

AGENDA
Public Safety Commission Meeting
February 22, 2011 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

The Commission will go to the Crime Lab for the Dedication at this time

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.** Report, discussion and possible action regarding Continuance Plan at the Department of Public Safety
- B.** Report, discussion and possible action regarding creation of a foundation to benefit the Texas Department of Public Safety
- C.** Report, discussion and possible action on the Department of Public Safety gift policy and reporting requirements
- D.** Report, discussion and possible action on TxDOT median dividers and effectiveness in deterring vehicles crossing over and law enforcement turn around areas
- E.** Report, discussion and possible action regarding the adoption of proposed amendments to Private Security Rules: 35.46, 37 TAC Sec. 35.46, concerning Guidelines for Disqualifying Convictions; Rule 35.93, 37 TAC Sec. 35.93, concerning Penalty Range; Rule 35.142, 37 TAC Sec. 35.142, concerning Application for a Security Officer Commission; Rule 35.181, 37 TAC Sec. 35.181, concerning Employment Requirements; Rule 35.186, 37 TAC Sec. 35.186, concerning Registration Applications; Rule 35.292, 37 TAC Sec. 35.292, concerning Requirements for Continuing Education Courses
- F.** Review of pending contract renewals/change order/award
 - 1. Helicopter Simulator Training (ERA Training Center)
 - 2. Helicopter Maintenance (RAMS Aviation)
 - 3. Helicopter Maintenance (Superior Aviation Services, Inc)
 - 4. Helicopter Flight Training (American Eurocopter Corporation)
 - 5. Helicopter Training for Initial and Recurrent Pilots (Longhorn Helicopters 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.** Committee report and discussion on 28-day work cycle and Overtime and Compensatory Time policy
- B.** Report, discussion and possible action regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a member of the Department or Commission management team
- C.** 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
- D.** Follow up report, discussion and possible action regarding Legislative initiatives for modification of the provisions of Government Code 411.244 DPS Office of Inspector General
- 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 2011 Operating Budget
- G.** Report, discussion and possible action regarding purchases using seized funds
- H.** Update Report, discussion and possible action regarding recruitment
- I.** Report, discussion and possible action on costs of incinerator burning and options to include DPS reimbursement
- J.** Report, discussion and possible action regarding the adoption of proposed new Rule 15.49, 37 TAC Sec. 15.49, concerning the requirement of proof of domicile before the issuance of a non-commercial driver license or identification certificate
- K.** Report, discussion and possible action regarding the adoption of proposed new Rule 16.15, 37 TAC Sec. 16.15, concerning the requirement of proof of domicile before the issuance of a commercial driver license
- L.** Report, discussion and possible action regarding the adoption of proposed amendments to Rule 15.163, 37 TAC Sec. 15.163, concerning the removal of the inclusion of future surcharges in the Amnesty and Indigency Programs

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 Tyler Broughton and Dan R. Jones, III
- 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 – Barry Detlefsen, Robert Wade Ford, Roger Maynard, Arturo Munoz,

Jr., James M. Walker, Rex A Walker; Special Texas Rangers – Charlie Havrda; National Insurance Crime Bureau Applicants – Juan J. Aguilar and Anthony A. Harrison

- C. Discussion and possible action on adoption of proposed rules for publication:
 - 1. Proposed new Rule 1.44, 37 TAC Sec. 1.44, concerning Legislative Leave Pool
- D. Discussion and possible action to approve the donation of six (6) OBR 7.62 Tactical Assault rifles to the Department for use by the Texas Ranger Division SWAT Team

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