

AGENDA
BOARD MEETING
TEXAS DEPARTMENT OF MOTOR VEHICLES
4000 JACKSON AVE., BUILDING 1, LONE STAR ROOM
AUSTIN, TEXAS 78731
THURSDAY, FEBRUARY 4, 2016
8:00 A.M.

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. The Board reserves the right to discuss any items in executive session where authorized by the Open Meetings Act.

1. CALL TO ORDER

- A. Roll Call and Establishment of Quorum

- B. Public Comment

- C. Comments, Announcements, and Action from Chair, Board Members, and Executive Director
 - 1. Executive Director Reports - Whitney Brewster
 - a. Quarterly Report on Key Performance Indicator Measures
 - b. Texas Veterans Commission Recognition of Special Plates Staff
 - c. Agency Anti-Fraud, Waste, and Abuse Initiatives
 - d. Registration and Titling System (RTS) Refactoring
 - e. 2016 Survey of Employee Engagement Response
 - f. Performance Quality Recognition Program

 - 2. Chair Reports - Laura Ryan
 - a. Motor Vehicle License Advisory Committee Member Appointments
 - b. Chair's Report to the Governor on the State of Affairs of the Texas Department of Motor Vehicles
 - c. Appointment of a Member to Act in the Absence of the Chair and the Vice Chair Pursuant to Transportation Code, §1001.023(b)(9)

2. EXECUTIVE SESSION

- A. **Section 551.071** - Consultation with and advice from legal counsel regarding:
 - 1. pending or contemplated litigation, or a settlement offer;
 - 2. 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
 - 3. any item on this agenda.

B. Section 551.074 - Personnel matters.

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

3. ACTION ITEMS FROM EXECUTIVE SESSION

4. REPORTS

A. Finance & Audit

1. Quarterly Financial Report - Linda M. Flores and Renita Bankhead
2. FY 2015 End of Year Reports - Linda M. Flores and Sergio Rey
 - a. Annual Financial Report
 - b. Annual Report of Nonfinancial Data
3. Internal Audit Division Status - Sandra Vice
 - a. Internal Audit Division Status Report - February 2016
 - b. Report on Implementing an Anti-Fraud, Waste, and Abuse Program, TxDMV 16-2

B. Projects & Operations - Member Blake Ingram

1. Enterprise Projects Quarterly Report - Judy Sandberg
2. My Plates Contract Performance Update - Jeremiah Kuntz

C. Legislative & Public Affairs - Caroline Love

1. 84th Legislative Implementation
2. Looking Ahead: 85th Legislature

5. ACTION ITEMS

A. Contracts - Jimmy Archer

1. Texas Permitting & Routing Optimization System (TxPROS) Website Hosting Maintenance - Request for Offers for a New TxPROS Hosting and Maintenance Contract
2. Explore Contract for Texas International Registration Plan (TxIRP), Performance and Registration Information Systems Management (PRISM), and Fleet Registration (Renewal)

B. Specialty Plate Design - Jeremiah Kuntz

Childhood Cancer Awareness (New Non-Vendor Plate)

C. Contested Case - Proposal for Decision

Denial of Dealer License Under Occupations Code, Section 53.025 and 43 Texas Administrative Code, Section 215.88(b)(1) and (i)(1) – Daniel Avitia and Michael Cady

MVD Docket No. 15-1370-ENF - SOAH Docket No. 608-15-4847.ENF;
Texas Department of Motor Vehicles v. Fela F. Koleoso D/B/A American Auto Buyers Club

D. Rules

1. Adoption of Rules under Title 43, Texas Administrative Code

a. Chapter 206, Management - David D. Duncan

Section 206.93, Advisory Committee Operations and Procedures
New Section 206.94, Household Goods Rules Advisory Committee (HGRAC)
New Section 206.95, Motor Vehicle License Advisory Committee (MVLAC)
(Proposal Published December 4, 2015 - 40 TexReg 8746)

b. Chapter 210, Contract Management - Linda M. Flores and David Chambers

New Section 210.3, Enhanced Contract Monitoring Program
(Proposal Published December 4, 2015 - 40 TexReg 8747)

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

Section 217.3, Motor Vehicle Titles
(Proposal Published December 4, 2015 - 40 TexReg 8748)

2. Proposal of Rules under Title 43, Texas Administrative Code

Chapter 215, Motor Vehicle Distribution - David D. Duncan, Daniel Avitia, and Bill Harbeson

Rule Review, Government Code, §2001.039
Repeals/Amendments
New Section 215.160, Duty to Identify Motor Vehicles Offered for Sale as a Rebuilt

6. 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.

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 Stacy Steenken by telephone at (512) 302-2380.

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

CERTIFYING OFFICIAL: David D. Duncan, General Counsel, (512) 465-5665.