

AGENDA
Public Safety Commission Meeting
September 20, 2012, 9:00 a.m.
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** **9:00 – 9:05 a.m.**

- II. APPROVAL OF MINUTES** **9:05 – 9:10 a.m.**

- III. PUBLIC COMMENT** **9:10 – 9:15 a.m.**
(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.)

- IV. DIRECTORS REPORT** **9:15 – 10:30 a.m.**
 - A. Presentations
 - B. Legislative Hearings
 - C. Public Safety Threat Framework

- V. NEW BUSINESS** **10:30 – 10:55 a.m.**
 - A. Report, discussion and possible action regarding the DPS Foundation (15 min)
 - B. Introduction of new Chief Information Officer (10 min)
 - C. Report, discussion and possible action on the proposed Department Rule Review Plan for publication in accordance with Texas Government Code, Section 2001.039 (10 min)

- VI. ADJOURN INTO EXECUTIVE SESSION** **11:00 a.m. – 1:00 p.m.**
(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

1:00 – 2:20 p.m.

Reports, discussion and possible action regarding the following:

- A.** Report, discussion and possible action regarding discharge appeal hearing process and scheduling (15 min)
- B.** Report and discussion on preliminary steps to provide for video or audio presentation of Public Safety Commission meetings (10 min)
- C.** Report, discussion and possible action regarding the adoption of the repeal of Practice and Procedure Rule 29.11, 37 TAC Sec. 29.11, concerning Entry of Appearance; Continuance, as previously published in the Texas Register (5 min)
- D.** Report, discussion and possible action regarding Commission requests for additional auditing to be performed by the Chief Auditor's Office. Updates regarding status of recent CAO activity (10 min)
- E.** Update report, discussion and possible action regarding recruitment (10 min)
- F.** Report, discussion and possible action on Driver License monthly updates (10 min)
- G.** Report, discussion and possible action on the Fiscal Year 2012 Operating Budget (5 min)
- H.** Report, discussion and possible action regarding purchases using seized funds (5 min)
- I.** Review of pending contract/renewal/change order/awards from Contract Review Board (10 min)
 - 1. \$5,000 donation to refurbish CNT Motor Home/Crime Scene Trailer – Texas Rangers
 - 2. Four Stall Canine Trailer – Highway Patrol
 - 3. El Paso Land Donation – Region 4 – El Paso Regional Headquarters and Crime Lab
 - 4. Report, discussion and possible action for the Public Safety Commission Contracting Policies
- J.** 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 (5 min)
- K.** 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 (5 min)

VIII. REPORTS

2:20 – 2:35 p.m.

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

IX. CONSENT ITEMS **2:35 – 2:40 p.m.**

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.** 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 Ranger: Jesus E. Alatorre, John H. Landrum and John R. Smith

X. ITEMS FOR FUTURE AGENDA **2:40 – 2:55 p.m.**

XI. DATE FOR FUTURE MEETINGS

XII. ADJOURN **2:55 – 3:00 p.m.**

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