

**AGENDA**  
**Public Safety Commission Meeting**  
**June 17, 2010 9:00 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. DIRECTOR'S REPORT**
- V. NEW BUSINESS**
  - A.** Discharge appeal hearing and possible action regarding DPS employee Debra Bohn
  - B.** Report, discussion and possible action regarding naming of the State Operations Center in honor of the late Jack Colley
  - C.** Discussion and possible action on appointment of Interim Chief or person to serve in senior leadership position title for the Texas Division of Emergency Management and related agreements on interim basis
  - D.** Discussion and possible action regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team
  - E.** Report, discussion and possible action on 28-day work cycle
  - F.** Report, discussion and possible action on Overtime and Compensatory Time policy
  - G.** Report, discussion and possible action on Department hiring freeze
  - H.** Report, discussion and possible action regarding proposed amendment of rules provisions, 37 Tex Admin. Code Section 3.1(a) and 3.4(a) (4) (c) regarding responsibility of the Department to investigate rural motor vehicle crashes occurring on places other than public highways.
    - 1. Report, discussion and possible action on special finding regarding application of practicability of THP responses to crashes in rural area parking lots;
    - 2. Report, discussion and possible action on proposed rules provisions amendments to 37 Tex Admin. Code Section 3.1(a) and 3.4(a) (4) (c).
  - I.** Review of pending contract renewals
    - 1. Renewal of blanket order for Rifle, M-4 Bushmaster and Magazines (GT Distributors Inc)
    - 2. Renewal of blanket order for Police Shotgun, Mossberg M590A1 (GT Distributors Inc)

**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 Director's 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 to include AD of Drivers License appointment pursuant to Government Code chapter 411, Secs. 411.005, 411.006 and 411.0071
- C. Report, discussion and possible action regarding report on sexual harassment policy refresher course
- D. Discussion of public comment concerning proposed repeal of rule 15.163, 37 Tex Admin. Code Section 15.163 and proposed new rule 15.163, 37 Tex Admin. Code Section 15.163 regarding Amnesty, Incentive and Indigence Programs
- E. Update report, discussion and possible action regarding the status of building safety and security at the DPS campus on North Lamar
- F. Report, discussion and possible action on the Fiscal Year 2010-11 Operating Budget
- G. Report, discussion and possible action regarding purchases using seized funds
- H. Update Report, discussion and possible action regarding recruitment
- I. Update report, discussion and possible action on 75<sup>th</sup> "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**

- A. Discussion and possible action on the Director's Action of discharging probationary employee Penny Torres
- 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 D. Bourland, Michael Epstein, Robert Garza, Johnny Hardeman, Robert E. Ralls, Dan G. Webb, Shawn Scott Walsh and from the Texas and Southwestern Cattle Raisers Association: Larry W. Hand
- C. Report, discussion and possible action on adoption of:
  - 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

**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