

AGENDA
Public Safety Commission Meeting
June 12, 2014, 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.** Recognition of Service for Carin Barth, Former Commissioner, Texas Public Safety Commission
- B.** Presentations
- C.** Update on Human Trafficking

V. NEW BUSINESS

- A.** Report and discussion on the DPS Mentor Program with Reilly Elementary
- B.** Report, discussion, and possible action on the AY 2016-2017 Legislative Appropriations Request including Exceptional Items
- C.** Report, discussion, and possible action on the IT Staff Augmentation Plan
- D.** 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. Amendments to Organization and Administration Rule: 37 TAC Section 1.41, concerning Americans with Disabilities Act Grievance Procedures

2. Repeal of Organization and Administration Rule: 37 TAC Section 1.60, concerning Alleged Abuse or Neglect Investigations
 3. Repeal of Organization and Administration Rule: 37 TAC Section 1.21, concerning Laboratory Fees
 4. Repeal of Organization and Administration Rule: 37 TAC Section 1.123, concerning Motor Carrier Lease Fees
 5. Repeal of Organization and Administration Rule: 37 TAC Section 1.124, concerning Safety Responsibility Bureau Fees
 6. Amendments of Organization and Administration Rule: 37 TAC Section 1.131, concerning Fee for National Driver Register (NDR) Search
- E.** Report, discussion, and possible action on proposed amendments to Controlled Substance Rules: 37 TAC Section 13.1, concerning Definitions, Section 13.23 and Section 13.25, concerning Registration, and Sections 13.71, 13.72, and 13.82, concerning Texas Prescription Program
- F.** Report, discussion, and possible action on proposed amendments to Driver License Rule: 37 TAC Section 15.84, concerning Hearing
- G.** Report, discussion, and possible action on proposed amendments to Driver License Rule: 37 TAC Section 15.89, concerning Moving Violations

VI. ONGOING BUSINESS

Reports, discussion and possible action regarding the following:

- A.** Report, discussion and possible action regarding CAO preliminary audit plan and proposed CAO budget for FY 2015
- B.** Update report, discussion and possible action regarding recruitment
- C.** Report, discussion, and possible adoption of the following previously published rules:
1. Amendments to 37 TAC Section 15.45, concerning Fingerprints
 2. New 37 TAC Section 15.62, concerning Additional Requirements for Examinations
 3. Reorganization of 37 TAC Chapter 18, including: repeal of former Chapter 18 and adoption of new Chapter 18, concerning Driver Education
- D.** 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
- E.** 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
- F.** Report, discussion and possible action regarding ongoing criminal investigations pursuant to Government Code § 411.0041 (Executive Session anticipated)

VII. REPORTS

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

VIII. 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: Christina Famiglietti
- 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: Rickey L. Bentley, Tony R. Bynum, Billy D. Davis, Gary K. Horne, Franklin B. Munsinger, Michael D. Scott, Elmer D. Stehle, and Bobby S. Turner; Special Texas Rangers: Thomas W. Davis, Dewayne O. Goll, Howard D. Henderson and Roger W. Millican
- C. Donations:
 - 1. (One) 1 Horse, Bonnie’s Black Pearl - Region 7, Capitol Complex
 - 2. Grainger \$1,680.00 donation for travel expenses (room and airfare) for Facilities Management Seminar – Administration Division, Facilities
 - 3. Additional donation items, as needed

IX. ITEMS FOR FUTURE AGENDA

X. DATE FOR FUTURE MEETING

Discharge hearings will be scheduled on August 13, 2014, and the regular Public Safety Commission meeting is scheduled for August 14, 2014.

XI. 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

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