

AGENDA
Public Safety Commission Meeting
March 31, 2010 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)
- IV. DIRECTORS REPORT**
- V. NEW BUSINESS**
 - A.** Discharge appeal hearing and possible action regarding DPS employee Joseph Garcia
 - B.** Report, discussion and possible action on DPS sexual harassment policy
 - C.** Report, discussion and possible action regarding services, staffing and funding of the Office of Inspector General
 - 1.** Hotline
 - 2.** Staffing/budget
 - D.** Report, discussion, and possible action on construction of a building and facilities through the Texas Public Finance Authority, pursuant to the General Appropriations Act, Art. IX, §17.11 and Article V (Department of Public Safety), Rider #57, 81st Legislature, R.S. (2009) (Construction of a Crime Lab in Laredo)
- VI. 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
- VII. ONGOING BUSINESS**

Reports, discussion and possible action regarding the following

 - A.** Update report, discussion and possible action on appointment of Director of Audit and Review position per GC411.242
 - B.** Update 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

- C. Update report, discussion and possible action regarding the status of building safety and security at the DPS campus on North Lamar
- D. Report, discussion and possible action on the Fiscal Year 2010-11 Operating Budget
- E. Report, discussion and possible action regarding purchases using seized funds
- F. Update Report, discussion and possible action regarding recruitment
- G. Discussion and possible action on the scheduling of the Driver Responsibility Program (DRP) proposed rule Public Hearing
- H. 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. Finance Report
- 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 Directors action of discharging probationary employees Robert Lerma and David Hartley
- 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 (DPS) James L. Blodgett, Arlyn H. Heathington, and Walter P. Mezynski; (Texas and Southwestern Cattle Raisers Association) Harold L. Dempsey
- C. Discussion and possible action on proposed rules for publication
 1. Proposed amendments to Rule 1.231, 37 TAC Sec. 1.231, regarding Procedures for Vendor Protests of Procurements
 2. Proposed amendments to Rule 15.89, 37 TAC Sec. 15.89, regarding Moving Violations
 3. Proposed repeal of Rules 28.171-28.175, 37 TAC Secs. 28.171-28.175 and proposed New Rules 28.181-28.185, 37 TAC Secs. 28.181-28.185, regarding Preservation of Biological Evidence
 4. Proposed new Rule 36.1-36.21, 37 TAC Secs. 36.1-36.21, regarding Metals Registration
- D. Review of pending Contracts
 1. Synthetic Oil (Amsoil)
 2. Emergency Facility Support Services (BCFS Health and Human Services)
 3. Space Segment Acquisition and Resolution of Claim (Hughes Network Systems, LLC)
 4. Satellite HUB Services and Maintenance and Resolution of Claim (Hughes Network Systems, LLC)
 5. Electronic Prescription Transmission System (Atlantic Associates, Inc.)

X. ITEMS FOR FUTURE AGENDA

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