

LICENSE PLATE AUCTION GROUP

April 30, 2012

Minutes to the Meeting

Attendance: Maren Rubino, Gary Sanford, Mark Simon, Dennis Dunsmore, Rich Medina, Dave Ferrill, Jonathan Oliver, Bob Gall; attendance by telephone: Maurice Knaizer (Office of Attorney General)

**CONVENE:**

The meeting was convened by Maren and in her introductory comments she noted that there is now an "Auction Group" section on the Department of Revenue website [sequence is "Motor Vehicles" to "License Plates" to "License Plate Auction Group"].

Approval of Minutes

Dave mentioned that he would have two sets of minutes (April 13<sup>th</sup> and 30<sup>th</sup> prior to the next meeting.

**NEW BUSINESS:**

List of Reserved Plates

Maren explained that she reserved 61 of the 138 combinations discussed earlier by the committee.

Purchasing Requirements

Gary explained that he spoke to a fiscal officer and was informed there is no need to do a competitive bid.

Budget (No report as Gina was unable to attend; will have the report at the next meeting.)

**OLD BUSINESS:**

Project Management Resources

Rich noted that he plans to have a resource person available at the next LPAG meeting and will have costs/time lines and other information at the following meeting.

Update on Auction Website

Bob noted he learned that a Texas firm operates under contract to provide that state's specialty plate system. In effect, a personal actually "rents" the plate for three to five years. Mark noted that would kill a possible secondary market. Bob responded that he would get a response from Texas for the next meeting. Gary suggested we take both a short- and long-term perspective: get underway with an early auction of a few plates to generate some revenue. Rich noted his agreement, adding that this would provide an opportunity for some early PR events. Mark suggested Texas might give us some insight by explaining what they would do differently if they were starting anew. Bob agreed to include that question when he speaks to them. Rich noted (later in the meeting) that, on the matter of a collaborative website, John Conley from SIPA (State Internet Portal Authority) had agreed to join us for a future meeting.

Update on Project Manager Resource

Rich explained that this task was proving to be a real challenge; there were no volunteers when he initiated a conversation in his department. He did suggest there might be an option. Mark observed that the Cross-Disability Coalition or the Colorado Nonprofit Association might be possible sources of candidates.

Legal Questions

Maurice said we appear to be in compliance with notification procedures as required by the Open Meetings Law. Gary mentioned he would put Lorez Meinhold from the Governor's Office in touch with Maurice concerning billing for consultation from the AG's office. Bob asked if, because he is a volunteer consultant, there might be any legal consideration concerning his work with the group. Maurice asked if there was any

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contract for his services; Bob replied there is none. Maurice said it's an interesting question, which he will research. Bob cited the legislation, which granted permission for consultation services, and Mark noted that "gifts, grants and donations" are also authorized. Maren suggested we resume this conversation at a future meeting.

#### Legislative Update

Mark explained that SB 170 is out of committee; there is some fiscal impact for the 36 additional plates.

#### Marketing Strategies

Gary stated he has researched some sports names that might be marketable on the auction market and Gina has suggested some from NASCAR, which are not now on the list of combinations. He also said he planned to resume a conversation with Kathy Green (OEDIT marketing director) about the initial launch of our campaign. Maren asked Maurice about the frequency of revisions to the list; Maurice noted the statute provides for "not more often than once every six months." Maren suggested we hold onto all our lists of new possibilities for the next six-month window. Gary asked if we can post onto the website those already reserved and Maren answered in the affirmative.

Gary observed that the conversation with Kathy Green about sports personalities who might lend their high-profile stature to our marketing efforts might be considered for an executive session. Bob asked if it would be possible for him to join that conversation. Dave suggested a meeting could be organized at the OEDIT offices, just on marketing issues. Rich added that the launch will be quite important and that an executive session might be the best way to have that free-wheeling conversation. Gary noted the idea of having a celebrity do an auction of a plate. Bob asked if we might consider a "buy it now" technique, before it goes to auction, as is done on some auction websites. Maurice noted that would probably be acceptable.

Mark inquired about the tax-deductibility of plate purchases, as some of the proceeds *are* for a charitable purpose. Maurice noted that, as a state agency, the issue is how the IRS would view our program. There was committee discussion of how license plate costs now work and the fact that some are taxable and some not. Gary added that the tax-exempt question was one Kathy Green raised. Maurice said he would check with a knowledgeable person in his office.

Jon raised the issue of the Pro Cycling Challenge and the fact that a bicycle-themed plate already exists, and Maren responded there currently are special event license plates. Dave mentioned that the Colorado Tourism Office (in OEDIT) is closely involved in the Challenge, as it is in the new event called "Pedal the Plains." Gary noted there are a number of special interest groups like college booster organizations, car clubs, and the like.

Maren concluded the conversation by noting that a subcommittee meeting for a marketing discussion would need to have advance notice, as with all meetings of the LPAG, and that an executive session would require two-thirds majority vote. Dave suggested we might consider this meeting as a "committee of the whole," with the entire membership of the LPAG being invited. Gary said he would work with Dave in getting this organized in the near future.

#### **ADJOURNMENT**

Maren suggested the marketing discussion, along with the conversation with Dylan Ikenouye about fleet plates, could be on the agenda for the next meeting, which is scheduled for Monday, May 21. Mark noted there is also a need to discuss fine-tuning of the Group's legislative authorization.

Maren adjourned the meeting at 11:38 a.m.

Submitted – Dave Ferrill, Secretary

## LICENSE PLATE AUCTION GROUP

April 13, 2012

### Minutes to the Meeting

Attendance: Gary Sanford, Maren Rubino, Mark Simon, Dennis Dunsmore, Rich Medina, Dave Ferrill, Bob Gall (volunteer)

Attendance by telephone: Gina Robinson, Jonathan Oliver, Maurice Knaizer (Office of Attorney General)

### Election of Officers

The LPAG adopted the following:

- On a motion from the committee Maren was nominated as Executive Director/Chair of the LPAG; the motion carried without objection.
- Rich moved to postpone the election of the Vice Executive Director until more members could be in attendance; the motion carried without objection.
- Gina was nominated to serve as the controller/treasurer for the Group and that motion carried without objection.
- Dave Ferrill volunteered to be a candidate for Secretary, with Gary Sanford serving as back-up; the motion carried without objection.
- A question was raised about the need for a legislative liaison for the LPAG. Maurice noted that the Group does not have statutory authority to fill that position, so we would work through the Governor's Office for that function. As well, each of the executive departments represented on the LPAG had legislative liaisons who could help provide that capability.

### Meeting Schedule

The committee selected a regular meeting date of the final Monday of the month from 10:00am – Noon, except on occasions when that date falls on a holiday.

### Open Meeting Requirements

Maurice presented an overview of state statutes concerning open meetings, with the following points being made:

- The LPAG is a state public body and subject to all provisions of the law.
- If there is to be a conversation on public business between two or more LPAG members, that meeting must have proper advance notice published, perhaps by posting at the Capitol or Department of Revenue. Gary noted that might also be accomplished on the revised website for the Governor's Office.
- Mark inquired about the "Governmental Deliberative Process Exemption"; Maurice replied this is for sensitive issues (personnel matters, property purchases, etc.), but advance notice must be given concerning when and for what reason the committee will be going into executive session. He also explained that a two-thirds vote of the committee was required (that would be five affirmative votes from the LPAG).
- Rich asked if a "public collaboration website" would be acceptable as a forum for an exchange of ideas; Maurice replied that would be permissible, if it were accessible to the public. Rich offered to explore some option on that capability.

### Internet Auction Site

Rich observed that he was unsure about the LPAG being prepared for that resource at this point. However, he has made arrangement to bring in a person with expertise on the matter to provide a presentation to the group. Maren suggested it would be timely to at least begin that conversation. Gary added this will be one of the big initial expenses for the Group. Rich concluded with an offer to have someone join us for the next meeting.

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Bob explained that Texas uses [myplates.com](http://myplates.com) for their auction function. He contacted the PBS affiliate, which indicated an interest in hosting an auction. Gary suggested we talk to the Texas people about a possible collaboration with them during our start-up phase. Bob agreed to follow-up with the Texas people.

#### Budget

Gina, selected earlier in the meeting as the Group's fiscal resources, noted that this subject appeared on the agenda, but would require very little by way of a report: the currently have zero!

#### Legal Issues

Dave raised a question about the "proprietary" nature of possible names/combinations the LPAG create, but which could be compromised if that information were to be available to the public. Maurice responded that we could use that as a basis for an executive session, provided the public notice requirement is satisfied. Dave continued with a question about having standard "blanket" language to the effect that "the LPAG may go into executive session as situations warrant." Maurice replied that such standard language would be permissible.

Dave asked a question in the "market research" arena about the possibility that customers' ideas be submitted to the auction pool. Mark noted that was specifically prohibited while the statute was being considered by the legislature.

There was also discussion of "retired" combinations, which Maren agreed to research, though do not track "rejected" combinations. She also reminded the group that the department does not have FTE for this project. Gary remarked to Gina that we will probably want to consider this issue for both Revenue and for the AG's Office.

#### Legislative Update

Mark gave the committee a report about SB 170, currently being considered in the Local Affairs Committee, about which he will continue to keep the LPAG informed. Maren noted the bill will have a fiscal note, thought Mark replied he does not think that will be an issue.

#### Marketing

Gary reported to the committee about the meeting with Kathy Green, Communications and Marketing Director for OEDIT, and her ideas about such issues as corporate support, use of a media personality for publicity purposes and the possibility of accessing *pro bono* support from private-sector PR/advertising agencies.

#### Initial License Plate Recommendations

Concerning the initial set of possible combinations circulated to members, a question was raised – relative to the discussion about the Open Records Law – whether the committee should commence this discussion now. Rich suggested we could begin the process of reserving these options. Maurice reminded the committee that the statute has a restriction about doing this "only every six months," but that the Department of Revenue could probably waive that restriction. Maren replied that she would grant that waiver.

The earlier list of combinations – see [attached](#) – was discussed, with a number of other suggestions being offered by members. Maren agreed to report back at a subsequent meeting about which they were able to reserve.

#### Adjournment

The meeting adjourned at 3:05 p.m., with the next meeting to be April 30 at 10:00 a.m.

Submitted – Dave Ferrill, Secretary