

**AGENDA**  
**Public Safety Commission Meeting**  
**August 15, 2013, 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**

**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. 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**

- A. Presentations
- B. Department-Wide Functional Analysis

**V. NEW BUSINESS**

- A. Discussion and possible action to approve Director salary increase to amount authorized by 83<sup>rd</sup> Legislature
- B. Report, discussion and possible action on potential salary structure of senior management team
- C. Advise and consent on Driver License Division Assistant Director
- D. Report, discussion and possible action on Private Security regulatory oversight
- E. Report, discussion and possible action on PSC Contract Review Policy, Contract Review Board and potential initiation of Justification Review Team
- F. Report, discussion and possible action to authorize the Director to execute a deed conveying 0.147 acres of real property for highway purposes near the city of Big Spring, Texas to the Department of Transportation under the authority of Transportation Code, Section 203.055

- G.** Report, discussion and possible action on Deferred Maintenance Program for the repair and rehabilitation of DPS building and facilities including the following action items:
  - 1. Adoption of a resolution authorizing a request for financing to be submitted to the Texas Public Finance Authority to finance the costs of projects;
  - 2. Adoption of a resolution declaring the expectation to reimburse expenditures from proceeds of bonds to be issued by the Texas Public Finance Authority
- H.** Report, discussion and possible action of IT Division Staff Augmentation Plan for FY2014
- I.** Report, discussion and possible action on Government Relations update
- J.** Report, discussion and possible action regarding the proposed FY 2014 Audit Plan
- K.** Report, discussion and possible action on the Office of Inspector General organizational structure and report on ongoing investigations
- L.** Report, discussion and possible action on Vehicle Inspection Advisory Committee Membership
- M.** Report, discussion, and possible action on the proposed repeal of Private Security Rule for publication to receive public comment: 37 TAC Section 35.185, concerning Registration Deadline
- N.** Report, discussion, and possible action on proposals made pursuant to Government Code, Section 2001.039, Agency Review of Existing Rules for publication to receive public comment:
  - 1. Repeal of Criminal Law Enforcement Rule, 37 TAC Sections 5.51 – 5.71, concerning Multicounty Drug Task Forces
  - 2. Amendments to Public Safety Communications Rules, 37 TAC Sections 9.1 – 9.3, concerning Disaster Communications

**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.** Report, discussion and possible action on the Annual Year 2014 Operating Budget including Federal Seized Funds
- B.** 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

- C. Update report, discussion and possible action regarding recruitment
- D. Review of pending contract/renewal/change order/awards from Contract Review Board
  - 1. IBM – TLETS Upgrade – Information Technology
  - 2. Motorola Portable Radios – Law Enforcement Support
  - 3. TrapWire – Intelligence and Counter Terrorism
  - 4. Municipal Services Bureau (Driver Responsibility Program) modification – Driver License Division
  - 5. Cisco Telecommunication Equipment – Information Technology
  - 6. Application Development and Maintenance – Law Enforcement Support and Regulatory Services Division
  - 7. Additional Contract Review Board items, as needed
- E. Report, discussion, and possible adoption of proposals made pursuant to Government Code, Section 2001.039, Agency Review of Existing Rules as previously published:
  - 1. Amendments to Chapter 7, 37 TAC Sections 7.31, 7.11 – 7.13, 7.42, and 7.43, concerning Texas Division of Emergency Management
  - 2. Amendments to Chapter 21, 37 TAC Section 21.5 and Section 21.9, concerning Equipment and Vehicle Safety Standards
  - 3. Amendments to Chapter 28, 37 TAC Sections 28.1, 28.7, 28.24, 28.61 – 28.67, 28.109, 28.128, and 28.130, concerning DNA, CODIS Forensic Analysis, and Crime Laboratories
- F. 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
- G. 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
- H. 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.** Discussion and possible action on the Director’s action of discharging probationary employees: Chinonye Okere, Jo Anna Landry, Ricardo Ibarra, Eugene Washington, Mustafa Alkaraoui, Heneritta Brown, Christopher Nolan and Gary Anderson
- 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: Liovijildo Arrieta, Ralph E. Billings, Lewis A. Hodges, Huey Sigers Jr., Robert B. Stinson, Larry D. Watson, Arthur R. Williams, Eric J. Williams, Hector Rocha Luevano and David Charles Sandlin
- C.** Donations
  - 1. (2) Horses and Stable Property Donation – Region 7 – Capitol Complex
  - 2. Lenco Bear Cat Armored Vehicle Donation – Texas Rangers
  - 3. Integrated Armor Donation of Humvee – Texas Rangers

**X. ITEMS FOR FUTURE AGENDA**

**XI. DATE FOR FUTURE MEETING**

Discharge hearings are scheduled for October 16, 2013 and the Public Safety Commission meeting is scheduled for October 17, 2013.

**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 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