Grant Management Tracking System Update

### BRIEFING AND ACTION ITEMS

- 5. MVCPA FY 2024 Budget Update William Diggs (ACTION ITEM)
- 6. Senate Bill 224 Plan of Operation Sharon Jones & William Diggs (BRIEFING & ACTION ITEMS)
  - A. Senate Bill 224 Partner State Agency's Resource Needs William Diggs (BRIEFING ITEM)
  - B. Senate Bill 224 Budget Allocation Categories William Diggs (ACTION ITEM)
  - C. Senate Bill 224 Advisory Committee Meeting Sharon Jones (BRIEFING ITEM)
- 7. MVCPA Committee Appointments Chairman Rodriguez (ACTION ITEM)

### **CLOSED SESSION**

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

**Section 551.071** - Consultation with and advice from legal counsel regarding: - pending or contemplated litigation, or a settlement offer.

- a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Government Code Chapter 551; or any item on this agenda.

### Section 551.074 - Personnel matters.

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

**Section 551.076** - Deliberation Regarding Security Devices or Security Audits. - the deployment, or specific occasions for implementation, of security personnel or devices; or

- a security audit.

**Section 551.089** - Deliberation Regarding Security Devices or Security Audits. - security assessments or deployments relating to information resources technology;

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

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

### 9. Action Items from Closed Session

### 10. Public Comment

### 11. Adjournment

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

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

Any individual with a disability who plans to attend this meeting and requires auxiliary aids or services should notify the department as far in advance as possible, but no less than two days in advance, so that appropriate arrangements can be made. Contact David Richards by telephone at (512) 465-1423.

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

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

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Board Meeting Date: 1/31/2024

Agenda Item:1Subject:Roll Call and Establishment of Quorum

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

Agenda Item:2Subject:Pledges of Allegiance – U.S. and Texas



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

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





То:	Motor Vehicle Crime Prevention Authority Board
From:	MVCPA Staff
Agenda Item:	3. A
Subject:	Approval of Transcripts as Minutes (December 7, 2023)

### **RECOMMENDATION**

Action Item. Motion to approve the transcripts.

### PURPOSE AND EXECUTIVE SUMMARY

MVCPA staff emailed the December 7, 2023, Board Meeting Transcripts to all MVCPA board members on January 25, 2024 for review.



To:Motor Vehicle Crime Prevention Authority BoardFrom:William Diggs, DirectorAgenda Item:4. ASubject:Staffing Update

### RECOMMENDATION

Briefing Only.

### PURPOSE AND EXECUTIVE SUMMARY

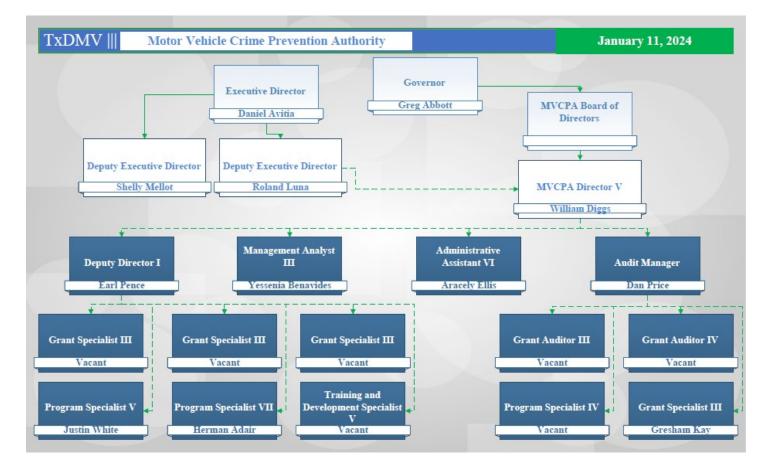
The 88<sup>th</sup> Legislature provided 10 FTEs to the MVCPA staffing level.

### FINANCIAL IMPACT

N/A

### BACKGROUND AND DISCUSSION

MVCPA currently has a total of 8 filled positions. The below organizational chart shows both filled positions and vacancies.



Since the previous MVCPA Board meeting on December 7, the below positions have been filled:

- Audit Manager Dan Price
- Administrative Assistant Aracely Ellis

Currently, MVCPA staff are screening/interviewing the remaining potions:

- Training and Development Specialist V Hiring packet submitted to HR (Earl Pence)
- Three Grant Management Specialist III Screening applicants (Earl Pence)
- Grant Auditor III Hiring packet submitted to HR (Dan Price)
- Grant Auditor IV Position just closed (Dan Price)
- Program Specialist IV Scheduling interviews (Dan Price)



To:Motor Vehicle Crime Prevention Authority BoardFrom:William Diggs, DirectorAgenda Item:4. BSubject:Conference Update

### RECOMMENDATION

Briefing Only.

### PURPOSE AND EXECUTIVE SUMMARY

To provide a brief update on activities surrounding preparation for the MVCPA Conference in July of 2024.

### FINANCIAL IMPACT

Exploring all costs related to travel and professional fees in support of the conference.

### BACKGROUND AND DISCUSSION

Currently, staff members are working to finalize costs associated with an event planner to assist in professionally managing the logistics of the conference to be held at the Hilton Houston Post Oak Hotel in Houston, Texas. Save the date flyers have been sent out to MVCPA Taskforce Commanders and posted on the MVCPA website. The MVCPA Staff and TXDMV Legal Counsel, in conjunction with MVCPA Board Members, have discussed appropriate sponsorship for the conference and have started sending out a flyer to possible supporters. The flyer has also been placed on the MVCPA website.

Major Jones is working closely with MVCPA Staff and Houston PD to provide an afterhours event at a Houston Astros Game during the conference. General information related to cost and timing has been sent out to Taskforce Commanders to inquire about the interest from the Law Enforcement community.



To:Motor Vehicle Crime Prevention Authority BoardFrom:William Diggs, DirectorAgenda Item:4. CSubject:Grant Management Tracking System Update

### RECOMMENDATION

Briefing Only.

### PURPOSE AND EXECUTIVE SUMMARY

To provide an update on both our current Grant Management Tracking System (GMTS) SB224 enhancement and our work on a new GMTS.

### FINANCIAL IMPACT

N/A. \$30,000 approved by the MVCPA Board on December 7<sup>th</sup> for the current GMTS enhancement.

### BACKGROUND AND DISCUSSION

On December 7<sup>th</sup>, the MVCPA Board gave approval for the current GMTS to be enhanced to incorporate the needs for SB224 Grant Applications and Tracking. A statement of work was developed and provided to our current vendor Texas A&M University (TAMU). We believe the work is mostly complete from our conversations with TAMU and we should be able to accept SB224 grant applications in the next week or two. I want to say thank you to Dan Price for his focus on this project and for working closely over the last few weeks with TAMU.

Efforts are also underway to replace the current GMTS. We have had multiple meetings with a project manager assigned by the Project Management Office (PMO) within the TxDMV. We are currently finalizing requirements and will soon post a Request for Information (RFO) on the open market. I will provide you with an additional update during our March Board Meeting.



To:Motor Vehicle Crime Prevention Authority BoardFrom:William Diggs, DirectorAgenda Item:5Subject:MVCPA FY 2024 Budget Update

### RECOMMENDATION

Action Item. Request authority for the MVCPA director to reallocate funds between budget categories and strategies, as needed, to ensure the efficient and effective operations of MVCPA programs.

### PURPOSE AND EXECUTIVE SUMMARY

To provide an overview of the FY 2024 budget and request authority for the MVCPA director to reallocate funds between budget categories and strategies, as needed, to ensure the efficient and effective operations of MVCPA programs.

### FINANCIAL IMPACT

N/A

### BACKGROUND AND DISCUSSION

The board adopts a budget for its programs at the beginning of each fiscal year based on available information and plans at that time. Throughout the year, circumstances and needs may change, which may impact expenditures. The MVCPA director needs the ability to reallocate funds as these changes occur, rather than requesting board approval at its regularly scheduled meetings. The director regularly provides budget updates to the board to keep them informed of the authority's financial position.

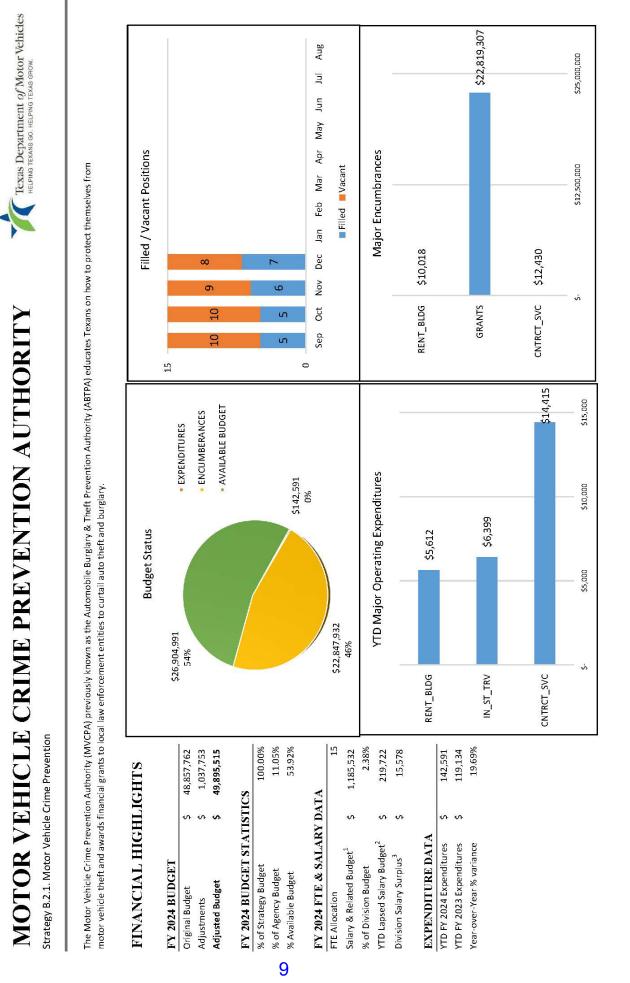
The following charts present available funding and amounts expended and obligated for MVCPA programs, including the Motor Vehicle Crime Prevention program that has been in place since the inception of the authority, as well as the Catalytic Converter program authorized by SB224, 88<sup>th</sup> Legislature, R.S.

As of December 31, 2023, all MVCPA programs combined have an available balance of \$26,904,991. The available balances by program are shown below:

- Motor Vehicle Crime Prevention \$2,258,666.
- Catalytic Converter \$24,646,325.

### **MVCPA Board Meeting Book**

January 31, 2024



		YTD FY 2023 Expenditures \$ 119,134 Year-over-Year % variance 8.32%	A so	% of Division Budget 3.45% YTD Lapsed Salary Budget <sup>2</sup> \$ 114,728	FY 2024 FTE & SALARY DATA   FTE Allocation 11   Salary & Related Budget <sup>1</sup> \$ 870,549	FINANCIAL HIGHLIGHTSFY 2024 BUDGETOriginal Budget\$24,190,500Adjustments\$1,037,753Adjusted Budget\$FY 2024 BUDGET STATISTICS% of Strategy Budget100.00%% of Agency Budget11.05%% Available Budget53.92%	The Motor Venicle Crime Prevention Authority (MV) motor vehicle theft and awards financial grants to ic
\$- \$5,000 \$10,000	CNTRCT_SVC \$7,445	IN_ST_TRV \$3,607	RENT_BLDG \$1,832	YTD Major Operating Expenditures	\$129,049 0%	Budget Status • EXPENDITURES • ENCUMBERANCES • AVAILABLE BUDGET \$2,258,666 9%	The Motor Venicle Crime Prevention Authority (MVCPA) previously known as the Automobile Burgiary & Theit Prevention Authority (ABTPA) educates Texans on now to protect themselves from motor vehicle theft and awards financial grants to local law enforcement entities to curtail auto theft and burglary.
\$	CNTRCT_SVC \$5,035	GRANTS \$22,819,307	RENT_BLDG \$10,018	Major Encumbrances	o Sep Oct Nov Dec Jan Feb Mar Apr May Jun Jul Aug Filled Vacant	Filled / Vacant Positions	equicates revains on now to protect themselves from

10

# Strategy B.2.1. Motor Vehicle Crime Prevention MOTOR VEHICLE CRIME PREVENTION AUTHORITY

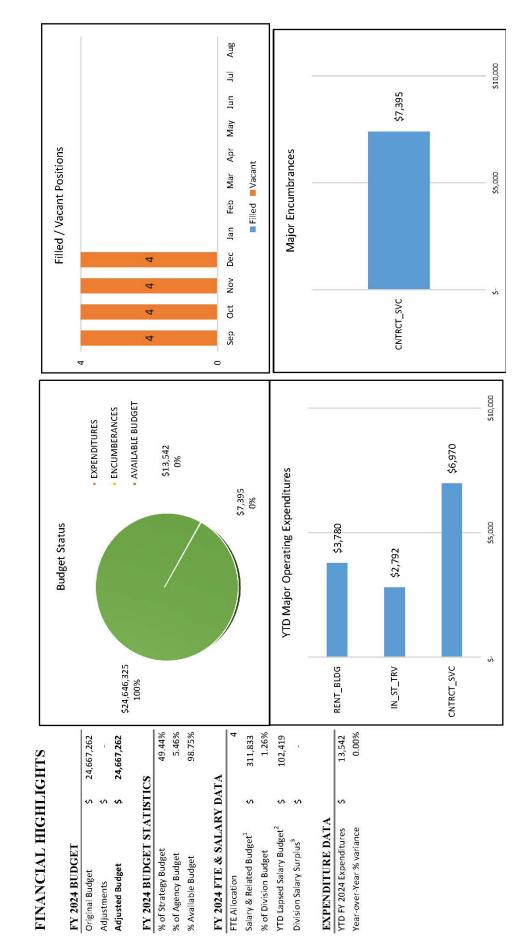


# **MVCPA- SENATE BILL 224**

V Texas Department of Motor Vehicles

Strategy B.2.1

The Motor Vehicle Crime Prevention Authority (MVCPA) will continue to be a stand-alone division governed by a separate Board of Directors. The 88th Legislature has approved in addition, a Contingency Appropriation for Senate Bill 224 to detect and prevent catalytic converter theft is appropriated in FV2024 at \$24,352,279 and four FTEs for \$314,983.



### MVCPA Board Meeting Book J

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То:	Motor Vehicle Crime Prevention Authority Board
From:	William Diggs, Director
Agenda Item:	6. A
Subject:	Senate Bill 224 Partner State Agency's Resource Needs

### RECOMMENDATION

Briefing Only.

### PURPOSE AND EXECUTIVE SUMMARY

To provide an update on Senate Bill 224 Partner State Agency's Resource Needs.

### FINANCIAL IMPACT

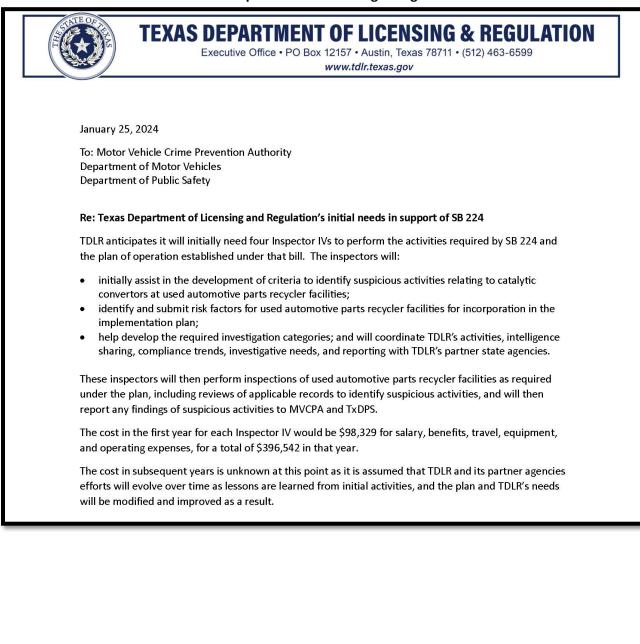
Texas Department of Licensing & Regulation Total (TDLR): \$396,542 (4 FTE's to include additional operating) Texas Department of Public Safety (DPS): \$2,367,166 (16 FTE's to include additional operating) Texas Department of Motor Vehicles (TxDMV): To be determined.

### BACKGROUND AND DISCUSSION

SB224 Partner Agency Meetings in the past month have allowed MVCPA to gain insight into the resource needs of each. Each agency has provided a letter/spreadsheet that outlines their request for FTEs, equipment and operating cost associated with supporting SB224. (See Attached) A representative from each agency is here today to further explain their request if you have any questions.

Partner Agency Meetings occur every other Thursday in an effort to further develop and execute the SB224 Operations Plan. Meetings are focused on overall collaboration, developing intelligence sharing, and development of risk-based factors.

**Texas Department of Licensing & Regulation** 



**Texas Department of Public Safety** 

### TEXAS DEPARTMENT OF PUBLIC SAFETY

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COMMISSION STEVEN P. MACH, CHAIRMAN NELDA L. BLAIR LARRY B. LONG STEVE H. STODGHILL DALE WAINWRIGHT

January 22, 2024

William Diggs Director Texas Department of Motor Vehicles Motor Vehicle Crime Prevention Authority

Dear Mr. Diggs,

The Texas Department of Public Safety (TXDPS), Regulatory Services Division (RSD) registers and regulates Metals Recycling Entities (MREs) involved in performing the manufacturing process by which scrap, used, or obsolete metal is converted into raw material products consisting of prepared grades and having an existing or potential economic value. As outlined in the Senate Bill 224 Plan of Operation for the Motor Vehicle Crime Prevention Authority (MVCPA), TXDPS along with the other partner agencies, are tasked with identifying and submitting risk factors specific to their regulated entities. Variables to be considered in these risk factors include, but are not limited to:

- Sale of multiple catalytic converters by an entity or overall transaction volume
- Sale of multiple catalytic converters/transactions over a period of time by a particular entity
- Complaints
- Criminal violations
- Past violation history
- Failure to maintain proper records of purchase, sale, or acquisition
- Multiple violations
- Discrepancies or inconsistencies in data

In order to fulfill these obligations, the Texas Department of Public Safety – Regulatory Service Division requests that funding be granted for 16 full time employees (FTEs) consisting of fourteen (14) program investigators (PIs) and two (2) case support specialists (CSS). Furthermore, the Department requests funding to provide benefits, equipment, overtime pay, and travel costs for those employees. The aforementioned risk factor variables will be addressed by the new additional personnel in the following manner:

- 1. The case support personnel will continually check the Texas Online Metals (TOMS) program to look for suspicious activity pertaining to the sale of catalytic converters by volume and time.
- 2. The case support personnel will review all complaints that come to TXDPS RSD for determination of appropriate criminal or administrative action.
- 3. If further investigation is required, the case support personnel will send the information to a program investigator who will conduct a review of the information to determine if there EQUAL OPPORTUNITY EMPLOYER COURTESY SERVICE PROTECTION

appears to be any current criminal or administrative violations and if the person/entity has had previous criminal or administrative violations.

- 4. The program investigator will conduct an inspection on the person/entity to determine if there are any current criminal or administrative violations through the review of their records as well as a physical inspection of the metals that are currently present at the MRE.
- 5. The information discovered by the program investigator will be relayed back to the case support personnel if there are any discrepancies or inconsistencies in data to determine if there is a logical explanation or if there appears to be legitimate violations.
- 6. The program investigators will follow up and take administrative actions when appropriate.
- 7. The program investigators will follow up and educate individuals/entities if unintentional minor criminal action occurred.
- 8. In instances where deliberate criminal action occurred, the program investigator will relay the information to the local TXDPS Criminal Investigations Division (CID) for their review.

In addition to those actions, the new program investigators will continually conduct inspections on MREs on a routine basis as well as a risk-based criteria. The risk-based assessment will cover items such as

- The last time the MRE was inspected
- If there were any violations that occurred in that inspection
- The severity of the violations that occurred in that inspection
- If it is possible to determine if the MRE was able to correct the violation without a physical visit (such as an advertising violation on their public website)
- If the person/entity paid any outstanding fines from the last inspection that had violations

In response to the MVCPAs directive to categorize investigations into Priority I and Priority II level categories, DPS suggests the following criteria for MRE investigations:

Priority I - All actions conducted by MREs involving serious criminal actions that appear to be deliberate in nature developed by leads through complaints, inspections, or other investigative techniques.

Priority II – All actions conducted by MREs which involve administrative actions and possible criminal violations due to unintentional or negligent actions.

Respectfully,

Wayne A. Mueller, Chief Regulatory Services Division

### MVCPA Board Meeting Book January 31, 2024

DPS - RSD	Cost for 1st Year						
	Salary	OT Yr.					
Position	Yr.1	1	Travel	Operate Yr. 1	Total Yr. 1		
Program Investigator (B18)	\$51,985	\$6,748	\$2,324	\$94,782	\$155,839		
Case Support Specialist							
(B18)	\$51,985	\$6,748	\$2,324	\$31,653	\$92,710		
		14		Program Inv	\$2,181,746		
		2		Case Support Spec.	\$185,420		
				Total 1st Year	\$2,367,166		

DPS - RSD	Cost for 2nd Year and Subsequent Years				
	Salary Yr.	OT Yr.			
Position	2	2	Travel	Operate Yr. 2	Total Yr. 2
Program Investigator (B18)	\$51,985	\$6,748	\$2,324	\$50,462	\$111,519
Case Support Specialist					
(B18)	\$51 <i>,</i> 985	\$6,748	\$2,324	\$31,653	\$83,638
		14		Program Inv	\$1,561,266
		2		Case Support Spec.	\$167,276
				Total 2nd Year	\$1,728,542

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

<u>Task + Explanation</u>	Impacted area/IT comments	Labor Cost
Quality Assurance Associate III		\$156,998.40
Systems Analyst IV FTE	1 PERSON	\$94,910.40
Business Analyst III FTE	1 PERSON	\$88,712.00
Applications Architect 3 (APPDEV)		\$932,942.40
Policy and Procedure Program Specialist IV FTE	1 PERSON	\$70,000.00
TOTAL	3 FTEs	\$1,343,563.20



То:	Motor Vehicle Crime Prevention Authority Board
From:	William Diggs, Director
Agenda Item:	6. B
Subject:	Senate Bill 224 Budget Allocation Categories

### RECOMMENDATION

Action Item. To acquire delegated authority from the MVCPA Board to enter into Inter-Agency Contracts (IACs) with DPS and TDLR in support of the SB224 Plan of Operation and the approval to allocate costs for TxDMV for the same.

### PURPOSE AND EXECUTIVE SUMMARY

Request approval for the Director to enter into an Inter-Agency Contract (IAC) with SB224 Partner Agencies.

### FINANCIAL IMPACT

To be determined.

### BACKGROUND AND DISCUSSION

SB224 allows for funding to be made available to the Texas Department of Public Safety (DPS), Texas Department of Motor Vehicles (TxDMV), and the Texas Department of Licensing and Regulation (TDLR) to support the SB224 Plan of Operation.

We have heard the resource requests from our three partner agencies today. I would request your approval to move forward with formalizing these requests through an IAC with DPS and TDLR. I also request approval for the MVCPA Director to work with TxDMV staff to allocate TxDMV costs related to the Catalytic Converter Program, as identified in Item 6A.



To:Motor Vehicle Crime Prevention Authority BoardFrom:Mike Rodriguez, ChairmanAgenda Item:7Subject:MVCPA Committee Appointments

### RECOMMENDATION

Action Item.

### PURPOSE AND EXECUTIVE SUMMARY

Appoint MVCPA Board Members to standing board committees.

### FINANCIAL IMPACT

N/A

### BACKGROUND AND DISCUSSION

### Motor Vehicle Crime Prevention Authority Standing Board Committees

### <u>Grants, Budget, and Reporting Committee</u> Lt. Julio Gonzalez - Chair Major Sharon Jones Rebecca Cantu-Serrano MVCPA Staff Coordinator – Gresham Kay

### **Committee Charge**

- Review and recommend to the MVCPA Board grant priorities, processes, and funding methods that meet the requirements of Texas Transportation Code Chapter 1006.
- Review grant applications, staff scoring processes, recommend funding to the MVCPA Board, and hold meetings with grantees as needed for grantee presentations.
- Review and recommend to the MVCPA Board budget priorities and allocation schedules in communication with Texas Department of Motor Vehicles (TxDMV) that meet the objectives of the MVCPA and are consistent with the MVCPA/TxDMV Memorandum of Understanding (MOU). Monitor performance and propose recommended improvements to the MVCPA Board if MVCPA/TxDMV MOU changes are needed.
- Provide input to the MVCPA on statutory report requirements. Review information to ensure the quality of data sources and reports are consistent with the needs of the MVCPA Board. Recommend improvements to the MVCPA board.
- Consider what grant related processes need to be delegated to the MVCPA Director
- Consider other financial, data or report issues as needed.

MVCPA Board Meeting Book January 31, 2024

### Insurance Collections and Refund Committee Charla Brotherton - Chair Rebecca Cantu-Serrano Vacant MVCPA Staff Coordinator - Dan Price

### **Committee Charge**

- Review collection procedures of the MVCPA fee and recommend improvements to the MVCPA.
- Foster positive communication with the insurance industry and other stakeholders in the implementation of the MVCPA statutes.
- Provide guidance to the MVCPA director regarding refunds and ensure procedures are reasonable, transparent, and accountable.
- Consider what fee collection or refund related processes need to be delegated to the MVCPA Director
- Consider other insurance issues as needed.

### Education and Legislative Committee Kit Whitehill - Chair Lt. Julio Gonzalez Charla Brotherton MVCPA Staff Coordinator – Herman Adair

### **Committee Charge**

- Recommend to the MVCPA board the communication strategy to inform the public on how to prevent motor vehicle theft and burglary.
- Review and recommend to the MVCPA Board legislative priorities and issues, including Legislative Appropriation Requests.
- Consider and recommend other communication issues as needed.
- Consider what education and legislative related processes need to be delegated to the MVCPA Director



To:Motor Vehicle Crime Prevention Authority BoardFrom:William Diggs, DirectorAgenda Item:6. ASubject:Senate Bill 224 Partner State Agency's Resource Needs

### RECOMMENDATION

Briefing Only.

### PURPOSE AND EXECUTIVE SUMMARY

To provide an update on Senate Bill 224 Partner State Agency's Resource Needs.

### FINANCIAL IMPACT

Texas Department of Licensing & Regulation Total (TDLR): \$396,542 (4 FTE's to include additional operating costs) Texas Department of Public Safety (DPS): \$2,367,166 (16 FTE's to include additional operating costs) Texas Department of Motor Vehicles (TxDMV): \$1,343,563 (3 FTEs and Technology Enhancements) **Total FY24 = \$4,107,271** 

### BACKGROUND AND DISCUSSION

SB224 Partner Agency Meetings in the past month have allowed MVCPA to gain insight into the resource needs of each. Each agency has provided a letter/spreadsheet that outlines their request for FTEs, equipment and operating cost associated with supporting SB224. (See Attached) A representative from each agency is here today to further explain their request if you have any questions.

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