

AGENDA
Public Safety Commission Meeting
October 13, 2016
6100 Guadalupe, Building 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. PRESENTATIONS

IV. 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. Should a member of the public bring an item to the Commission for which the subject was not posted on the agenda of the meeting, state law provides that the Commission may receive the information but cannot act upon it at the meeting. The Commission may direct staff to contact the requestor or request that the issue be placed on a future agenda for discussion.)

V. DIRECTORS REPORT

A. Case Update

B. Operation Secure Texas Update

VI. NEW BUSINESS

A. Report, discussion, and possible action on the following rule proposals for publication to receive public comment:

1. Repeal and proposed new 37 TAC Section 15.7, concerning Occupational License (Essential Need)
2. Amendments to 37 TAC Section 15.30, concerning Identification Certificates
3. Amendments to 37 TAC 15.36, concerning Applications for Duplicates and Corrections
4. Repeal and proposed new 37 TAC Section 15.59, concerning Alternate Methods for Driver License Transactions
5. Amendment to 37 TAC Section 23.5, concerning Vehicle Inspection Station and

Vehicle Inspector Disqualifying Criminal Offenses

6. Amendments to 37 TAC Chapter 12, concerning Compassionate-Use/Low-THC Cannabis Program
 - (a) Amendments to 37 TAC Sections 12.1 – 12.4, 12.7, 12.8 and proposed new Section 12.9, concerning General Provisions
 - (b) Amendments to 37 TAC Sections 12.11, 12.14, and 12.15, concerning Application and Renewal
 - (c) Amendments to 37 TAC Section 12.21 and Section 12.23, concerning Compliance and Enforcement
 - (d) Amendments to 37 TAC Section 12.31 – 12.34, concerning Security
 - (e) Amendments to 37 TAC Section 12.41 and Section 12.42, concerning Compassionate-Use Registry
- B.** Intelligence Threat Briefing (Clearance Required – Executive Session Expected)

VII. ONGOING BUSINESS

- A.** Report, discussion, and possible adoption of the following previously published rules:
 1. Repeal of 37 TAC Chapter 13, Subchapters A – E and H – N and proposed new Subchapters A – D, concerning Controlled Substances Program
 2. Amendments to 37 TAC Section 23.41 and Section 23.42, concerning Vehicle Inspection Items, Procedures, and Requirements
 3. New 37 TAC Sections 27.171 – 27.174, concerning Criminal History Clearinghouse
- B.** Update report, discussion and possible action regarding recruitment
- 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.** Report, discussion, and possible action regarding the appointment, promotion, ratification, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team
- E.** Report, discussion, and possible action regarding ongoing criminal investigations pursuant to Government Code § 411.0041 (Executive Session anticipated)

VIII. REPORTS

- A.** Commission member reports and discussion
- B.** Finance Report
- C.** Chief Auditors Office
- D.** Division status reports on activities and action

IX. CONSENT ITEMS

All of the following items may be enacted with one motion. These items are typically self-explanatory or have been previously considered by the Commission. There will be no separate discussion of these items unless a commissioner so requests.

- A.** Advice and consent regarding director’s determination that a certain probationary employee was found unsuitable for work during September 2016
- B.** Discussion and possible action on appointments of and renewals of Special Rangers and Special Texas Rangers pursuant to Government Code Chapter 411, Secs. 411.023 & 411.024: Special Rangers: Gary W. Cornett, Jamie R. Duke, Kevin L. Galyon, Robert J. Hawkins, Timothy B. Kelm, Enrique Muniz, Kenneth E. Musick, Johnny E. Prince, Ronald C. Richey, Gerald P. Salas; Special Texas Rangers: Ronald E. Duff and Leslie B. Long
- C.** Donations:
 - 1. One (1) Percheron Horse, Duncan – Region 7, Capitol Complex
 - 2. Use of Needmore Ranch – Ranger Company “D”
 - 3. Use of Beaver Creek Ranch – Ranger Company “F”
 - 4. Use of Kinsel Ranch – Regional Commanders
 - 5. Additional donation items, as needed

X. ITEMS FOR FUTURE AGENDA

XI. DATE FOR FUTURE MEETING

Any discharge hearings will be scheduled on December 14, 2016, and the regular Public Safety Commission meeting is scheduled for December 15, 2016.

XII. 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 director’s action of discharging employees as identified in this agenda; ongoing criminal investigations

XIII. 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 government 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