

AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM
AUSTIN, TEXAS 78731
THURSDAY, OCTOBER 3, 2019
8:00 A.M.

THIS MEETING WILL BE VIA VIDEOCONFERENCE

THE PUBLIC PHYSICAL LOCATION WITH PRESIDING OFFICER:

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

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

- 1. Roll Call and Establishment of Quorum**
- 2. Pledges of Allegiance - U.S. and Texas**
- 3. Chair's Reports - Chairman Treviño**
 - A. Appointment of a Member to Act in the Absence of the Chair and the Vice Chair under Transportation Code, §1001.023(b)(9)
 - B. Proposed 2020 Board Meeting Schedule
- 4. Executive Director's Reports - Whitney Brewster**
 - A. TxDMV Organizational Assessment Project Update
 - B. Awards, Recognition of Years of Service, and Announcements
- Introduction of Chief of Information Security, Angel Cruz

CONTESTED CASE

- 5. Rehearing: Denial of Renewal Application, Revocation of General Distinguishing Number (GDN), Revocation of Salvage Licenses, and Appeal to SOAH under Occupations Code, §§53.021-53.023 and 2301.251(a), Transportation Code, §503.038(a)(7); and 43 Texas Administrative Code §215.88(i), (j), and §221.112. MVD Docket Nos. 17-0178350 (GDN Case), 17-0178352 (Salvage Case), and 19-0000505 (Salvage Case), SOAH Docket Nos. 608-18-2228.ENF and 608-18-2229.ENF; *Texas Department of Motor Vehicles, Enforcement Division v. Discount Auto Brokers, LLC* - Daniel Avitia and Heather Pierce**

COMMITTEE ITEM

6. Advisory Committee Appointments - Whitney Brewster

RULE - ADOPTION

7. Chapter 217, Vehicle Titles and Registration - Jeremiah Kuntz

New, §217.75

(Relating to SB 604, providing Registration and Title System and fraud training and updating statutory citations)

(Proposal Published August 23, 2019 - 44 Tex. Reg. 4465)

RULES - PROPOSAL

8. Chapter 217, Vehicle Titles and Registration - Jeremiah Kuntz and Tim Menke

New, §§217.76-217.78

(Relating to suspension or denial of access to the Registration and Title System)

9. New, Chapter 223, Compliance and Investigations Division - Tim Menke

(Relating to county tax assessor-collector reporting of suspected fraud, waste, or abuse and implementation of Sunset Advisory Commission's Recommendation 2.2)

BRIEFINGS AND ACTION ITEMS

10. Specialty Plate Design - Jeremiah Kuntz

Baylor University, Redesign proposed by My Plates under Transportation Code, §504.851

11. Finance and Audit

A. Delegation of Authority to the Executive Director for the Execution of the Specialty License Plate Marketing Contract - Jeremiah Kuntz

B. Delegation of Authority to the Executive Director for the Execution of the Dallas/Carrollton Regional Service Center Commercial Property Lease Renewal - Linda M. Flores

C. FY 2019 Fourth Quarter Financial Report - Linda M. Flores and Sergio Rey (BRIEFING ONLY)

D. Procurement and Contract Management Audit Update - Linda M. Flores (BRIEFING ONLY)

E. Internal Audit Charter - Sandra Menjivar-Suddeath

F. Internal Audit Division Status Report - Sandra Menjivar-Suddeath (BRIEFINGS ONLY)

- FY 2019 Quality Assurance and Improvement Program Report

- FY 2019 Annual Audit Report

EXECUTIVE SESSION

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

- **Section 551.071** - Consultation with and advice from legal counsel regarding:
 - pending or contemplated litigation, or a settlement offer;
 - a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Government Code, Chapter 551; or
 - any item on this agenda.

- **Section 551.074** - Personnel matters.
 - Discussion relating to the appointment, employment, evaluation, reassignment, duties, discipline, and dismissal of personnel.
 - Executive Director compensation, in accordance with Article VII, General Appropriations Act, HB 1, 86th Legislature, Regular Session, 2019

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

- **Section 551.089** - Deliberation Regarding Security Devices or Security Audits; Closed Meeting.
 - security assessments or deployments relating to information resources technology;
 - network security information as described by Section 2059.055(b); or
 - the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.

13. Action Item from Executive Session Executive Director Compensation

14. Public Comment

15. Adjournment

The Board will allow an open comment period to receive public comment on any agenda item or other matter that is under the jurisdiction of the Board. No action will be taken on matters that are not part of the agenda for the meeting. For subjects that are not otherwise part of the agenda for the meeting, Board members may respond in accordance with Government Code, Section 551.042 and consider the feasibility of placing the matter on the agenda for a future meeting. In accordance with 43 Texas Administrative Code §206.22, any person wishing to address the Board must complete a speaker's form at the registration table prior to the agenda item being taken up by the Board. Public comment will only be accepted in person. Each speaker will be limited to three minutes and time allotted to one speaker may not be reassigned to another speaker.

Agenda items may be presented by the named presenters or other TxDMV staff.

Pursuant to Sections 30.06 and 30.07, Penal Code (trespass by license holder with a concealed or openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun or a handgun that is carried openly.

Any individual with a disability who plans to attend this meeting and requires auxiliary aids or services should notify the department as far in advance as possible, but no less than two days in advance, so that appropriate arrangements can be made. Contact Carrie Fortner by telephone at (512) 465-3044.

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

CERTIFYING OFFICIAL: Tracey Beaver, General Counsel, (512) 465-5665.