

**AGENDA**  
**Public Safety Commission Meeting**  
**December 21, 2017, 10:00 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. PRESENTATIONS**
- IV. 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.)*
- V. DIRECTORS REPORT**
  - A. Case Update: Operation Free Ride**
- VI. NEW BUSINESS**
  - A. Report, discussion, and possible action regarding on Need-Based Dismissal Report**
  - B. Report, discussion, and possible action regarding Capitol Grounds Security Measures**
  - C. Report, discussion, and possible action on the following rule proposals for publication to receive public comment:**
    - 1. Amendments to 37 TAC Section 2.3 and Section 2.9, concerning Capitol Access Pass
    - 2. New 37 TAC Section 23.63, concerning Hearings
  - D. Intelligence Threat Briefing (Clearance Required – Executive Session Expected)**

## **VII. ONGOING BUSINESS**

- A.** Report, discussion, and possible adoption of the following previously published rules:
  - 1. Amendments to 37 TAC Section 6.1, concerning Definitions
  - 2. Amendments to 37 TAC Section 6.14 and Section 6.16, concerning Eligibility and Application Procedures for a License to Carry a Handgun
  - 3. Amendments to 37 TAC Sections 6.32, 6.40, and 6.42, concerning Qualified Handgun Instructor License
  - 4. Repeal of 37 TAC Section 6.39, concerning Prior Notice of Training Required
  - 5. New 37 TAC Sections 6.81 – 6.92, concerning Approved Online Course Providers
  - 6. Amendments to 37 TAC Section 15.44, concerning Driver License Photograph
  - 7. Amendments to 37 TAC Section 15.172, concerning Issuance by Counties and Municipalities
- B.** Update report, discussion and possible action regarding recruitment
- C.** 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
- D.** 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.** Advice and consent regarding director's determination that certain probationary employees were found unsuitable for work during October and November 2017
- 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: Richard H. Barnes, Michael A. Black, Christopher K. Boggs, Teodoso J. Cespedes, Gary A. Chandler, Mark W. Coonce, Scott A. Ellis, Enrique V. Garcia, Casey G. Goetz, Luis A. Gonzalez, Samuel L. Gonzalez, Dwight M. Hardin, Harold G. Kornegay, Timothy A. Lite, Audra C. Livingston, Walter P. Mezynski, Paul T. Middleton, Kevin Ray Odom, Charles J. Palcer, Jose P. Perez

Jr., John R. Piper, Jeffrey W. Pirtle, Willie C. Ross, Steve Torres, James K. Verner, Dennis K. Westerman; Special Texas Rangers: None

**C. Donations:**

1. Texas Highway Patrol – Stable Donation – use of property to stable horses owned by the Department of Public Safety
2. Texas Highway Patrol – Eagle Scout Project – building a small pavilion for DPS use and making improvement to an existing Fallen Trooper monument flower bed
3. Texas Highway Patrol – Twelve Flat Bottom Boats, Motors and Trailers
4. Texas Rangers – Use of Lonesome Oak Ranch for meeting/lodging/training
5. Additional donation items, as needed

**X. ITEMS FOR FUTURE AGENDA**

**XI. DATE FOR FUTURE MEETING**

Any discharge hearings will be scheduled on February 21, 2018, and the regular Public Safety Commission meeting is scheduled for February 22, 2018.

**XII. 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

**XIII. 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