

AGENDA

**Public Safety Commission Meeting
Friday, October 23, 2009, 10:30 a.m.
Criminal Law Enforcement Auditorium
6100 Guadalupe, Bldg E
Austin, TX 78752**

The Public Safety Commission will convene as posted to consider and take formal action, if necessary, on the following agenda items:

- I. CALL TO ORDER**
- II. APPROVAL OF MINUTES**
- III. PUBLIC COMMENT** (members of the public wishing to address the Commission are subject to a time limit of 5 minutes and must complete a Public Comment Registration Card located at the entry table)
- IV. DIRECTOR'S REPORT**
- V. ADJOURN INTO EXECUTIVE SESSION** (if required) to consult with legal counsel regarding pending or contemplated litigation or settlement offers or to receive legal advice on items posted on this agenda; deliberation regarding real estate matters; consideration of any other items authorized by law, including personnel matters, the Directors action of discharging employees as identified in this agenda; ongoing criminal investigations

Interview and deliberate regarding applicants for position of Office of Inspector General as authorized under Government Code 551.074

RECONVENE

- VI. NEW BUSINESS**
 - A.** Report, discussion and possible action pursuant to Government Code 411.062 relating to the Commission's authorization of the Director to determine and impose necessary measures to protect the safety of persons and property within the Capitol Complex
 - B.** Report, discussion and possible action on recipient eligibility of Purple Heart award
 - C.** Report and discussion and possible action on the statewide DPS tactical training center in Williamson County.
 - D.** Report, discussion and possible action on Departmental proposal for policy on integrity expectations for employee conduct
 - E.** Report and discussion on Border Prosecutor Partnership with DPS
 - F.** Report, discussion and possible action on procedures for appointing and monitoring the status of specially commissioned persons under Government Code 411.023 and 411.024 as well as Code of Criminal Procedure Articles 2.121 and 2.125:

1. Review and commissioning process for retired and former Department personnel
 2. Review and commissioning process for persons not retired or previously employed by the Department
- G.** Report, discussion and possible action on DPS Recruitment

VII. ONGOING BUSINESS

Reports, discussion and possible action regarding the following:

- A.** Report, discussion and possible action regarding the recruitment policy committee
- B.** Report, discussion and possible action on the appointment of an Inspector General
- C.** Report, discussion and possible action on equipment and armor
- D.** Discussion and possible action regarding purchases using seized funds
- E.** Report, discussion and possible action approving the implementation of a Contract Review Board to include:
 1. The designation of a Commission member to serve on the Contract Review Board, with an alternate appointee designated to serve upon the unavailability of the first designated member to participate at meeting (s);
 2. The Commission approving an exception to the current Contract Review Policy adopted October 16, 2008 to allow for exigent circumstances approval of certain procurements through the action of the Contract Review Board and designated Commission member
- F.** Report, discussion and possible action regarding security measures for the Department
- G.** Update report, discussion and possible action on 75th "Diamond Jubilee" Anniversary of the Department from the Diamond Jubilee Committee

VIII. REPORTS

- A.** Commission member reports and discussion
- B.** Budget Matters
- C.** Audit & Inspection Report
- D.** Division status reports on activities and action

IX. CONSENT ITEMS

The following items may be discussed and acted upon in a single motion or discussed separately as determined by the Commission

- A.** Discussion and possible action on the Director's action of discharging probationary employee: Cary Brown
- B.** Discussion and possible action on appointments of Special Rangers and Special Texas Rangers pursuant to Government Code chapter 411, Secs. 411.023 & 411.024: Special Rangers – Gregory S. Bedford, Robert G. Bourland, Ruben R. Elizondo, Paul K. Frazier, Bradley T. Hardin, Caroline Y. Knauth, Rodney W. Knox, Gilbert S. Lozano, Rosendo L. Martinez, James D. Murray, Richard Pinon, Albert Rodriguez, and Douglas Vance; Special Texas Rangers - Lance D. Coleman, Israel Pacheco, Jr., and Ray G. Ramon
- C.** Report, discussion, and possible action by the Commission regarding modification and transformation of the DPS organizational structure approval of personnel placements and salaries pursuant to Government Code chapter 411, Secs. 411.005, 411.006 and 411.0071

- D. Contracts for discussion, review and possible action by Commission :
 - 1. Review of pending contract: Information subscription service (Dallas Computer Services, Inc.)
- E. Discussion and possible action on proposed amendments to Rule 3.171, 37 TAC Sec. 3.171 regarding Parking and Traffic Administration
- F. Discussion and possible action on proposed repeal of Rule 13.86, 37 TAC Sec. 13.86, regarding Controlled Substances
- G. Discussion and possible action on proposed amendments to Chapter 13: Rules 13.1, 13.7, 13.10, 13.21, 13.25, 13.26, 13.28, 13.30, 13.71 – 13.73, 13.75, 13.76, 13.86 – 13.99, 13.131 – 13.134, 13.137, 13.161, 13.182, 13.208, 13.233, 13.234, 13.237, 13.253, 13.254, 13.272 – 13.276, 13.278, 13.301, and 13.304, 37 TAC Secs. 13.1, 13.7, 13.10, 13.21, 13.25, 13.26, 13.28, 13.30, 13.71 – 13.73, 13.75, 13.76, 13.86 – 13.99, 13.131 – 13.134, 13.137, 13.161, 13.182, 13.208, 13.233, 13.234, 13.237, 13.253, 13.254, 13.272 – 13.276, 13.278, 13.301, and 13.304, regarding Controlled Substances

X. ITEMS FOR FUTURE AGENDAS

XI. DATE FOR FUTURE MEETINGS

XII. ADJOURN

The Commission may take items out of the order in which they are posted on this agenda. Also, an item that has been adopted, passed upon, delayed or tabled for a later meeting may be considered or reconsidered at the same meeting.

The Public Safety Commission may meet and discuss in Executive Session and have action taken in an Open Meeting where required on the following items:

Government Code Sec. 551.071 Consultation and deliberation with legal counsel about pending or contemplated litigation or a settlement offer, or on a matter where the Commissioners seek the advice of their attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, and to discuss the Open Meetings Act and the Administrative Procedures Act with their attorney

Government Code Sec. 551.074 Appointment, employment, evaluation, reassignment, duties, discipline or dismissal of director, assistant director, and persons appointed to management team positions pursuant to Govt. Code Sec. 411.0071

Government Code Sec. 551.076 Deliberations about security audits, security devices, including deployment and implementation of security personnel and devices

Government Code Chapter 411, Sec. 411.0041 Ongoing criminal investigations

Government Code Sec. 551.072 Deliberation of the purchase, exchange, lease, or value of real property, if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person

Government Code Sec. 551.073 Deliberation of a negotiated contract for a prospective gift or donation to the state or the governmental body if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person