

AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM
AUSTIN, TEXAS 78731
THURSDAY, AUGUST 5, 2021
9:00 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

Link to August 5, 2021, TxDMV Board Meeting Documents:
<https://www.txdmv.gov/about-us/txdmv-board-meetings>

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, Board member or other personnel as needed. The Board reserves the right to discuss any items in closed session where authorized by the Open Meetings Act.

- 1. Roll Call and Establishment of Quorum**
- 2. Pledges of Allegiance - U.S. and Texas**
- 3. Chair's Reports - Chairman Bacarisse**
 - A. Introduction of New Board Members Christian Alvarado and Sharla Omumu
 - B. Board Committee Appointments
 - C. Recognition of Guillermo "Memo" Treviño
- 4. Executive Director's Reports - Whitney Brewster**
 - A. Projects Update
 - Call Center Upgrade
 - County Learning Management System (LMS)
 - Certified Copy of Texas Title Batch Printing Initiative
 - Registration and Title System (RTS) Enhancement
 - Owner-Retained Programming Enhancement
 - TxPROS Map Update
 - Cyber Security Training Completion
 - B. Execution of Amendment No. 2 to the Contract with Southwest Research

Institute (SwRI) for Commercial Vehicle Information Exchange Window Services

- C. Introduction of New Director of Purchasing
- D. Introduction of New Chief Information Security Officer Will Hilton
- E. Awards, Recognition of Years of Service, and Announcements
 - Recognition of Linda M. Flores
 - Recognition of Caroline Love

CONTESTED CASES

- 5. **Consideration and Approval of Proposed Final Order on Enforcement Case *Texas Department of Motor Vehicles v. Jay Enterprise dba M&M Auto Sales*; MVD Docket 20-0007398.ENF., SOAH Docket No. 608-20-3330.ENF. (ACTION ITEM) - Brian Ge and Karen Meisel**
- 6. **Consideration and Approval of Proposed Final Order on Enforcement Case *Texas Department of Motor Vehicles v. Boss Exotics*; MVD Docket No. 17-0075684.ENF., SOAH Docket No. 608-20-0460.ENF. (ACTION ITEM) - Brian Ge and Heather Pierce**
- 7. **Consideration and Approval in the matter of the license application of *Peacedavies International LLC*; MVD Docket 19-0003764.ENF., SOAH Docket No. 608-19-5377.ENF. (ACTION ITEM) - Monique Johnston**

RULE PROPOSAL

- 8. **Chapter 217, Vehicle Titles and Registration - Roland Luna, Sr. (ACTION ITEM)**
Amendments, §217.41
(Relating to SB 792, Relating to specialty license plates and parking placards for vehicles of certain disabled veterans)

BRIEFING AND ACTION ITEMS

- 9. **Specialty Plate Designs - Roland Luna, Sr. (ACTION ITEMS)**
 - A. University of Texas at San Antonio - New Design proposed by License Plates of Texas, LLC under Transportation Code §504.851
 - B. Love Heart Black - New Design proposed by License Plates of Texas, LLC under Transportation Code §504.851
 - C. Louisiana State University - Crossover Design proposed under Transportation Code §504.6011 and §504.851
 - D. Mississippi State University - Redesign proposed under Transportation Code §504.851

10. **Advisory Committee Appointments** - Whitney Brewster
 - Customer Service Advisory Committee (CSAC) (ACTION ITEM)
 - Motor Carrier Regulation Advisory Committee (MCRAC) (ACTION ITEM)
 - Motor Vehicle Industry Regulation Advisory Committee (MVIRAC) (ACTION ITEM)

11. **Finance and Audit Committee Update - Committee Chair Brett Graham**
 - A. TxDOT Interagency Contract FY 2022-2023 - Whitney Brewster (ACTION ITEM)
 - B. San Antonio Lease - Ann Pierce and Roland Luna, Sr. (ACTION ITEM)
 - C. FY 2022 Recommended Annual Operating Budget - Sergio Rey and John Ralston (ACTION ITEM)
 - D. Third Quarter Financial Report ending May 31, 2021 - Sergio Rey (BRIEFING ONLY)
 - E. Texas Comptroller of Public Accounts Post-Payment Audit of TxDMV - Sergio Rey and Sandra Menjivar-Suddeath (BRIEFING ONLY)
 - F. FY 2022 First Six-Month Internal Audit Plan and Risk Assessment Report - Sandra Menjivar-Suddeath and Jason Gonzalez (ACTION ITEM)
 - G. Internal Audit Division Status Update - Sandra Menjivar-Suddeath (BRIEFING ONLY)
 - Peer Review Report

12. **Vice-Chair Election** (ACTION ITEM)

13. **Appointment of a Member to Act in the Absence of the Chair and the Vice-Chair under Transportation Code §1001.023(b)(9)** - Chairman Bacarisse (BRIEFING ONLY)

CLOSED SESSION

14. **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.
 - Discussion relating to TxDMV dispute resolution process and recent EEOC complaints and internal Civil Rights Office complaints.

- Performance evaluation of Internal Auditor, including any modifications to compensation.

Section 551.076 - Deliberation Regarding Security Devices or Security Audits.

- the deployment, or specific occasions for implementation, of security personnel or devices; or
- a security audit.

Section 551.089 - Deliberation Regarding Security Devices or Security Audits.

- security assessments or deployments relating to information resources technology;
- network security information as described by Government Code Section 2059.055(b); or
- the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.

15. Action Items from Closed Session

Performance evaluation of Internal Auditor, including any modifications to compensation

16. Public Comment

17. Adjournment

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

If you would like to comment on any agenda item (including an open comment under Item #16), you must complete a speaker's form at the registration table prior to the agenda item being taken up by the Board or send an email to GCO_General@txdmv.gov to register by providing the required information prior to the agenda item being taken up by the Board:

1. a completed [Public Comment Registration Form](#); or
2. the following information:
 - a. the agenda item you wish to comment on;
 - b. your name;
 - c. your address (optional), including your city, state, and zip code; and
 - d. who you are representing.

Public comment will only be accepted in person. Each speaker will be limited to three minutes, and time allotted to one speaker may not be reassigned to another speaker.

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

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.

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.