

TEXAS DEPARTMENT OF MOTOR VEHICLES

AUTO BURGLARY AND THEFT PREVENTION AUTHORITY

BOARD OF DIRECTORS MEETING

9:01 a.m.
Wednesday,
October 12, 2016

Lone Star Room
Building 1
4000 Jackson Avenue
Austin, Texas

BOARD MEMBERS:

Carlos Garcia, Chair
Tommy Hansen
Ashley Hunter
Linda Kinney
Armin Mizani
Wynn Reynolds
Ken Ross

STAFF:

Bryan Wilson, Director
David Richards, General Counsel

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P R O C E E D I N G S

1
2 MR. GARCIA: Good morning, everybody. My name
3 is Carlos Garcia, and I'm pleased to open the Board
4 meeting of the Automobile Burglary and Theft Prevention
5 Authority. According to my watch, it is 9:01 a.m., and
6 I'm calling the Board meeting for October 12, 2016 to
7 order. And I want to note for the record that the public
8 notice of this meeting, containing all items on the
9 agenda, was timely filed with the Office of Secretary of
10 State on Tuesday, October 4, 2016.

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

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

20 And I would like to have a roll call of the
21 Board members.

22 Board Member Hunter?

23 (No response.)

24 MR. GARCIA: Board Member Reynolds?

25 MR. REYNOLDS: Present.

1 MR. GARCIA: Board Member Ross?

2 MR. ROSS: Present.

3 MR. GARCIA: Board Member Hansen?

4 MR. HANSEN: Present.

5 MR. GARCIA: Board Member Mizani?

6 MR. MIZANI: Present.

7 MR. GARCIA: Board Member Kinney?

8 (No response.)

9 MR. GARCIA: And let the record reflect that I,
10 Carlos Garcia, am here too, so we do have a quorum. That
11 was item number 1.A, which is the roll call and
12 establishment of quorum.

13 We're going to move on to item 1.B. For the
14 record and for the information not only for the Board but
15 for those members attending, we are going to go out of
16 order in regards to the agenda that was posted publicly.
17 We are going to from section 1 directly to section 3, and
18 section 2 will be for the last part of the meeting. The
19 Board members do have a working agenda in front of you.
20 All Board members have a working agenda in front of you?
21 All right.

22 So moving on to item 1.B, the approval of the
23 May 18, 2016 transcript as minutes. And we do need a vote
24 on that.

25 MR. HANSEN: Move to approve.

1 MR. ROSS: Second.

2 MR. REYNOLDS:

3 MR. GARCIA: We have a motion to approve and a
4 second. Any further discussion?

5 (No response.)

6 MR. GARCIA: For the record, please identify
7 yourself as Board Member Hansen making the motion, and
8 Board Member Reynolds making the second. Any further
9 discussion?

10 (No response.)

11 MR. GARCIA: All those in favor say aye.

12 (A chorus of ayes.)

13 MR. GARCIA: All opposed?

14 (No response.)

15 MR. GARCIA: Motion carries.

16 In regards to item 1.C, we don't have any
17 public comments. We do have some for the specific agenda
18 items which at that time we will bring up.

19 Item 1.D, the comments from chairman and Board
20 members, commendations and congratulations.

21 Congratulations are in order to the following members
22 that have dedicated time and hard work and contributions
23 made to the task forces. From the City of San Antonio,
24 the Regional Auto Crimes Team, REACT, people that are
25 retiring, Detective Jamie Aleman, and Detective Philippe

1 Franzone. From Travis County from the Sheriff's Combined
2 Automobile Theft Task Force, Janice Cohoon. From Tarrant
3 County, Tarrant Regional Automobile Crimes Task Force,
4 Janet Rodgers. From the City of Houston, Houston
5 Automobile Crimes Task Force, Lieutenant Jerry Montgomery.

6 So congratulations to those persons that are
7 retiring or moving on to a different assignment. The
8 ABTPA Board and myself would like to thank you all for the
9 dedication and the hard work that you have provided
10 throughout the years for ABTPA and making it the success
11 it is because of the team effort.

12 Also commendations and congratulations to
13 former Board Member Jerry Wright. She served numerous
14 years from 2008 to back in May 2016. She was a consumer
15 representative out of El Paso. So to Jerry Wright,
16 congratulations and thank you very much for being a Board
17 member for all these years.

18 MR. WILSON: Chief, I'd like to say that the
19 board packet has a picture of the plaque that we're going
20 to send to her on behalf of the Board and the State of
21 Texas, and thanking her for her years of service, and we
22 really appreciate the engagement that she's had over the
23 years.

24 MR. GARCIA: Welcome. Let the record reflect
25 that Board Member Kinney is present with us at this time.

1 Moving on with the agenda, section 3, briefings
2 and action items, Mr. Bryan Wilson, including designated
3 staff. The first item is item 3.A, consider action on the
4 insurance request from American National Insurance
5 Company, ANICO, and this will be an action item that
6 requires a vote.

7 Mr. Wilson.

8 MR. WILSON: Thank you, Chief.

9 So this is a request that has started several
10 years ago. At the time, the ABTPA statute limited the
11 request term to six months -- in other words, an agency
12 could ask for funds only for the previous six-month period
13 if they had overpaid. And we had dealt with several of
14 those, matter of fact, I think we had some in May. We had
15 a couple where agencies recognized that they have overpaid
16 and then they're able to come back. Well, in the last
17 legislative session, the law changed, and instead of six
18 months, gave agencies four years to make the correction in
19 their books.

20 We collect about \$44-1/2 million every year
21 from insurance companies, and sometimes there's accounting
22 processes or glitches or little things that happen so that
23 now the Board can go back four years. And as part of this
24 statute, we're going to consider a request that goes all
25 the way back to 2010, because when House Bill 2424 came

1 into law, it left a window for insurance companies that
2 had previously requested and been denied to go back a
3 little further than that.

4 So as soon as the law went into effect on
5 September 1, we had identified three potential insurance
6 companies who could have made the claim under this new
7 statute. One of those companies did come in under that
8 statute and they were allowed from September 1 to November
9 1 to make this application. American National had
10 previously been before this Board and made this request,
11 and so they asked for \$391,907. We looked at the original
12 record and we realized that we probably needed assistance
13 from the Comptroller of Public Accounts, who actually
14 collects this money under interagency agreement for us.
15 Actually, this Board voted in October to request the
16 assistance of the Comptroller, Chief Garcia sent the
17 letter. Mr. Hegar, the Comptroller, responded, and in
18 August they completed their assessment.

19 And what they found was that the records after
20 they went to the site, they went to the insurance
21 company's location, they reviewed their physical documents
22 of their charges and the number of vehicles that they had
23 covered, and they identified that, in fact, the \$391,907
24 was validated in the records. And I call your attention
25 to page 47 and 48 of your book. The auditor also found

1 during that time period that was in question an additional
2 \$7,413 that was reflected in their records.

3 And so what's before you today is the request
4 that I recommend of the \$391,907, and then it's really up
5 to the Board as to how to handle the \$7,413, but I have,
6 with the Comptroller's assistance, validated the original
7 request, and then I believe there's someone to speak on
8 behalf of this item.

9 MR. GARCIA: Mr. Charlie Delgado. Will you
10 address the Board, sir?

11 MR. DELGADO: Good morning, Mr. Chairman and
12 Board members. My name is Charlie Delgado. I'm a vice
13 president with American National Insurance Company, the
14 credit insurance division.

15 On behalf of American National, I would like to
16 thank the ABTPA Board, the ABTPA staff, and the
17 Comptroller's auditors for all the good work that has been
18 done in regard to American National's request for the
19 refund of overpayment of fees. I would also like to thank
20 the law enforcement officials, the guys in the white hats,
21 who provided support for us in the last legislative
22 process. The road to get here was long and arduous but we
23 believe the results are correct.

24 The particular insurance product at the heart
25 of this matter that we deal with is complex and the

1 computation of fees is complicated, unlike normal auto
2 policies. Throughout this long process, we've been
3 impressed with the professionalism and the courtesy of the
4 ABTPA. We have developed a special appreciation and
5 respect of the ABTPA and we look forward to working with
6 the ABTPA on other matters of common interest.

7 American National respectfully requests that
8 the full refund amount of the overpayment that the
9 Comptroller's auditors discovered be refunded, the
10 \$399,320.

11 Thank you so much, and if you have any
12 questions, I'll be happy to answer those at this time.

13 MR. GARCIA: Any questions from the Board
14 members for Mr. Delgado?

15 (No response.)

16 MR. GARCIA: Thank you, sir.

17 This is an action item.

18 MR. REYNOLDS: I'll go ahead and make a motion
19 that we award American National the amount that the
20 Comptroller's office discovered.

21 MR. GARCIA: Have a motion on the floor.

22 MR. RICHARDS: Mr. Chairman, this is David
23 Richards, general counsel.

24 Member Reynolds, I didn't hear the \$391- plus
25 \$74-, so the total is \$399?

1 MR. GARCIA: \$399,320.

2 MR. RICHARDS: If you could restate your motion
3 if that's what your intent is.

4 MR. REYNOLDS: Yes, the full \$399,000, I make a
5 motion that that be refunded to American National in the
6 full amount.

7 MR. GARCIA: We do have a motion on the floor
8 by Board Member Reynolds to refund the amount of \$399,320
9 to American National.

10 MR. MIZANI: I'll second.

11 MR. GARCIA: Second by Board Member Mizani.
12 Any other discussion?

13 MR. HANSEN: Just for the benefit of the new
14 members, law enforcement members -- we mentioned this last
15 time -- to make it very clear that this \$399,000 does not
16 come out of our block of grant money. It comes from
17 separate money from the state and will not have any
18 impact, zero effect --

19 MR. GARCIA: Can you turn on your mics, please?
20 All Board members turn on your mics.

21 MR. HANSEN: I'll start over again. The
22 comment is I want everyone to be fully aware that this
23 \$399,000 does not come out of our grant money, the monies
24 that are sitting there for our allocations. This comes
25 from a totally separate fund -- Lord knows we've made

1 enough contributions to it through the years -- but this
2 will not have effect, and I want to make it clear to the
3 staff out here with our task forces. Many of you are new
4 and I've commented this before, but I want to make that
5 very clear.

6 Thank you, Mr. Chairman.

7 MR. GARCIA: Thank you, Mr. Hansen.

8 Any further discussion?

9 (No response.)

10 MR. GARCIA: If there is none, we do have a
11 motion and second. All those in favor say aye.

12 (A chorus of ayes.)

13 MR. GARCIA: All opposed?

14 MR. ROSS: I'll abstain.

15 MR. GARCIA: Abstained. So we do have a
16 majority, motion carries. So the insurance refund request
17 for ANICO for the amount of \$399,320 is approved.

18 Moving on to action item 3.B, the communication
19 strategy training, a HUB vendor. Mr. Wilson.

20 MR. GONZALES: Good morning. My name is
21 Dominic Gonzales. I'm staff with ABTPA.

22 Later on you'll receive a report about grant
23 activities over the year, and part of that report will
24 include the communication activity of the grantees, the
25 grant recipients, and of ABTPA staff, and one thing that

1 you'll note from that is that there is an extraordinary
2 amount of activity that goes on in terms of communicating
3 the mission of ABTPA in terms of educating the public
4 about their role in protecting their property.

5 One of the disadvantages that we have at this
6 moment is we don't have a very accurate way to measure the
7 impact that all of this work equals, and ABTPA staff
8 sought training throughout the year to better develop
9 metrics so that we could measure the impact of all of this
10 educational and promotional activity. We didn't find
11 anything that seemed satisfactory, but we did receive a
12 presentation from a HUB vendor that seemed perfectly
13 capable of providing the training that will allow us to
14 develop metrics and allow us to communicate those metrics
15 to grant recipients so that we can develop a reporting
16 process that will be rich and will allow us to really
17 determine how to best use the resources for education and
18 training.

19 And so what we've proposed is to develop our
20 own training so that we can have better metrics and better
21 ways of measuring impact. We imagine to complete this
22 training before August 31, 2017. We're going to reach out
23 to our key grant recipients that conduct the majority of
24 the educational programs, and we're actually going to
25 train with our grant recipients on how to collect this,

1 how to report this information and how to maintain it.

2 That concludes my report.

3 MR. GARCIA: This is a briefing item, there is
4 no vote that is required on this, however, if any Board
5 member has any questions or discussion on this item, now
6 is the time.

7 MR. HANSEN: Mr. Chair, I'd like to ask, I see
8 where there's twelve grantees originally, is there going
9 to be a secondary section to this to eventually encompass
10 all the grantees?

11 MR. GONZALES: Yes, sir. Thank you. For the
12 first round of training we imagine reaching out to the
13 largest grantees. As we refine this training and as we
14 can assure ourselves that we're working in the right
15 direction, then we'll expand, and we'll also ensure that
16 the materials and the resources that come out of the
17 training will be available to all grantees.

18 MR. HANSEN: Thank you.

19 MR. GARCIA: The estimated cost on this is
20 between \$3,000 and \$3,500?

21 MR. GONZALES: Three to five thousand.

22 MR. GARCIA: Three to five thousand. Okay.

23 MR. ROSS: That's the total cost?

24 MR. GONZALES: We imagine this would be the
25 amount that we would contract with the HUB vendor to

1 conduct this training and to develop the materials that
2 would be required.

3 MR. GARCIA: Is that for one presentation or
4 two?

5 MR. GONZALES: That's for the development of
6 the curriculum and the delivery of the curriculum.

7 MR. GARCIA: Okay. Any other questions or
8 comments from the Board or any further discussion?

9 (No response.)

10 MR. GARCIA: If there is none, then we'll move
11 on to the next agenda item which is agenda item 3.C, the
12 motor vehicle theft investigator training. Mr. Bryan
13 Wilson.

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

16 I believe it was in May when we discovered that
17 DPS would not be able to carry what they called the Auto
18 Theft School I and II. One of the things that came out of
19 that is we reached out to DPS, we reached out to NICB and
20 wanted to pick up the school, and DPS is a great partner
21 and they've been providing resources and will continue to
22 provide to provide resources to help us draft it -- I know
23 Mr. Reynolds is sitting on this committee -- that I've got
24 here on page 54. We're moving forward to re-institute
25 those schools. Originally I had a projected date of late

1 this fall, early December, but right now we're looking at
2 probably moving forward in early January or February.

3 We have Mr. Bill Harbeson, back here, that's
4 one of our supporters in this project. Bill has a
5 training academy that's TCOLE approved that currently goes
6 around through the Enforcement Division and provides
7 training for law enforcement though the dealer DTS
8 training that they do to promote dealers and law
9 enforcement. He's gone with me on numerous occasions to
10 NICB to talk about the salvage rules and some of the ways
11 that law enforcement can do a better job of breaking down
12 rings that steal cars and then convert them into economic
13 value through the salvage dealers and through some of
14 those mechanisms. So we've worked very closely.

15 Well, because he has a training committee, once
16 we put this curriculum together, identify the instructors,
17 get the vitaes, we'll be able to submit that to the
18 Enforcement Division training committee and that will be
19 our hub for the approval of training. So it's really
20 advantageous that we're already with an organization, DMV,
21 that has its training committee.

22 And so I've laid out the plan here starting on
23 page 57 and it kind of goes through what I just mentioned
24 about Mr. Harbeson stepping up and providing the network
25 of how we're going to get it approved through TCOLE. We

1 have NICB that's stepped up, and originally they said that
2 they would provide instructors, but now they've said
3 they're going to provide instructors and provide their own
4 travel, so we're even saving costs on that issue.

5 And remember, NICB, the National Insurance
6 Crime Bureau, is a critical partner because it's only
7 through this training that DPS used to do and now we're
8 taking over, is the only mechanism by which law
9 enforcement officers that are auto theft trained can have
10 full access to the ISO database that's managed by the
11 National Insurance Crime Bureau. So this is a critical
12 training for our organization and I can't understate how
13 important that is, not only for the sophistication of our
14 officers being able to know how to conduct auto theft
15 investigations but to actually have the tools available to
16 them to do their jobs.

17 So I go through the basic information and then,
18 of course, there's a rough outline of the two classes.
19 And what's currently happening is the committee is going
20 to meet at the TAVTI conference on the 26th and they will
21 finish hashing out. When I sent this out for comment,
22 while there was lots of great accolades and praise for the
23 overall structure -- including some English edits from Mr.
24 Harbeson, who is a good editor; I appreciate all the work
25 that he does on our plans and reports -- but the other

1 thing, though, there's some technical issues that need to
2 be resolved by law enforcement professionals who are
3 sitting on that committee.

4 And we have several of the committee members
5 here. I see Paul. Is there anybody else here that's on
6 that committee, the training committee? I sent it out to
7 them, and Mr. Reynolds is here. Paul Heitzman from San
8 Antonio. And then NICB agents.

9 So anyway, this is the rough outline of that
10 training, and of course, it's going to be law enforcement
11 confidential for what the details are behind this, so this
12 is the closest that we'll ever see. We won't be providing
13 the details out to the public for what some of these
14 things entail.

15 So I think that covers everything that I'm
16 doing on the training front, so any questions or comments?

17 MR. GARCIA: I see that you have two
18 intermediate and one advanced motor vehicle burglary. Is
19 there a basic course to take beforehand?

20 MR. WILSON: Well, I submitted this back out to
21 the stakeholders, and really, when you show up at auto
22 theft, you've already gone through some level of basic
23 investigation, and so my thought was that you just got
24 promoted to investigator, you've gone through whatever
25 academy courses or you've earned your stripes to come up

1 through the sheriff's office or police department to
2 become an investigator, so I'm kind of starting with the
3 thought that we're only starting at the intermediate level
4 and then moving on to advanced. So I put that out for
5 comments, nobody really had any problem.

6 I don't mind making it basic again, but I felt
7 like we were kind of having a restart and this was a good
8 time. We don't call it Auto Theft School anymore, we're
9 calling to Motor Vehicle Theft because that ties back to
10 both our statutory purposes as well as the statutory
11 framework in the penal code for those kinds of things.

12 And I want to tie it back to what Dominic said
13 a minute ago about the communication strategies. What
14 we're learning is we need a common language, when we talk
15 about what we do that we're all on the same page with a
16 common language. I know it's subtlety, but even the
17 communication, how we conduct metrics, there's thousands
18 of things that are being done for public awareness and
19 public education, but among our grantees and what we're
20 funding, we don't have a common language about what a
21 presentation is, what an advertisement is, those kind of
22 things. So we're just training to start in both this
23 training, as well as in the communication world, that we
24 have a common language and we all understand each other.

25 MR. GARCIA: Comments, discussion by Board

1 members?

2 MR. HANSEN: Tommy Hansen. I just want to
3 thank everybody. If you haven't had a chance to look at
4 this, you need to. The outline of both of these classes
5 are very comprehensive, very comprehensive, and it was
6 really a joint effort between NICB, task force members and
7 TAVTI, and it's high quality stuff, good stuff, and I
8 think you're going to be real appreciative. If you
9 haven't looked at them, look at them before the meeting at
10 TAVTI, so if you want to make any comments about it.

11 Job well done. Thank you.

12 MR. WILSON: Thank you.

13 And on that note, I didn't mention TAVTI
14 specifically, but since we started this process, they have
15 adopted a training committee as a permanent committee
16 within their organization who will routinely assist us on
17 this project. And then down the road, we may find that
18 we're not the best agency to have this and maybe TAVTI or
19 some other organization should take over, but at least
20 we're setting up the framework and that's what's really
21 important. So thank you, Mr. Hansen.

22 MR. GARCIA: Any other comments from the Board
23 members or discussion?

24 (No response.)

25 MR. GARCIA: If there is none, there is no

1 action required on this item, so we move on to item 3.D,
2 legislative priorities, D.1 which is fiscal year 2018-19
3 legislative appropriations request, and D.2 which is
4 fiscal year 2018-19 biennial plan of operation.

5 MR. WILSON: Thank you, Chief. This is Bryan
6 Wilson for the record again.

7 So starting on page 72, we started putting
8 together -- so because we're a subsumed agency, in other
9 words, you guys are an agency appointed by the governor
10 that's not an advisory board -- in other words, when I say
11 you guys, the guys upon this dais that are members of this
12 board -- you're appointed by the governor but you don't
13 have an agency number, you don't have a structure by which
14 you can make a legislative appropriation request on your
15 own, but you are required to provide an appropriation
16 request, just like any other state agency.

17 So under the contract with DMV, you made your
18 request several months ago -- I think we did it back in
19 May -- and so that kind of filtered through a process that
20 DMV had for turning in their appropriations request. So
21 just to give you an example, DMV had five appropriation
22 requests this year and this agency, the ABTPA, makes up
23 two of those five requests. So they've turned in what
24 they wanted, and what I cut out of this document is some
25 things I wanted to show you.

1 So once you voted on May 18 to ask for the
2 \$12.6 million additional funds and to continue your \$14.9-
3 funding, right after that vote, I guess it was two or
4 three weeks afterwards, the Governor's Office and the
5 Legislative Budget Board sent out an instruction saying
6 cut your budget by 4 percent, let us see what that looks
7 like. Well, you guys were already gone but you had voted
8 on asking for \$14.9 million.

9 So I took that vote to say you wanted \$14.9
10 million and I turned in to DMV that the first exceptional
11 item request that we want to ask of the legislature is
12 restoration of the 4 percent, and then we provided to
13 them, as requested, what would happen if we cut 4 percent,
14 so obviously would have either cut administration, cut
15 grants or cut some of our other activities, so we reported
16 to them what could happen. And so that's been accepted,
17 that was turned in by DMV. And then, of course, the
18 second exceptional item is the \$12.6 million to support
19 our strategic plan for FY '18 and '19.

20 So basically, what you see on the following
21 pages is the information that DMV wrote up to request both
22 the restoration of the 4 percent, the additional \$12.6
23 million per year, and I guess the basis for continuing the
24 \$14.9- as it was.

25 So one of the things that Chief Garcia and I

1 have been doing since this started, and I know we'll talk
2 a little bit more later in this meeting about some of the
3 things that come up between votes, and one of the most
4 important things that I've been working on with Chief
5 Garcia is that we have a common message, that we're very
6 clear on how we express ourselves and what the purpose is
7 of this program, and so whatever we say is consistent with
8 the documents and preparation that this Board has adopted.

9 So one of the things that's really important is
10 what was the \$12.6- for. So one of the things I did to
11 help promote that is on page 85 I have already -- this
12 isn't my elevator speech, we still have to work on the
13 elevator speech -- this is a layout of what we're asking
14 on page 85 and 86 when we say we want \$12.6 million. We
15 need 80 investigators, not subsumed into the investigators
16 that we already have, we need 80 additional investigators
17 than what we have now; we need 20 crime analysts and crime
18 prevention specialists, technologists; we need 20 VIN
19 inspectors and other administrative support; and we need
20 six full-time prosecutors dedicated or at least the
21 full-time equivalent of six prosecutors supporting our
22 task forces who are going out and doing all this wonderful
23 work.

24 So I really appreciate when you can look at
25 some of this material, provide me better ways to say what

1 our message is. I mean, ultimately, I'm serving you and
2 working for you and the task forces, and I just really
3 appreciate any comment. When you review this material, if
4 you have edits or suggestions or better ways to say
5 something, please give it to me. I really appreciate you
6 taking the time.

7 So then moving on, on the same agenda item, the
8 biennial plan of operation. As many of you know, the
9 biennial plan of operation is due on December 1. I
10 started on October 13 right before the last session and I
11 walked in the door and they said, Oh, by the way, in six
12 weeks you've got this report due. And we didn't have any
13 data and I had barely communication with the task forces
14 at that time and I just kind of wrote it and sent it out
15 to them and got a few comments back.

16 But it was pretty much a fluff piece, you know,
17 we'll work in the next two years on better communication
18 and better coordination with DMV. And it turned out
19 that's exactly what we did through Mr. Harbeson and his
20 training events and him adopting some rules that helped
21 law enforcement regarding some issues on Class A and Class
22 B misdemeanors that used to be just administrative things.

23 So we've really done what we planned is building better
24 coordination and better communication.

25 But now it's time to move forward and we need

1 to add some meat to our task forces, and so that's what
2 you see is the outline. Before I start writing full
3 scale, I'd love to have your input on this page 89 through
4 91. And at the top of that page 89 are the four statutory
5 things that I have to respond to the legislature. Those
6 four items is what I have to answer the question: what's
7 going on, what's the problem today; what have we been
8 doing, and how is having an outcome or what effect is it
9 having; what do we want do in the future; and how much
10 will that cost.

11 Clearly, we had the stakeholder meeting in
12 April with all the stakeholder sat the Capitol, or I think
13 we had 75-80 in attendance. So we've had this discussion,
14 we've decided what we need going forward, now we need to
15 finish analyzing the material. And that concludes my
16 discussion on this part of the agenda item, Chief.

17 MR. GARCIA: This is not an action item. Any
18 discussion, any questions from any of the Board members
19 for Mr. Wilson?

20 MR. HANSEN: Comment?

21 MR. GARCIA: Comment, yes.

22 MR. HANSEN: Member Hansen -- y'all are going
23 to get tired of me, get used to it.

24 To reassure the grantees, a lot of thought has
25 gone into these documents, a lot of thought, and it is

1 very comprehensive in justifying our continuation and our
2 need for growth, a lot of stuff went in here. Mr. Wilson
3 has communicated with a lot of you folks in the room who
4 participated in this, because we have to move forward and
5 we all understand the problems. So this has been very
6 good.

7 The charts that were provided by the research
8 done, one of the things that I took note, and it's been
9 something that's bothered me for a long time, is like our
10 FTEs, because of cost increases and our grants, that we've
11 lost some staffing and we're trying to reboot some of that
12 with this money. A lot of complaints when he first
13 started on how we were capturing our information, but as a
14 result of the work that he put together, that's created
15 chaos for some of you, but we've got past the chaos part,
16 the numbers are actually much improved, which fills in the
17 gaps for this to go forward to accomplish what we want,
18 and that's to get our money and justify our money.

19 So I just want you to feel comfortable. I
20 personally am very good with what's been developed here
21 for the future.

22 Thank you, Mr. Chair.

23 MR. GARCIA: Thank you, Mr. Hansen.

24 Any other additional comments from the Board
25 members?

1 (No response.)

2 MR. GARCIA: If there is none, then we'll move
3 on to the next agenda item. The next agenda item is 3.E,
4 the fiscal year 2018-19 grant funding issues. We have
5 several sub items on that, so we'll start with the first
6 one which is -- well, first of all, I do have public
7 comment. Mr. Richard Hale.

8 MR. HALE: (Speaking from the audience.) I'll
9 yield my time back to the floor.

10 MR. GARCIA: Okay. Thank you, sir.

11 So the first part of that is E.1, strategic
12 plan priorities. So we'll start with E.1(a), the biennial
13 application subject to terms and funding availability.

14 MR. WILSON: Chief, do you mind if I lay out
15 the discussion?

16 MR. GARCIA: Sure. Go ahead.

17 MR. WILSON: This is Bryan Wilson, for the
18 record.

19 I'd like to call your attention to page 93 of
20 the board book, and on page 93 I want to kind of go over
21 with you in this public meeting what we adopted on May 18,
22 and this takes the five elements. We had some general
23 considerations that you adopted about how we're going to
24 move forward that came out of the results of the strategic
25 planning process that we held at the Capitol back in

1 April. So we request that we have more dedicated to auto
2 thefts to combat the billion dollars on losses. So at the
3 end of the day, there's a billion dollars of losses that
4 the State of Texas is incurring as a result of auto theft
5 and we get one small fraction of that or a pretty small
6 fraction overall, about 30 percent of the money that's
7 being collected. So that's clearly our strategy.

8 Representative Clardy, when I met with him a
9 few months ago, actually in April, he said, Gosh, that
10 should be pretty easy to make the case for a billion
11 dollars in losses and we're collecting \$44 million to
12 combat those losses. So he's already prepared the
13 dedicated fund bill and submitted it to the Lege Council.

14 So we've got people lining up to help us, but we have to
15 have a clear message for them to help us.

16 And so here are the five statutory items on
17 page 93, 94 and the back of 95. That's the five things
18 we're allowed by law to do, and some of them are more
19 clear and more robust than other things, but nevertheless,
20 that's what the Board voted.

21 And in addition, to try to get a handle on
22 this, on page 96 you see that the chief and David Richards
23 and Wynn Reynolds and I went to Colorado back in August
24 and we met with what they're doing. And actually, this is
25 becoming a national model, we have a board that Tommy

1 Hansen and I set on that's called the Automobile Theft
2 Prevention Authority State Boards, and it's made up of
3 about 25 of the states that have automobile theft
4 authorities, and they're looking at this to promote this
5 kind of behavior among all states where we look at each
6 other's processes and encourage and figure out better ways
7 to do things.

8 But what came out of that meeting was that
9 there's other ways and clearer ways to be able to
10 communicate our message. I mean, they work closely, they
11 have five or six insurance board members on their board,
12 it's still a third to half of their board, they have a
13 larger board, but they work closely with insurance
14 companies and their equivalent of the Texas Insurance
15 Council to really move into damaging these losses.

16 So we learned a lot, we got to see how their
17 board works, we got to see their processes, what they're
18 doing on regionalization, on trying to work together and
19 pool resources. They share bait cars across multiple
20 jurisdictions, things like that.

21 And so out of the last grant cycle where the
22 number one determinant of the last grant cycle was just
23 how much money you asked for, the point system that we
24 reviewed those grants didn't really play very much into
25 the cycle. And I don't know what's going to happen,

1 honest to God, I don't. I hope we get the \$14.9-, but
2 that might be 4 percent less. But if we get \$12.6 million
3 and the 4 percent and the \$14.9-, we are going to -- if
4 the only determinator is how much somebody asks for,
5 there's going to be a lot of resources ending up in the
6 wrong places, and I think it's just really incumbent, and
7 what I've asked today for you to do is to have a
8 discussion among yourselves.

9 In a week or about two weeks from now, we're
10 going to go to San Antonio and we've asked all the task
11 forces to come and have a discussion with Chief Garcia on
12 the 24th, the day before the TAVTI conference starts. But
13 today I'd really like to get some input, because somewhere
14 between now and January 15, I have to write a request for
15 applications that reflects what this Board wants to do,
16 and that needs your input. I talk to these guys all the
17 time on the phone, our law enforcement participants, and I
18 always expect them to advocate for their location. Mr.
19 Heitzman is there, Joey Canady is back there. I always
20 expect of them and I tell them I always expect for you to
21 fight for your jurisdiction, to try to appropriate and get
22 out of this Board what you feel is best for your
23 jurisdiction.

24 And that's what their role is because that's
25 where they work and that's what they're designated to do

1 within their jurisdictions. But this Board also, in my
2 opinion, has a clear role to address, and this really came
3 up at the strategic planning process, to address the
4 statewide problem of auto theft.

5 And when Billy steals Grandma's car because the
6 keys were lying on the table, I don't know that there's
7 anything anybody here can do about that. We have a police
8 force in Midland, we have a police force in Abilene, in
9 Wichita Falls, and at the end of the day there's a lot of
10 bad things that come out of when Billy steals the car, but
11 Grandma may not charge, but a lot of times that's just an
12 isolated incident.

13 What our statute, I think, is very clear, is
14 that we're responsible for the statewide problem of auto
15 theft and the damage that it causes when large
16 organizations go in and create networks that Mr. Harbeson
17 and his enforcement division find where people are
18 stealing lots of cars. This week the article about the
19 guy running around Houston picking up 200 cars, and that's
20 an enterprise, that's an economic auto theft that is
21 described in our auto theft.

22 So as we move through this, I really would like
23 to solicit your input and have you engage in this
24 discussion, and especially in front of the grantees, so
25 hopefully it will be tempered when they go forward in two

1 weeks with Chief Garcia to meet at the TAVTI conference.
2 So to start off with, I've laid out the core principles
3 that we do need more funds, that we need to communicate to
4 the legislature more funds, but to deal with the statewide
5 issue of auto theft and the overall crimes that are coming
6 out of that, one of things I'd like this Board to consider
7 and discuss is biennial applications.

8 We did it this year, we didn't ask for a '17
9 grant, we just continued the existing grants, and I think
10 it was overall pretty good because although some people
11 would have liked to have the shot to ask for more money,
12 the reality was they didn't have to waste a lot of time
13 that would have been used in investigations, they got to
14 spend time investigating instead of writing an
15 application.

16 So are there any comments? Is this something
17 that we should consider going forward that we just start
18 out the biennium with one application subject to
19 availability of state funds and whether they meet the
20 terms and conditions of the grant?

21 MR. GARCIA: So I guess in regards to this
22 agenda item, in particular the discussion should center
23 around consideration of accepting a two-year application
24 subject to funding availability and grant conditions?

25 MR. WILSON: Correct.

1 MR. GARCIA: Okay. So open it up to the Board
2 members for discussion, comments, questions for Mr. Wilson
3 or as a whole.

4 MR. HANSEN: Member Hansen.

5 This has come up before and I think this is
6 going to be the magic comment there is based on funding
7 availability. I also think if we do get the additional
8 funds that because of a lot of the programs being really
9 having issues with equipment purchases and things like
10 that, that would be unique to a catch-up plan, that this
11 is something to be considered, I think, for the future,
12 but I think if we do get the additional funds, I think for
13 the first biennium -- I'm going to be positive -- with
14 those monies that we may have to reconsider that. And
15 then the second go-round, by that time I think everyone
16 would be pretty much caught up on where they need to be as
17 far as equipment, staffing, things such as that.

18 But I think the first go-round, we've got some
19 serious deficits with a lot of these programs as far as
20 equipment, outdated equipment, worn out equipment,
21 staffing losses, and I think for the very first two-year
22 period, providing we get the additional funds, I think we
23 should stick to what we have at this point in time.
24 That's my thoughts on it. Thank you.

25 MR. GARCIA: When you say stick to what we've

1 got right now is?

2 MR. HANSEN: An annual.

3 MR. GARCIA: An annual application process?

4 MR. HANSEN: Right. If we get the additional
5 funds, then we're going to do a lot of different things
6 that we haven't done in the last couple of years because
7 we've not had the funds, but then by the second year
8 things will have settled down and we would be going into
9 more of a standard procedural to move forward. And if we
10 do get some new grant applications because of the
11 additional funds, that's going to play a part in that as
12 well. And if we've already locked ourselves into a two-
13 year theme that first go-round with additional funds, then
14 we might be missing out on an opportunity to have some
15 grants in some areas that we need.

16 So that's my recommendation on the next
17 session, provided we get the extra funds, that we stick
18 with the one-year application process. And then
19 obviously, the two years later on, we saw it work this
20 yea, if we can get stable and get our money where it needs
21 to be, I think it's a good plan, but I think the first go-
22 round with additional funds, I think we'd be cheating
23 ourselves.

24 MR. GARCIA: So kind of ease into the
25 situation.

1 MR. HANSEN: Yes, sir.

2 MR. GARCIA: Irregardless of funding, whether
3 it's available or not, especially more so if the
4 additional funding becomes available.

5 MR. HANSEN: Right.

6 MR. GARCIA: Any additional comments or
7 discussion by any of the Board members?

8 MR. WILSON: Or questions?

9 MR. GARCIA: I know that it doesn't say that a
10 vote is required but is this something that we want to
11 take action on and can we, Mr. Counsel?

12 MR. RICHARDS: We can.

13 MR. GONZALES: I would like to make a note, if
14 I might, from staff.

15 In the previous grant program that I helped
16 administer, there was the option of having both where you
17 had single-year grants and multi-year grants and it was up
18 to the applicants to decide which route they would pursue
19 and what would work better for them in terms of their
20 program objectives and in terms of meeting the needs that
21 they had locally. And so I would like to raise that, that
22 you don't have to choose necessarily either/or, you could
23 create a two-year track and applicants that decide that
24 that fits their needs best can apply for that.

25 MR. MIZANI: Chief, if I can add a comment?

1 MR. GARCIA: Yes, sir, go ahead.

2 MR. MIZANI: I think I would side with what you
3 just stated. I met a couple of months ago with Fred
4 Lohmann, NICB director of field operations, and we had
5 pretty good conversation about in Dallas lone we're seeing
6 a 300 population increase per day in Dallas-Fort Worth,
7 and we're seeing that all over Texas. And so obviously
8 population increases, crime increases, and then as
9 consumers our premiums are going up.

10 And so one of the things as I was looking over
11 this packet this weekend, I was glad to see that every
12 grantee that we had in the past fiscal year on page 13 and
13 14, you're seeing all the percentage increases as far as
14 them being able to meet their own program needs. And so
15 what I want to make sure is that every grantee that's
16 taking money out of this fund is able to do what they need
17 to make sure that that projection continues to go the way
18 it needs to be. And so I think that's a good show of them
19 having the resources necessary to do what they need to do.

20 But at the same time, I know we've got a
21 legislature that's looking at possibly making cuts or
22 hopefully not doing that. I think giving them the
23 flexibility of when to come and how to do it, in my
24 opinion, allows them to continue the positive projection.

25 And so I would agree with your statement. I think if we

1 can show some flexibility and let them do it as they see
2 fit, that's probably how I would like to go.

3 MR. GARCIA: All right. Any additional
4 discussion, comments, questions?

5 MR. HANSEN: Just for you guys in the field out
6 here, this is what we're talking about here is now that
7 you're hearing this, prepare your thoughts for the meeting
8 that the chief has called at TAVTI because that's where
9 you're going to be able to bring in your food for thought
10 concerning this, and I think that's your entire goal of
11 this is to do that. So get your thoughts together on it.

12 MR. WILSON: Absolutely. So some of those
13 issues can be resolved in budget. In other words, what
14 Dominic brought up is you can set aside some level for
15 operational programs, operational issues and other things
16 for augmentation of existing resources. There might be
17 budget issues that will come and we'll work through and
18 start sending out ideas that maybe we figure out some
19 middle ground, so we'll wait to hear from the grantees as
20 well.

21 MR. GARCIA: I could see some issues with some
22 of the grantees, if not all of them, where they could not
23 make commitment beyond the next fiscal year because their
24 commissioners, their elected officials, their boards would
25 not allow them to make that type of commitment, other than

1 we're only committed for the next fiscal year, especially
2 with any type of matching funds or personnel, or whatever
3 the case might be.

4 MR. WILSON: Right. And David is here. It is
5 true that under state law, cities and counties can only
6 commit to a year at a time, but that doesn't mean they
7 can't do an application one time for what they think they
8 need. But yes, it is true, a commissioners court and a
9 city may only commit within the fiscal year that they're
10 in but they can do one application to save themselves the
11 time. So it's a planning tool, in other words.

12 MR. REYNOLDS: I'd like to comment on something
13 as well. I heard it mentioned that the task forces were
14 meeting all their objectives and priorities, in my
15 opinion, when you go to the legislature and you've met
16 every need you have with the dollars that you've been
17 funded, why would they go ahead and give you more? I
18 think it's important that each of the task forces be able
19 to identify your failures as well and be able to
20 articulate and document what you could do with additional
21 funds if they're granted, but also what you haven't been
22 able to do because you've been operating with the same
23 amount of money or less funds as a result of some of the
24 cuts that occurred this last go-round.

25 But if those failures aren't documented, it

1 appears that success was made with the same or lesser
2 dollar amount, and so what have you done to persuade your
3 local legislators that you need additional funding. And
4 if I'm a legislator and you've been 100 percent successful
5 with the funds that you've been provided, then that's what
6 you would get the next go-round as well. And I think we
7 need to be aware of that and take that into consideration
8 going forward.

9 MR. GARCIA: So basically toot your horn but
10 not too loud. Right? Something like that?

11 MR. REYNOLDS: Exactly.

12 MR. GARCIA: Any further discussion here in
13 regards to this agenda item?

14 (No response.)

15 MR. GARCIA: So we move on?

16 MR. WILSON: Yes. Dominic will do the next
17 one.

18 MR. GARCIA: The next one is E.1(b), the
19 regional allocations.

20 MR. GONZALES: Bryan alluded to this earlier.
21 ABTPA has a requirement to allocate funds based on the
22 number of motor vehicles stolen or the number of motor
23 vehicle burglaries, the rates across the state. The
24 previous application cycle, the previous evaluations for
25 the applications didn't include controls so that ABTPA

1 could sufficiently demonstrate that it met that
2 requirement. And so as Bryan put it, the awards were
3 based on the amounts of the requests, and what that leads
4 to is a possibility where an actor can overturn the entire
5 applecart by augmenting, either artificially or
6 legitimately augmenting their needs way beyond what the
7 others have requested, and that can skew the grant awards.

8 Allocating the funding based on a regional
9 basis is a way to control for this. What it can do, if
10 you look on page 99 there's a map, you simply use the data
11 that's provided by DPS and the data that we have
12 available, historic data, and you create a formula and
13 divided up the amounts of money that could be made
14 available on a regional basis. What this allows you to do
15 is also it allows you to control for the amount of funding
16 that goes because you are basing the total eligible amount
17 on data, the data that's been provided by DPS.

18 But in addition to this, what it does is it
19 allows us to encourage grant recipients to collaborate
20 more, either by coming in on regional programs or by
21 simply in their application demonstrating in a concrete
22 way how they will collaborate with other grant
23 applications.

24 This is not a mandate. A grant applicant can
25 come in, a county or a city may simply not want to or be

1 able to apply for a regional program, but it does allow
2 the ABTPA Board to have better control over how the grant
3 funding is allocated, and it does allow us to meet that
4 statutory requirement to base awards on the numbers that
5 are provided by DPS.

6 MR. GARCIA: Discussion, comments, questions
7 from Board members?

8 MR. HANSEN: Absolutely. I see this to be a
9 conversation piece, and I'm aware that numbers are
10 important and we have to do that, but if base everything
11 solely 100 percent on some of those numbers, we will wind
12 up exactly where we were in 1991, where you're only going
13 to have a handful of agencies across the state
14 accomplishing this. And on the other flip side of that
15 we're talking about there's 100 counties we're not
16 providing services to, so we're going to have a head-on
17 crash there with those two concepts.

18 The other thing is, whether we like it or not,
19 agree with it, things look good on paper but when you get
20 down to dealing with some local politics, we don't have to
21 agree with that and we don't have to like it, we don't
22 have to like the way it talks, smells or acts, but it is a
23 fact of life that we have to deal with that. So if we
24 force our hand on that in some of these areas of the
25 state -- and I'm not going to mention names but I know how

1 they operate because we do collaborate, everybody works
2 very well together on a street level, but I can tell you
3 that if you start forcing some hands on that, you're going
4 to see programs go away, and you're going to see some
5 programs go away in some key areas, and then where are we?

6 So we have to walk on eggshells with this
7 concept. I agree on paper it looks good and I agree with
8 some of it, and some of the programs are already multi-
9 jurisdictional, multi-agency, and that's fine, but we have
10 to be cautious on how we do this. The demographics are
11 one thing, geographics in Texas are another. You may have
12 an area that doesn't have a major problem but they have a
13 problem but their next resource to get help is 300 miles
14 away. So are we going to cheat them out of that because
15 they don't have big numbers and yet their citizens are
16 paying their \$2 on their insurance policies.

17 So I understand this and I agree with a lot of
18 it, but I think we have to be, my personal opinion, having
19 been involved with this from day one and worked with
20 everybody in this room for many years and understanding
21 their politics -- and they don't like their politics
22 either, most of them don't like it either, but it's a fact
23 of life -- and so we don't want to try to be so strict by
24 the numbers that next thing you know we've got nobody
25 applying for grants because the politics has killed them.

1 And then where are we going to be? We're going to be
2 right to 1991, and I have a very severe fear of that
3 happening. So I just think that that's something that if
4 we look at this process, this is where we need to have
5 input from all of these people in a few weeks concerning
6 this.

7 Historically, most of the task forces in this
8 room understand and appreciate the value of their
9 neighboring task forces, and this is one of the few
10 programs versus some of the other law enforcement groups
11 I've worked with where I don't think there's one task
12 force in here wants to see anything happen to what's
13 already in place because we've all shared in work
14 resources.

15 And the geographic issue too is when you have
16 some of the agencies, the smaller groups that are
17 connected to some of the very large agencies, they're
18 dealing with their problem plus the large agency's problem
19 as well because of spillover. And we understand that and
20 they understand that, so when we make these decisions on
21 this, we have to take that into consideration. And I just
22 wanted to lay that. This is going to be a contentious
23 topic, I see that, but I think there's enough level heads
24 in this room that we'll work together and work through
25 this. I understand we have goals and things that we have

1 to meet for the state, but we have to be cautious on how
2 we do that.

3 That's all I have to say about it. Thank you.

4 MR. GARCIA: Mr. Wilson.

5 MR. WILSON: I do want to clarify one thing on
6 this particular issue. There can't be any politics
7 involved in this particular issue for this Board
8 allocating the resources on a regional basis because there
9 is no -- what we're talking about here is simply
10 preventing Houston from competing with Burnet or Lubbock.

11 It's only assigning dollar values, so to be clear, if
12 Region 2 on your little map on page 99 makes up 30 percent
13 of the auto theft -- just making it up -- \$15 million, the
14 only thing it would do is put \$15 million into all of
15 those counties, it would not affect any requirement that
16 Houston, Harris County, Montgomery and Pasadena would be
17 competing for that portion of the funds, whether they
18 wanted to do it independently or together. That's not our
19 issue, we don't force people into doing that.

20 Under the current scenario, I want to be real
21 clear, if Midland-Odessa or whoever comes in and asks for
22 a \$5 million grant, under the current system they would
23 get that automatically because what we would do is add up
24 all the grants and then just give everybody a haircut, and
25 because they asked for \$5 million because of all that oil

1 money that they're out of out there, they'll get about \$2
2 million, whereas, Houston would have taken the same
3 haircut, San Antonio or Burnet would have taken the same
4 haircut.

5 So all I'm trying to do is not regionalize.
6 That's a different issue and I appreciate Mr. Hansen's
7 comments and I am very sensitive to that issue. But this
8 is saying we know what the auto thefts are because all
9 these agencies are reporting to DPS, and so we allocate
10 the funds available to that region based on the real
11 incidents of that region. We don't tell anybody how to
12 apply. Certainly they could consider applying because now
13 they know that they're working together for the same pot
14 of money. But I think they're two different issues and
15 that's all I want to say.

16 MR. GONZALES: I would also like to add one
17 thing. You can either use this as a front-end tool to
18 control the nature of the applications you receive and
19 that's one thing, and I've heard you loud and clear that
20 that could be very complicated for the existing grant
21 applicants and that could be very difficult to accomplish
22 just because of the political aspect which is out of our
23 control in some ways. But you can also use this
24 information on the back-end to evaluate the applications
25 that you receive to compare the request that was received

1 with what should the regional allocation have been, and
2 then find some way in the middle. And at the very least,
3 it allows us to use that state data to justify the awards
4 that have been made and to show that we did use a regional
5 allocation method in the awards, not in controlling the
6 applications, not in determining the awards, but in
7 verifying that the awards met muster with that state
8 requirement.

9 MR. HANSEN: That's where it's very incumbent
10 on the task forces that if they provide resources and
11 sources to specific geographic areas that they make it
12 absolutely clear of that in their grant application, so if
13 they work cases over there all the time, then I'm putting
14 that back on them, they need to put that in there, we
15 don't need to go too far out on that. But as we well
16 know, a lot of the task forces do that now and they do
17 work those areas, but it's important that we make sure
18 that they understand if they're providing services to an
19 area.

20 We may even reach a point to help with this is
21 that if they're going to provide help on those deals that
22 they have some type of cooperative agreement with the
23 sheriff of the two other counties that they go into on a
24 regular basis so that it is clearly documented that they
25 are providing investigative resources to those adjacent

1 communities.

2 MR. GARCIA: Additional comments, discussion or
3 questions by any of the Board members?

4 (No response.)

5 MR. GARCIA: If there is none, then we'll move
6 on to the next agenda item which is E.1(c), crime
7 analysis, vehicle identification and case trend analysis.
8 Mr. Wilson.

9 MR. WILSON: This particular bullet is really
10 about, you know, we had the strategic planning and it was
11 identified as a major lacking resource among our task
12 forces that we don't have specialists to really look at
13 the kinds of crimes, the patterns of crimes. I know
14 Galveston has somebody that's been working real hard on
15 being a resource for lots of people. DPS used to have
16 dozens, or quite a few, as I understand.

17 MR. REYNOLDS: Eight to twelve.

18 MR. WILSON: Eight to twelve at any given time.

19 And so again, taking the statewide perspective is how do
20 we build up, do we want to hire twelve analysts here at
21 the state or fund DPS, and personally I'm not advocating
22 for that. So I think one of the best things we could do
23 is make clear that in going forward that based on our
24 strategic plan and the information, and we've looked at
25 Colorado, the way that they do it, I think there's room

1 for more sophisticated analysis and assistance with
2 identification of motor vehicles and tracking down license
3 and information on stolen vehicles. So just making sure
4 that before we start writing the application that we're
5 all onboard with the strategic plan, and any information
6 that I need to help write that, I would appreciate the
7 Board providing that input.

8 MR. GARCIA: Comments, questions from the
9 Board, discussion?

10 (No response.)

11 MR. GARCIA: If there is none, then we'll move
12 on to the next agenda item, E.1(d), the focus on pattern,
13 organized and economic crime. Mr. Wilson.

14 MR. WILSON: This is kind of along the same
15 lines but it's a subtlety where we encourage, going back
16 to my example with Billy and his Grandma, it happens all
17 over the state and we don't have task forces all over the
18 state. The real question is if you were the chief of
19 police of the State of Texas for auto theft, what would
20 you do in allocating resources, and one of the major
21 statewide crimes that we should focus on is pattern
22 crimes, organized crime, economic value crimes where
23 people set up entire enterprises.

24 I know Member Hansen has told me in the past
25 about taking enterprises that are literally going into the

1 Port of Houston and shipping out large quantities of
2 vehicles. We have things in Mexico that we've been
3 working with some of our border communities. Dominic will
4 report on later where we've set up communication networks
5 between those jurisdictions. San Antonio and Laredo and
6 Travis have been working very closely together and have
7 good results in communicating. So it's like what is our
8 role? Are we the local police department, because I don't
9 think so. What is our role is to focus on specific kinds
10 of crimes and future applications and not just every auto
11 crime that happens to be out there.

12 MR. GARCIA: Comments, questions from Board
13 members?

14 (No response.)

15 MR. GARCIA: Okay. Moving on to item E.1(e),
16 competitive versus cooperative.

17 MR. WILSON: Going back to Member Hansen's
18 comments earlier, if the Board wanted me to address this
19 issue in future grant applications, this could actually
20 change the way we do business. If we identified that we
21 have resources in Houston and Galveston and Lubbock and
22 Burnet and the other places, and we said, Okay, we're
23 going to quit making you fight for these same dollars,
24 quit looking for a major redo every two years or every
25 year or whatever, but recognize that we already have

1 inventory, we have bait cars, we have all kinds of
2 resources already out there. And if the Board was of the
3 mind or wanted to enter into a discussion that we would
4 recognize that we already have significant resources and
5 enter into different kinds of arrangements with those
6 local jurisdictions so they could be more flexible in
7 adding jurisdictions.

8 I know in Colorado -- I don't know that we
9 could ever do this -- one of the things that they did that
10 really blew me away was they had extra-jurisdictional
11 overtime, so if I wanted to go into an area where we
12 didn't have a task force, say Galveston wanted to go do an
13 operation in Brazoria County because you're getting a lot
14 of incidents, they could pay overtime to Brazoria County
15 detectives to go in.

16 So in the competitive versus cooperative, right
17 now every two years or every year we're fighting for
18 resources and the structure is that we pit the different
19 task forces against each other and there's some sort of
20 alliance about what the request is, reasonable request,
21 and things like that. So the question is does this Board
22 want to entertain that we would write a methodology or a
23 request saying: Apply for what you have, no promises, but
24 apply for what you have and then tell us what else you
25 would like, and then we would only be evaluating what else

1 you would like because we would probably just keep
2 continuing where the numbers are valid.

3 In other words, not carte blanche, that's not
4 what I'm saying, but where we would actually kind of
5 recognize we have a network and just build on that network
6 and then each time we have a grant cycle we would say how
7 many trucks do you need, what counties would you like to
8 add, have the discussion on the margins and recognize that
9 we already have a really good network of auto theft
10 investigators out there and we shouldn't have to just keep
11 throwing the apple cart upside down every year or every
12 two years.

13 Anyway, I'd certainly like to hear your
14 comments on that.

15 MR. GARCIA: All right. Comments, questions,
16 discussion on this agenda item?

17 MR. HANSEN: I think the overtime concept for
18 some of the smaller or surrounding regions to the existing
19 task forces could be, in my opinion, a very positive idea
20 to get more interaction between the other agencies. And
21 that would, I think, entice them on a more frequent basis
22 when they have a problem and they're scratching their head
23 that I need to call these guys because now I'm working
24 with them part-time to do that. And if we do that, then
25 that enhances more interaction and more cases solved and

1 that works out better for everybody. So I think the
2 overtime concept for some of the surrounding territories
3 to the task forces in existence is a good possibility,
4 providing we get the additional funds.

5 MR. GARCIA: Any other comments or questions?

6 (No response.)

7 MR. GARCIA: If there is none, then we'll move
8 to agenda item E.1(f), co-location. Mr. Wilson.

9 MR. WILSON: Thank you. This is Bryan Wilson
10 again.

11 On co-location, it's a way to leverage
12 resources. Right now we buy some bait cars and technology
13 in San Antonio, Dallas, Dallas County, we're buying
14 technology and equipment all the time, tracking materials.

15 The question is do we want to open the door to encourage
16 in the application process jurisdictions who are near each
17 other who could share resources.

18 I'm just making up a wild example, but say that
19 Travis County covers Hays County and they opened up a
20 location and the City of Austin, Travis County, San
21 Antonio could have a warehouse where they would share the
22 bait technology and equipment. They would still buy it
23 individually but they would be encouraged through the
24 grant process to include some level of co-location and
25 that they would get additional points for that

1 consideration. And the same thing could happen in the
2 Dallas area or the Houston Area, Galveston, whatever, but
3 that would be available to those task forces but might
4 even be able to be checked out by other units within the
5 geographical area.

6 Well, this is the only time we have to consider
7 something like that, including that into the application.

8 So if that's something that you would like to consider or
9 go forward on it, it would leverage our resources across a
10 broader spectrum.

11 MR. GARCIA: Comments or questions or
12 discussion by the Board members on this?

13 MR. HANSEN: The only one I think would create
14 an issue would be the bait cars, and the only reason I say
15 that is those are titled vehicles and if a vehicle is
16 given by an insurance company to Houston PD and then it is
17 temporarily for the dollar or whatever they work out, it's
18 actually titled and insured by the City of Houston, would
19 they be conducive to letting that car go to Wharton County
20 for Wharton County to use it and then it's involved in
21 some type of incident. Then where do we stand? The bait
22 vehicles, it's been done before, I think we've swapped
23 vehicles before and paper to go with them. I think
24 liability, we could see a few issues with some of the bait
25 cars.

1 The rest of the stuff I think is a great idea,
2 the trackers and stuff like that, but I think the bait
3 cars themselves that are actually titled vehicles, we
4 would have to really look into the liability issues
5 attached to that.

6 MR. GARCIA: Any additional comments from the
7 Board members?

8 MR. MIZANI: Bryan, I just want to clarify. So
9 they're still buying individually. Correct?

10 MR. WILSON: Yes. And I was just using that as
11 an example. Co-location is also in some states is used to
12 hold crime analysts so that they can share crime analysts
13 across regions and get a bigger picture, there's other
14 issues. But like I said, the only time this Board gets to
15 make any input about how the structure is out there is
16 during the grant application process. But yes, trackers,
17 there could be other resources where task forces have to
18 come together once a month for regional meetings to make
19 sure that they're communicating. Specifically the kinds
20 of crimes that are the state objective, the pattern
21 crimes, organized crime, you have a place that they can
22 go. In some states it's covert, other places it's a
23 public facility. That was just one example was the bait
24 car, but there's other ways to do it.

25 MR. HANSEN: I think when it comes to analysts,

1 this is where (c) and (f) commingle here, and Bryan, we've
2 had discussions with this, that if we do get the funds for
3 some additional analysts, that then we could do a regional
4 thing where this analyst, the following task forces will
5 contact that person for assistance, and then the following
6 task forces will contact this person once they're trained,
7 so then you wind up with five or six around the state that
8 are all equally trained and those analysts share
9 information, and I think that would be a wonderful
10 concept. And we're doing a little of that now on an
11 informal basis.

12 MR. GARCIA: Any additional comments?

13 (No response.)

14 MR. GARCIA: Okay. Moving on to E.1(g),
15 prosecutorial elements.

16 MR. MIZANI: I'm sorry. One last question if
17 you don't mind going back.

18 MR. GARCIA: No, sir. Go ahead.

19 MR. MIZANI: Bryan, you don't think this would
20 encourage the legislature to possibly, when we're going
21 year after year with the same story, hey, we need to
22 maintain these funds or possibly get more, you don't think
23 a policy like this would possibly encourage the
24 legislature to keep status quo?

25 MR. WILSON: You mean the co-location?

1 MR. MIZANI: Right.

2 MR. WILSON: I don't think so. I mean, right
3 now, going back to the document I showed you earlier about
4 the biennial plan of operation, what most people focus on
5 is the billion dollars of losses. Yes, we're making
6 progress, and I take into consideration what Mr. Reynolds
7 said earlier, but at the end of the day, this Board is
8 tasked with reducing auto theft and until we reduce it to
9 some level that it's not harming the citizens, then I
10 think that's usually going to be the proof in our pudding
11 as far as we're working together. I think generally those
12 kind of things are seen as positive, that we're taking
13 meager resources, applying it as efficiently as possible.

14 Most of the time that carries salt in the legislature, at
15 least in my experience.

16 I remember when I negotiated statewide
17 substance abuse rates and there's lots of substance
18 abusers but we could get more treatment with the few
19 dollars that we had by negotiating statewide rates.

20 MR. MIZANI: Okay. Perfect.

21 MR. WILSON: But it's always a tossup. I mean,
22 you just never know how it's going to go, you do your
23 best.

24 The last item is prosecutorial elements.

25 MR. GARCIA: Go ahead, sir.

1 MR. WILSON: So again, we're talking about six
2 full-time prosecutors or six FTE prosecutors, and the
3 question is do we want to require, as I write the request
4 for grant application, does the Board want to require that
5 they're stand-alone if we get this money, that they just
6 stand alone as their own application, do we need to be
7 included in always making sure that they're tied to the
8 City of Houston, San Antonio, Burnet, or how should I go
9 forward. Again, I can write this and bring it to you in a
10 few months, but I'd rather have had your input earlier on
11 whether you thought it's a better idea.

12 And I am in communication with the Texas
13 District and County Attorneys Association, and the new
14 president up in Potter County, Randall Sims, and they're
15 open to different ideas. Texas Department of Insurance
16 funds this model, they fund a local prosecutor within the
17 prosecutorial office, they directly contract with those.
18 In other words, they don't leave it up to a grant, they
19 just say I need one in Houston. But the president from
20 Amarillo was telling me, well, they don't get one up there
21 because there's not enough cases in the Department of
22 Insurance's mind.

23 So there's different models, and the question
24 is do you want to include this with the law enforcement
25 where Paul Heitzman or Captain Monsa are writing a grant

1 application and they're including a prosecutorial element,
2 or do we just hold that out and then do the task force
3 grants and then add in the prosecutorial elements later in
4 the process. So just needed some direction on that.

5 MR. GARCIA: My thoughts on that are probably
6 just to leave them or have them included as part of the
7 law enforcement grants because that does provide that in
8 the communication and I guess the accountability to each
9 other. And then definitely if there's a need, then I
10 think the law enforcement agency applying for the grant
11 would be able to somewhat justify that based on the
12 numbers. One less application for staff to have to review
13 and have to account for, but I guess I would leave it up
14 to the applicants themselves, whether it's a law
15 enforcement agency or the prosecutors from the county. I
16 would leave it open at this point to have that option
17 available one way or the other.

18 Comments?

19 MR. HANSEN: Well, this goes back to the deal
20 about getting the extra money. If we get the extra funds
21 and after the first year we've got increased staffing and
22 we're making more cases, then I think that's something
23 that surely could be done. We've had them before, Tarrant
24 County, Harris County, Bexar County, I think we had three
25 in the past, but then I think we reached a point where we

1 were more concerned about having warm bodies to make cases
2 to prosecute than having prosecutors and nobody to work
3 the cases. And that's kind of where we've wound up in the
4 last couple of years with the staffing issues. So I think
5 it's something that in the second year or the second two-
6 year session, if we get our right money, I think it's
7 something that surely could be considered.

8 That's something, too, that's come up with
9 prosecutorial issues, if we want to use them for multi-
10 jurisdictional cases, and in times we've had those, we've
11 had to go through the Attorney General's Office for
12 prosecution, because a lot of our cases, as we all well
13 know, are not limited to one county, they wind up in three
14 or four counties or more.

15 Thank you, sir.

16 MR. GARCIA: Any other comments?

17 (No response.)

18 MR. GARCIA: If there is none, then moving on
19 to agenda item E.2 which is grant process timing issues,
20 the legislative session and local budget development
21 cycle. Mr. Wilson.

22 MR. WILSON: This is Bryan Wilson again. I
23 didn't really pay Tommy to do that segue for me because
24 that's exactly what's at issue here.

25 So when we talk about the funding cycle, the

1 legislature will start on November 14 filing bills. Like
2 I said, we've already got some bills that are going
3 forward being written right now in the Lege Council and
4 will be filed, like the dedicated fund that we talked
5 about. But the first day of session is January 10, the
6 adjournment, or sine die, they call it, is May 29, and the
7 last day to veto a bill would be June 18.

8 Now, as many of you know, the budget cycle for
9 cities and counties -- and I'm sure there's exceptions, is
10 early in the spring and they usually have to adopt a tax
11 rate and provide funding, it's pretty much set by July and
12 August. So one of the problems, and the reason I really
13 wanted to have this discussion here today and then with
14 the task forces in a week or two, is because at the core
15 issue is the timing is pretty rough. We only get one shot
16 to do the application, to do the request for applications.

17 So some of these things have to be nailed down now if
18 we're going to include them, because if I wait until June
19 when I know what the funding is and do a round of
20 applications, the cities and counties have already made
21 their obligations for the year and they're unlikely to be
22 able to add more resources to fill out an application. So
23 it's really important that we get this right.

24 And so the general timeline, the rough timeline
25 is pretty much in middle January we have to issue a

1 request for applications that the cities and counties
2 would then go forward and talk to their jurisdictions
3 about what resources they could allocate. And then we
4 really can't make a decision based on this legislative
5 schedule until after June 18. We did it one year on June
6 27 which about the latest I think we've ever done, that
7 was my first year here.

8 So we've got this balancing act to say, well,
9 when are we going to do this. And so my strong
10 recommendation -- and again, it's not for a vote but to
11 make sure everybody is aware of the timing schedules of
12 cities and counties. I think Harris County is on some
13 kind of strange cycle -- they're not here today -- but the
14 rest of them are pretty much tax rate in the fall.

15 So keep that in mind as what Mr. Hansen said a
16 minute ago, you've got to kind of do it all at once if
17 we're going to fund, and we won't know we'll have the
18 extra money at that time -- at the time we issue the
19 request for applications, not at the time we award.

20 Go ahead.

21 MR. HANSEN: Well, in the past when -- Carlos,
22 you remember this -- we've run into this situation, and
23 particularly we've already mentioned that if we get the
24 money, the first of the biennium would be a catch-up year
25 if we focus on equipment, computers, vehicles, a lot of

1 those things for that first year and not warm bodies, then
2 it's easy to say, Well, we didn't get the money, so you're
3 not going to get five new trucks, you're going to get
4 none. And then we can move forward with the same amount
5 of money.

6 MR. WILSON: Well, let me be clear that that
7 wasn't the request to the legislature. The request to the
8 legislature is 80 additional officers, very specific
9 staff. In other words, this I not general money, it's
10 only staff, and some trucks and equipment to go with that,
11 to purchase equipment, but that's very little of the
12 funds. All the requests, as far as what this Board
13 requested of the legislature, is all staff. We don't have
14 the option under the new money to do catch-up.

15 MR. GARCIA: Any additional comments, questions
16 by other Board members on this item?

17 (No response.)

18 MR. GARCIA: If not, we'll move on to agenda
19 item 3.F, consider ABTPA Board committees, Board charges
20 and committee member appointments, where the chair may
21 appoint the committees. Mr. Wilson.

22 MR. WILSON: Thank you. This is Bryan Wilson
23 again for the record.

24 This issue has come up several times. I know
25 when I first got here, the first meeting on October 13,

1 there was a Board liaison appointment from the chair at
2 that time, and there's not been real clear charges, and
3 we've used the Board liaisons a couple of different ways.

4 What I realized, especially with ANICO's recent request,
5 that I needed some input, some Board input when we're
6 between meetings and prior to meetings so that certain
7 Board members can actually look at and ask questions and
8 review material prior to the official Board meetings.

9 So what I was talking to the chair about is it
10 would be very helpful to staff if we had some committees,
11 some true Board committees -- and this was my proposal --
12 but also that they had very clear charges. I'm not an
13 insurance professional, I've got the wonderful folks here
14 at the Comptroller's Office, Tax Policy Division, that are
15 here with us today, and they are wonderful at helping
16 guide me through the process, but quite honestly, I've
17 been in criminal justice for almost 29 years now and I
18 don't think I'm going to become an insurance professional
19 anytime in the near future. And so I would like some
20 Board members to help me review for sufficiency some of
21 these requests that are coming. Apparently with the
22 advent of House Bill 2424, they're coming more often and
23 we're getting more inquiries; now that you can go back
24 four years, some companies are doing that.

25 We've got a heavy lift in the next year for the

1 grants. I'd like some dedicated Board members that will
2 review the grants, physically read the grants and work
3 with me on setting up parameters to recommend to the full
4 Board how these grants should be awarded and some of these
5 things that I've asked you about today.

6 So that's what my request is. I have on page
7 103 and page 104 three possible committees and their
8 possible charges. It's ultimately up to the chair and to
9 this Board whether you want to form committees, and Mr.
10 Richards can advise what the posting or any legal
11 requirements concerning participation in the insurance
12 committee is. But I think it would be very helpful and
13 help us to organize more effectively.

14 MR. GARCIA: Before we move on to make any type
15 of appointments, or first and foremost solicit from the
16 Board members their voluntary participation in any of
17 these three mentioned committees which committee one would
18 be Grants, Budgets and Reports, committee two would be
19 Insurance Collections and Refund Committee, and the third
20 one would be I think it's optional at this point, not
21 optional but let's just say one more, Education and
22 Legislative Committee. But before I move on to solicit
23 voluntary participation or make the appointments, I would
24 like to have Mr. Richards, our counsel, kind of give us
25 some guidance in regards to more along the lines of

1 posting public meetings or not, so on and so forth.

2 MR. RICHARDS: Thank you, Mr. Chairman. David
3 Richards, general counsel.

4 You have two choices, members. One, if you
5 establish a committee, then you clearly, in my opinion,
6 would be subject to the Open Meetings Act and would need
7 to post that agenda which would allow any member of the
8 public to come, stakeholder or otherwise. If you
9 establish a working group, for example, that sort of
10 framework would not require a posting under the Open
11 Meetings Act, in my opinion.

12 Again, you want to consider stakeholder
13 involvement or dedicated individuals. You can go either
14 way, it's just that there's a distinction being made
15 between an open meeting and complying with the Open
16 Meetings Act if you establish a committee versus, say, a
17 working group or a task force. So those are the two
18 options you have to look at.

19 MR. HANSEN: If we do the open meeting, then
20 obviously the grantees can sit in on those. Correct?

21 MR. RICHARDS: Yes, sir, that's correct.

22 MR. HANSEN: If we do the other way, yes or no?

23 MR. RICHARDS: If you go the ad hoc or working
24 group, then yes, you would not have to invite the
25 grantees, it would just be a working group that consists

1 of the members of that working group.

2 MR. HANSEN: But we could legally invite them.

3 MR. RICHARDS: We could, sure.

4 MR. HANSEN: Or if we wanted to have several
5 from different groups on the different committees as well,
6 that's okay to do that?

7 MR. RICHARDS: We could as well. That's
8 correct.

9 MR. HANSEN: Because I think input from the
10 grantees is most important.

11 MR. RICHARDS: I think you want it as
12 transparent as possible. We're an agency of a government
13 that believes in open government, and it just really
14 depends on the legal requirements of posting for people
15 who may not be interested but are also members of the
16 public.

17 MR. GARCIA: Okay. I'm looking for comments or
18 discussion from the Board members on which way you want to
19 go. Do you want to go with committees or working groups?

20 Mr. Wilson, what would you recommend? Your
21 thoughts were more along the committee members?

22 MR. WILSON: I have worked for other boards in
23 the past that we've had committees and we posted meetings,
24 but the vetting of the specific detail, these grants are
25 complicated and can be complicated, the insurance, as Mr.

1 Delgado spoke earlier, this was a particular product line
2 that was particularly complicated, and I would appreciate
3 the ability to vet this. My preference has always been
4 open meetings and having members and public input, whether
5 it be task force or members of the public, to be able to
6 know what we're going to talk about, post it out and have
7 the discussion, and participate in that open forum.

8 I think this Board could benefit greatly,
9 especially regarding grants, even if you only did one, the
10 Grants and Budget and Reports, those are three statutory
11 things that we're required to do, so if you want to start
12 with one, the one that I need the most is Grants, Budget
13 and Reports, because right now I'm writing the reports and
14 turning them in and not really getting a lot of input from
15 the Board. But like I said, I got hit the other day with
16 the insurance thing. It would be nice to have somebody to
17 vet this with and see is this a good enough report to meet
18 that requirement.

19 MR. GARCIA: Okay. Comments, discussion, Board
20 members?

21 MR. HANSEN: Well, I think we already saw the
22 benefit of having a stakeholders meeting, having it open,
23 so I think whatever concept we use to make it readily
24 available for our stakeholders of insurance, law
25 enforcement, prosecutors, whoever to be able to attend, so

1 whatever format it is, I think we need to keep that
2 considered.

3 MR. GARCIA: So if we go the route of committee
4 members, that would be strictly for Board members?

5 MR. WILSON: That's correct to my
6 understanding.

7 Just to give a quick example. This is Bryan
8 Wilson. The training work group that we put together, I
9 assembled that on my own, it doesn't really require Board
10 action. Like when DPS announced that they weren't going
11 to be able to do the training, I got with the chief and I
12 proceeded with Mr. Lohmann and DPS, Mr. Reynolds and
13 others to start putting together a work group to get that
14 designed. Mr. Harbeson, back there, helped with that
15 project.

16 So again, we don't need any action if you just
17 want to do a work group and I'll just better coordinate
18 for grants and things like that. But if you're interested
19 in doing the committee approach where I can actually
20 officially vet ideas, reports, things like that, I think
21 it would be more helpful to this Board because that way
22 your peers reviewed the material, thought about it, had
23 two bites at it to make a recommendation to the full
24 Board.

25 MR. GARCIA: At this point I'll be asking for

1 volunteers from the Board to serve on any of those three
2 committees.

3 MR. MIZANI: Chief, I'd be happy to serve on
4 the second committee, collections and refunds.

5 MR. HANSEN: I'll gladly do education and
6 legislative.

7 MR. REYNOLDS: I'll do the grant committee.

8 MS. KINNEY: I could do the education and
9 legislative also.

10 MR. GARCIA: Okay. Mr. Ross, that leaves you.

11 MR. ROSS: I'd kind of be a floater between
12 education and insurance.

13 MR. GARCIA: Floater, like both, one?

14 MR. ROSS: Both of them, as needed.

15 MR. HANSEN: I'll also help on the first one.

16 MR. GARCIA: Having three on one committee?

17 MR. RICHARDS: Three is fine.

18 MR. GARCIA: We're good. And I will be
19 available as a sounding board. You do it every day.

20 MR. WILSON: Every day?

21 (General laughter.)

22 MR. GARCIA: Well almost.

23 Any other additional discussion or comments
24 from the Board members?

25 (No response.)

1 MR. GARCIA: If there is none, then we'll move
2 on to agenda item 2, the director's report, which is 2.A,
3 B, C, D, E, F and G. And we'll start with Mr. Bryan
4 Wilson.

5 You want to take a break? We've got a motion
6 here to take a break, second. Ten minutes. It is 10:42,
7 ten minutes, so we'll be back at 10:52.

8 (Whereupon, a brief recess was taken.)

9 MR. GARCIA: We are ready to reconvene this
10 meeting of the ABTPA Board, and it is 10:53, according to
11 my watch.

12 Agenda item number 2, director's report, Mr.
13 Bryan Wilson, including designated staff, reporting on
14 ABTPA related activities identified by the director as
15 noteworthy which may include reports on budget, grant
16 activities and analysis, grant adjustments, education
17 programs and marketing, agency operations, personnel
18 updates and monitoring. Mr. Wilson.

19 MR. WILSON: Thank you, Chief Garcia. This is
20 Bryan Wilson, for the record.

21 I wanted to cover on page 11, going back to the
22 front of the book now, page 11 of your meeting notebook.
23 Just wanted to give you a kind of high overview of the
24 budget. Unfortunately, I introduced a few months ago
25 Diane Thomas; she'll be leaving the agency and we'll have

1 a replacement coming shortly, but we appreciate the
2 Financial Services Division and all the support that they
3 give us on a regular basis.

4 So as of 9/30/2016, the top table, again on
5 page 11, you can see our breakdowns. Of course, a lot of
6 these expenditures are now finished except for the grants.

7 The advertising and promotion, I think that's going to
8 fold over into next year. Remember at the May meeting we
9 obligated an additional \$800,000 anticipating that we are
10 going to lapse those funds, and so we obligated that into
11 the current fiscal year.

12 So we still have about \$5.9 million. The \$5
13 million that hasn't been paid is the last quarter the
14 grantees will be submitting. Now, for the last quarter,
15 that is still alarming to me. Some of it is like, I know
16 Tarrant County, Burnet County, they have kind of a lapsed
17 time where they have these other jurisdictions that are
18 turning in payroll and so they need a little additional
19 time. So some of that is to be expected, but it is
20 continuing to be high. We have a statutory requirement
21 that grantees cannot expend more than one-third of their
22 expenditures in the last quarter, so we're continuing to
23 watch that. That is a state law set by the Appropriations
24 Act, and so we need to continue to watch out for that, and
25 some of the jurisdictions are pushing that line, and so we

1 just try to encourage all the grantees to make sure that
2 they allocate the resources.

3 It's particularly puzzling when you think about
4 that, as we reported to the legislature in April, that 85
5 percent of our expenses are staff, so that means that they
6 should be falling out pretty heavily one quarter at a
7 time. Like I said, there's exceptions where we have
8 regional grants that are being paid later in the year. In
9 other words, we didn't really spend that money in the last
10 quarter, we're just paying it out in the last quarter, the
11 obligation was actually made at the beginning of the year
12 with those jurisdictions.

13 So I'm just letting you know I'm keeping an eye
14 on that. I sometimes get concerned that grantees are
15 pushing the line. If they're going to buy trucks, they
16 should buy them early in the year, not later in the year,
17 if they're going to buy resources, they should do it early
18 in the year so they don't bump up against that statute.

19 So the next thing on AY '17 is the bottom half
20 of that, and as you see, as I told you in the last
21 meeting, we'll have about a million dollars, and it turns
22 out that I was just eyeballing it back then but now we
23 know about what it is, it's \$1.2 million in unencumbered
24 funds into this year. Now, I'm not going to ask for any
25 work to be done now, but I want you to keep in mind that

1 this is part of our strategy going forward.

2 So play out the scenarios just real quickly on
3 a high level, if we get additional funding that we ask
4 for, then this \$1.2 million can kind of address what Mr.
5 Hansen mentioned earlier. This would be a million that we
6 could obligate in this year, because remember, by June
7 we'll know whether we have money, and so this money could
8 then be used in the allocation to catch individuals up or
9 do some sort of grant award, or supplemental, I think it
10 used to be called, and that would help the current
11 grantees make sure that they have resources before we get
12 into the new cycle. Okay?

13 If we got no money, say we take the 4 percent
14 cut, this money could then be obligated, just like we did
15 the \$800,000. We could obligate it in this year for FY
16 '18 so that at least the hit that we would take in the 4
17 percent cut for one year would not be as bad going forward
18 and we could maintain roughly the strength that we needed.

19 So again, this is part of the strategy trying to figure
20 out what to do. We'll be back with you later. Of course,
21 you could decide or direct me to prepare a supplemental
22 for the next meeting and then we would issue that and go
23 ahead and spend it right away. But then we would lose the
24 opportunities that would be gained under other scenarios.

25 Okay?

1 MR. GARCIA: So that's on budget?

2 MR. WILSON: That's it on budget. Thank you.

3 MR. GARCIA: Item 2.B, grant activities and
4 analysis.

5 MS. DOMINGUEZ: My name is Mary Dominguez. I
6 am the grant coordinator for the Automobile Burglary and
7 Theft Prevention Authority.

8 On page 13 you have a snapshot of the FY '15
9 and '16 statutory requirements that have been reported by
10 the grant recipients. This year we're really focused on
11 the three statutory requirements for motor vehicle theft
12 that we're required to track and report by statute. As
13 you can see, there has been an increase in each of the
14 categories in recovered stolen vehicles, cleared motor
15 vehicle cases and arrests of motor vehicle theft.

16 And at the bottom of the chart we have a
17 snapshot of the FY '16 progress report. And moving on to
18 page 14 and 15, we actually have a breakdown on each of
19 the grantees, and it shows the FY '15 and '16 data. Just
20 note that down where you see Brownsville it has pending,
21 it doesn't show any information, but I just want to let
22 you know that we did get their information but we had
23 already put our book together, but we do have their
24 information if anyone needs a copy of it.

25 And if no one has any questions pertaining to

1 this report, I'll go ahead and turn it over to Dominic.

2 MR. GONZALES: My name is Dominic Gonzales, I'm
3 a grant coordinator also, and I'd like to speak for a
4 moment about an example of the ABTPA staff working with
5 the grant recipients to encourage collaboration and also
6 to meet our requirement to help combat vehicles crossing
7 the border, to help prevent stolen vehicles from crossing
8 the border.

9 Each month ABTPA conducts webinars with
10 grantees to do grant administrative training or to provide
11 an opportunity for grant recipients to exchange intel and
12 to encourage collaboration. As we've been traveling the
13 state, one of the key questions that we ask grant
14 recipients is are you calling other task forces or how are
15 you working with them, and we did not get a lot of
16 definitive answers about that so we knew that that was an
17 area that we needed to continue to emphasize and continue
18 to find ways to encourage.

19 Toward the end of August 2016, we began
20 receiving reports from Laredo about increased cartel
21 activity, and as I mentioned, that's one of the major
22 statutory mandates of ABTPA, to combat stolen vehicles
23 from crossing the border. When the program staff from
24 Laredo indicated that they needed help from other grant
25 recipients to increase their capacity to meet this part of

1 our mission, we responded by helping them to coordinate
2 specific communication related to this, and on September
3 20 we hosted the first border intel webinar to provide an
4 orientation about recent developments, to gather input
5 from grant recipients about what they're doing, and to get
6 ideas about what can be done to combat this increased
7 activity.

8 The following grant recipients participated:
9 Brownsville, Corpus Christi, San Antonio, Eagle Pass,
10 Victoria, also NICB and representatives from Fuginet
11 participated. Travis County, which operates 17 counties,
12 many of them along the I-35 corridor, participated. And
13 some of the outcomes from this very first webinar were
14 that San Antonio and El Paso engaged with fusion centers
15 to develop and distribute periodic hot lists of stolen
16 vehicles that might be headed down to the border. The
17 Travis County program began collaborating immediately with
18 the Laredo program, and within a week they were working on
19 a multi-jurisdictional pattern crime case that involved
20 two major Texas gangs. Victoria volunteered to help and
21 they're coordinating on a license plate reader operation.

22 And finally, ABTPA staff was able to help the
23 Laredo program address a jurisdictional issue and ensure
24 that they could maintain their access to a DPS trooper
25 with auto theft experience. And we thank Board Member

1 Reynolds for assisting on that because that was a critical
2 matter for this operation.

3 We will host a second border intel webinar next
4 week and I've just reported on this because it's a major
5 step towards encouraging collaboration and a major step
6 toward combating the crossing of stolen vehicles across
7 the border. Thank you.

8 MS. DOMINGUEZ: This is Mary Dominguez.

9 On page 17 there's a summary of grant
10 adjustments for all of FY '16. Since we have streamlined
11 our process, allowing the grantees more flexibility to
12 move funds from one budget category to another and
13 transfer funds among direct cost categories not to exceed
14 5 percent of the total grant budget, there has been a
15 decrease in grant adjustments. In FY '16 there was a
16 total of 20 grant adjustments, in FY '15 we had 55, so
17 we've made great improvement in our grant adjustments.

18 Does anyone have any questions?

19 MR. MIZANI: Mary, just one question, and maybe
20 for Bryan as well. Have we had any conversations with
21 grantees as far as if more funding was available what
22 those numbers could potentially look like in comparison?

23 MS. DOMINGUEZ: In reference to grant
24 adjustments?

25 MR. MIZANI: In reference to what we're seeing,

1 right, in reference to their past fiscal year. I mean, I
2 know we're going to be going to the legislature, so do we
3 prepare that, is that something within our purview?

4 MR. WILSON: Well, I'm glad you asked that. We
5 haven't set targets on those. In the past, or at least in
6 the past few years, I found some old documents where these
7 measures were routinely kept, but then in the last two or
8 three years, these are the three statutory measures -- or
9 five statutory measure, technically, because there's
10 cleared cases on burglary and motor vehicle theft, you
11 only recoveries in motor vehicle theft, and then you have
12 people arrested for those two crimes. So I went to the
13 Board before you got here and said, We really need to
14 collect these. So at this point this is our first shot to
15 collect the raw data.

16 Now, the statute says rate, so in other words,
17 to be able to calculate a rate, what I have to be able to
18 do, I have to know -- like an attorney, the percentage
19 that you would win is based on how many you had. We don't
20 have the universe because not everybody has had the common
21 language of the collection. Some of these numbers don't
22 make sense and we need to look into that more.

23 But going forward, what we're trying to do is
24 build a pattern of at least we know how many cases we
25 cleared. Even if I can't calculate how many cases is that

1 out of all the cases that you had available, but I'm
2 starting with this kind of crawl before you can walk.
3 What we are required to do is show an increase, and what
4 we see on page 13 is overall, ABTPA, pretty much most of
5 the grantees, we have increased the number of cases
6 cleared -- the cases, not the rate.

7 Now, an interesting thing, DPS came out about
8 two weeks ago -- Wynn, correct me if I'm wrong -- a few
9 weeks ago they came out with the Crime in Texas 2015, and
10 the statewide clearance rate on motor vehicle theft is
11 only about 12 percent or a little bit less than 12
12 percent. So that's our next job is that now that we know
13 what the numbers are, we need to start collecting and
14 getting our grantees to help us figure out what is the
15 rate so we can compare where we are.

16 Now, going into the legislative session, that
17 would be a big win if we could demonstrate that our task
18 forces have a clearance rate of 15 percent, 13 percent, 20
19 percent, compared to overall, but that's going to be a big
20 leap between now and January, so I don't know that we'll
21 be there but we're going to work on it and see if we can
22 figure out how to move forward.

23 Thank you for the question.

24 MR. MIZANI: They were bored over here so they
25 told me to ask some questions.

1 (General laughter.)

2 MR. GARCIA: Next one is education programs and
3 marketing.

4 MR. GONZALES: This is Dominic. I'm a grant
5 coordinator.

6 Page 19 has a summarization on what grantees
7 accomplished in FY '16, and as I mentioned from the very
8 beginning, they outperformed and exceeded their targets in
9 the number of outreaches, the number of events, the number
10 of VIN etchings that were conducted, and the number of
11 report card initiatives, and that's very impressive.

12 And moving on to page 20, ABTPA staff developed
13 a bilingual five tips card and has begun receiving those
14 and distributing those. Those were printed recently. And
15 we also refreshed the coloring and activity book that was
16 published in 2016. This will be ready for distribution
17 before the FY '17 holiday season, and we plan on
18 distributing 40,000 copies.

19 On page 21 you'll see language for a
20 translation of the 25 tips to avoid being a victim of
21 automobile crime, and we have included this because
22 anybody that has input. I did actually receive input from
23 Spanish-speaking agents in the field to use the best
24 language that would be most clearly understood and could
25 be used the best way. But I like to be sure that these

1 Spanish translations are accurate, so if anyone has any
2 expertise in this and wants to take a look, please get in
3 touch with me and I will make edits as needed.

4 That concludes my report.

5 MR. GARCIA: Thank you, sir.

6 Agenda item 2.E, agency operations. Number 1
7 is insurance auto theft fee collection update, and the
8 grant software procurement update. So the first one, Mr.
9 Dan Price.

10 MR. PRICE: My name is Dan Price. I am the
11 ABTPA grant auditor.

12 I'll refer you to page 25. Back in early 2016,
13 the contract with the Comptroller's Office was
14 renegotiated. This provided context for increased
15 visibility, more clarity and cooperation between ABTPA and
16 the Comptroller's Office. At that time we were provided
17 with a copy of the Comptroller's collection letter that
18 they send out when somebody has not filed the appropriate
19 reports regarding the ABTPA fee. And we also got a list
20 of folks, insurance companies who have not filed the
21 appropriate reports.

22 At the May 18, 2016 ABTPA Board meeting, the
23 Board authorized Bryan, the ABTPA director, so that he
24 could notify the insurance companies that have not paid
25 the ABTPA fee. Bryan decided on a two-pronged approach to

1 educate insurance companies on what we do, as well as what
2 the fee requirements are in cooperation with the Insurance
3 Council of Texas, and direct contact with the companies
4 who have not filed. The director consulted with our
5 Board's insurance representatives who felt that this was a
6 good approach. The letter that Bryan has drafted and sent
7 is on page 26.

8 In addition to the non-filer list that the
9 Comptroller provided, we were provided a list of motor
10 vehicle premiums reported on Form 72100. That is on page
11 28. There's a form where all insurance companies are
12 required to report the premiums that they have charged in
13 the State of Texas by line. So line 3 there is for motor
14 vehicles, so if they're reporting premium on line 3, we
15 would expect them to have premium owed for the ABTPA fee.

16 The insurance report, when it was correlated between this
17 form 72100 and the ABTPA fee, revealed that there were 41
18 companies who were reporting a total of over \$85 million
19 in income with zero years of coverage and no ABTPA fees
20 that have been reported.

21 If we go next to page 29, this is a sample of a
22 draft educational article that we are working on with the
23 Texas Insurance Council to have them publish to their
24 members.

25 Do we have any other questions at this time?

1 MR. GARCIA: Any comments or questions from the
2 Board members for Mr. Price?

3 (No response.)

4 MR. GARCIA: If not, we'll move on to grant
5 software procurement update.

6 MS. MENOSKEY: This is Mary Menoskey. I'm the
7 executive assistant for ABTPA. I'm just going to give you
8 an update on the grant software procurement.

9 During the February Board meeting, we presented
10 a statement of work for the system, and during the May
11 meeting was approved to issue a request for offer for the
12 system. So we've now sent in the requisition to our
13 purchasing department for procurement of the system. This
14 procurement has been designated as a software service, and
15 under the Texas Government Code, it requires our
16 purchasing department to enter the statement of work into
17 the Department of Information Resources portal. So we
18 sent in a revised statement of work in September to match
19 the template so it goes into the DIR's portal correctly.

20 The purchasing department said they will enter
21 the statement into the portal next week after they've
22 finished their review. The DIR then has 30 days to
23 complete the review and the statement of work will be sent
24 out to vendors. Interested vendors will then respond and
25 will move into the evaluation and negotiation phase, and

1 that can last a week to 90 days, depending on how many
2 interested vendors there are. If there's just a few, it
3 can just by a week. And then once the vendor is chosen,
4 we'll do a purchase order and the work can begin. And
5 that's it.

6 MR. GARCIA: Comments, questions from the Board
7 members?

8 (No response.)

9 MR. GARCIA: If there is none, then we'll move
10 on to agenda item 2.F, personnel updates. Mr. Wilson.

11 MR. WILSON: I just wanted to tell you that on
12 every front that we're doing our best to be well trained
13 ourselves and encourage training among all of our auto
14 theft teams. Page 35 is some of the presentations that we
15 have done so far this year; we're continuing to do those.
16 I think Dominic has one in October, and we have actually
17 two or three more coming up in the next few weeks.

18 And then also, Mary has been trained on travel,
19 we've sent Dan and Mary Dominguez to the Grant Auditors
20 conference, so we're doing everything we can to make sure
21 that we maintain a highly cooperative and trained
22 organization to make you proud.

23 The other thing, Joshua Hernandez was our
24 intern this year, and he wrote a report and it's unedited,
25 it's out there for you to review to see how good or how

1 bad we did. But I always require anybody that interns
2 with us to make sure that they write us a report so we
3 know how they did.

4 MR. GARCIA: Comments from the Board?

5 (No response.)

6 MR. GARCIA: If there is none, moving on to
7 item 2.G, monitoring, site visits and monitoring visits.

8 MR. PRICE: Hi. This is Dan Price again.
9 Since I'm the last item on the agenda, this will be brief.

10 We have completed five full monitoring and six
11 regular site visits. When we add in the test visits that
12 were done at the beginning of this, we have actually
13 visited over half of the grantees this year, which was our
14 objective.

15 Currently we are getting our arms around what
16 our grantees are doing and how they work. I have written
17 specific observations on page 38 and page 39 of your
18 report books. We're also learning a lot more about the
19 obstacles that they face and the concerns that they are
20 having in their daily tasks and jobs.

21 So that's kind of the real high level on it.
22 We've gotten some very positive feedback. The improved
23 communication and face-to-face communication has made
24 significant improvements with them understanding the
25 grants requirements and what we're looking for, as well as

1 helping us to understand the obstacles that they face with
2 some of the requests that we make to them, so that's a
3 very positive thing.

4 MR. GARCIA: Mr. Price, in regards to the
5 visits, the observations, things that need improvement,
6 are you sharing those with the rest of the grantees to
7 ensure that -- not so much identifying any grantee in
8 particular of what they weren't doing but more along the
9 lines to educate the rest of the grantees, some of the
10 common things we're finding here.

11 MR. PRICE: So we do have monthly grantee
12 meetings, and if we notice a trend in any particular area
13 where we either haven't communicated well or they're not
14 able to understand or even to do what we've asked, we will
15 bring those up on a monthly basis. So every month there
16 is a section regarding financial reporting and auditing
17 and those types of things, and we discuss the hot topics
18 at that time.

19 MR. GARCIA: Good.

20 MR. WILSON: Chief, if you don't mind, I'll
21 just add one thing to what Dan is saying. We hadn't done
22 monitoring at all, and so we've tested it, we've tried to
23 figure out, we're doing what Dan says. But I think in the
24 future we'll get better at making sure we communicate
25 specifics of those kinds of things that are helpful. I

1 mean, sometimes it's a grantee-specific issue and so, of
2 course, that's not going to carry forward beyond what that
3 jurisdiction is doing. But we are always looking, and we
4 will get better in the future, at being able to
5 communicate anything that we see that we think would help
6 everybody else, both good and bad.

7 MR. GARCIA: Thank you, sir.

8 Comments, questions from the Board to Mr.
9 Price?

10 MR. HANSEN: This is Member Hansen.

11 Would it be feasible, particularly for our non
12 law enforcement Board members, if they so wished to go on
13 a site visit so that they could share some of the things
14 that you're learning themselves directly?

15 MR. PRICE: Absolutely.

16 MR. HANSEN: I mean, is that something that can
17 be done?

18 MR. RICHARDS: Sure.

19 MR. HANSEN: I just think it would be a good
20 opportunity for the non law enforcement people to be able
21 to get a better feel for the situations and dilemmas that
22 we face on both sides of the fence.

23 MR. PRICE: Absolutely. It's normally most of
24 the day but as their scheduled we're happy to provide the
25 Board with those dates, and you're welcome to accompany

1 us. Sure.

2 MR. HANSEN: Food for thought.

3 MR. GARCIA: Any additional comments or
4 questions for Mr. Price?

5 MR. HANSEN: Mr. Chair, could we go back to 2.B
6 for a minute?

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

8 MR. HANSEN: On Dominic's thing on the border
9 issues, I just wanted to share some information with the
10 grantees and the Board that are very important to the
11 export issues that are in the making right now. Currently
12 through the years, a lot of the export records on vehicles
13 have been coming from Customs to NICB, and that is in the
14 process of being changed to NMVTIS, the National Motor
15 Vehicle Title Information System, which is under DOJ,
16 which means that the records will be going from one
17 federal agency to another, but eventually you're going to
18 be able to track export records through that.

19 And the last thing that came up as a result of
20 the ATPA committee that IAATI has put together, that's
21 really blossomed into a productive program, it's become
22 well recognized in more recent years -- and this is really
23 most important to Beaumont, Houston, Corpus, Galveston and
24 Brownsville areas -- is that in years past they had a
25 cross-designation program where local officers could get

1 Customs authority and not have to have Customs there to do
2 export checks and check vehicles on the ports, but that
3 went away after 9/11. So now for Houston or anybody else
4 to do that, there's a whole lot of paperwork we have to
5 deal with and logistical issues to be able to go onto the
6 ports and examine vehicles, equipment and things that are
7 outbound.

8 All the other federal agencies now do that,
9 DEA, FBI, ATF, U.S. Marshals, and Customs is the only
10 outcast. We were recently in communications with them,
11 and I've been tasked through the IAATI ATPA committee to
12 come up with some communications with Washington to try to
13 get that back online, to get cross-designation or cross-
14 authority for some of the task forces along the coast, not
15 so much for the land borders, the seacoast ports. There's
16 a vetting process and there's a background process because
17 you get full authority of that federal agency, but it
18 might allow us to give our people that authority so they
19 don't have to go through all the red tape with U.S.
20 Customs to go out and do outbound container checks or
21 roll-on/roll-off checks at the different ports.

22 So that goes hand in hand with your outbound
23 topic, and I wanted to share that, and that's all fresh
24 from just the IAATI conference.

25 Thank you, Mr. Chairman.

1 MR. GARCIA: Thank you, Mr. Hansen.

2 Yes, sir.

3 MR. MIZANI: One question on 2.E, if you don't
4 mind, and Dan, you covered it. On page 27 the last bullet
5 point we had was that we sent a letter, non-compliance
6 letter to the current non-filers. Have we heard back?

7 MR. PRICE: That was about a week ago and we've
8 had one has come back with questions about that.

9 MR. MIZANI: And then from that point, when we
10 do then get in contact with the State Board of Insurance?

11 MR. WILSON: Can I speak to that? I know Dan
12 was moving along pretty fast. The two-pronged approach is
13 education through the Insurance Council of Texas and
14 working through their associations to educate them about
15 this fee and their responsibility to pay it. The second
16 prong is to go through a formal notification process.

17 So what I've done now, and I intentionally did
18 not send a certified letter. The Comptroller sent out a
19 letter. I think they got ten filers after we said we were
20 going to send out a letter, they sent out and got ten more
21 filers. We sent out a letter Thursday, late Thursday, so
22 probably went out Friday so they would have got it Monday
23 or Tuesday. That was just a letter saying you need to
24 take care of this, one comment so far, and we anticipate a
25 few more.

1 At that point, what I'm going to do to each one
2 of them is send out a certified letter. I just didn't
3 want to incur the cost. You know, if you can get the milk
4 for free, don't buy a cow. But now we're going to send a
5 certified letter, I was going to wait about three weeks
6 for a reasonable time to get through a corporate office
7 and back down to a contact, and then we'll check and the
8 ones that remain at that point will get a certified letter
9 saying we are considering further action on your case.
10 And remember our statute -- you probably already know
11 this -- it says this Board shall notify the Texas
12 Department of Insurance and they may revoke the insurer's
13 certificate of insurance.

14 So what we're going to do at this point is once
15 we do the certified letter, whenever we have the next
16 Board meeting, we might bring -- hopefully we're not going
17 to bring seventy but we'll bring ten or fifteen if they
18 don't pay or they won't respond, and we'll submit that to
19 the Board of Insurance.

20 Now, we're reaching out to TDI to see if
21 there's some confusion or whatever, so we're not going to
22 be doing this in a vacuum, we're working through the
23 process to make sure we don't just do some sort of major
24 interruptus. But the reality is, you know, Mr. Delgado
25 back here and other insurers who pay that fee and have

1 gone out of their way, we're just trying to make sure that
2 the law is applied equally to everybody, and that's our
3 process.

4 MR. HANSEN: Mr. Wilson, do we anticipate that
5 this could possibly generate additional funds for the
6 program?

7 MR. WILSON: Well, so far the only thing I'm
8 dealing with is non-filers. What Dan mentioned in his
9 report to you is there's another population out there of
10 people who have paid taxes, who reported paying taxes for
11 motor vehicle insurance but are showing zero on ABTPA
12 fees. After we do this first level, we've got to go to
13 the next level, and then the third level, I'm working
14 through David Richards's office, is to work with TDI
15 because there's another report out there called vehicles
16 in force that insurers are required to file with TDI, and
17 then we also want to compare how many vehicles insurers
18 are claiming that they're insuring.

19 So there's actually several more steps that I
20 have to do, but I thought I'd start with the low fruit and
21 that is non-filers, people who are registered to sell
22 insurance but haven't filed with the Comptroller. And
23 then we move into the ones who filed but claimed no ABTPA
24 fees, and then we move to the third group.

25 I appreciate the Comptroller's staff being here

1 today, Lisa Davis and her coworkers over there on the
2 second row. I know everybody can't see them but we
3 appreciate them coming and supporting us. But that's who
4 we're working with and other agencies, and we'll continue
5 to work with TDI, Texas Department of Insurance.

6 MR. PRICE: So Tommy, I'm not sure he answered
7 your question 100 percent. There's one little point I
8 wanted to add, and that is that over the last few years
9 our appropriations remained fixed. The fee collections
10 have gone up for the state and they have retained that
11 money, so it's up to the legislature to determine if the
12 additional funds are raised whether they will filter down
13 to us.

14 MR. HANSEN: I know there's no guarantee that
15 we're going to get anything, I'm just asking if there is a
16 remote chance that there could be some additional funds
17 available for collection.

18 MR. PRICE: Absolutely.

19 MR. HANSEN: Then we have to fight the battle
20 of what we get.

21 MR. WILSON: There's a very good likelihood
22 that there will be more money than \$44-1/2 million that we
23 collected last year as a result of our actions.

24 MR. GARCIA: Good. Any additional comments
25 from the Board?

1 (No response.)

2 MR. GARCIA: Before we move on to agenda item 4
3 and 5, Mr. Richard Hale, are you good?

4 (Response from audience.)

5 MR. GARCIA: You're good. All right, sir.
6 Thank you.

7 Executive session, we have none?

8 MR. RICHARDS: No, sir.

9 MR. GARCIA: All right. Moving on to item 5,
10 none in regards to action items from executive session,
11 and number 6 is adjournment, so I need a motion and a
12 second on that.

13 MS. KINNEY: So moved.

14 MR. REYNOLDS: Second.

15 MR. GARCIA: Motion and a second. All those in
16 favor say aye.

17 (A chorus of ayes.)

18 MR. GARCIA: We stand adjourned. Thank you
19 all. Have a safe trip back.

20 (Whereupon, at 11:29 a.m., the meeting was
21 adjourned.)

