

AGENDA
Public Safety Commission Meeting
October 15, 2020, 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. INVOCATION**
- III. PLEDGES**
- IV. APPROVAL OF MINUTES**
- V. PUBLIC COMMENT**
(Members of the public wishing to address the Commission are subject to a time limit of 5 minutes and must register in advance at the link provided above. 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.)
- VI. DIRECTORS REPORT**
 - A.** Case Update: Introduction to IPC (Interdiction for the Protection of Children)
- VII. NEW BUSINESS**
 - A.** Report, discussion, and possible action regarding the Proposed FY2021 Internal Audit Strategy
 - B.** Report, discussion, and possible action regarding appointment of members to the Vehicle Inspection Advisory Committee and appointing co-chair as required by Transportation Code § 548.006
 - C.** Final Determination in Contested Cases – consideration and possible action on Proposal for Decision:
 - 1. SOAH Docket No. 405-20-3827.MVI – Raul Nieto
 - 2. SOAH Docket No. 405-20-3720.MVI – Frank Padilla

3. SOAH Docket No. 405-20-2492.PSB – Jose Juan Ortiz
- D. Report, discussion, and possible action on the following rule proposals for publication to receive public comment:
 1. Withdrawal of Amendments to 37 TAC Section 21.7, concerning Certification of Certain Vehicles
 2. Repeal of 37 TAC Section 21.7, concerning Certification of Certain Vehicles
- E. Intelligence Threat Briefing (Clearance Required – Executive Session Expected)

VIII. ONGOING BUSINESS

- A. Report, discussion and possible adoption of the following previously published rules:
 1. Amendments to 37 TAC Section 21.6, concerning Motorcycle Operator and Passengers Protective Headgear Minimum Safety Standards and Exemption for Motorcycle Protective Headgear
 2. Repeal of 37 TAC Section 21.8, concerning All Terrain Vehicle (ATV) Warning Flag
 3. Repeal of 37 TAC Chapter 31, concerning Standards for an Approved Motorcycle Operator Training Course
 4. Repeal of 37 TAC Chapter 33, concerning All Terrain Vehicle Operator Education and Certification Program
- B. Report, discussion, update and possible action regarding Driver License Action Plan
- C. Report, discussion, and possible action regarding the modification of the DPS organizational structure and 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)

IX. REPORTS

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

X. 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 August and September 2020
- 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: Robert D. Bradshaw, Stephen F. Bynum, Victor M. Cabrera, August W. Crais III, Nicolas De Leon, Jr., Juan C. Diaz, George A. Dominguez, Jr., Arthur R. Garza, Jr., Anthony M. Hester, Michael W. Klein, Darrell J. Kolek, Melinda L. Lowery, Rick C. Magana, Arthur F. Morgan, Eldridge J. Nunez, Jr., Justin B. Owen, Xavier Perez, Wynn J. Reynolds, Shannon S. Tilton, Armando P. Villescaz, Warren W. Wallace, Curtis L. West, John K. Wise, and Thomas W. Wylie; Special Texas Rangers: Marquis M. Cantu and Bryant D. Wells
- C.** Donations:
 - 1. Texas Highway Patrol – donation of fitness equipment from Elizabeth Ramirez Noble and Kevin Noble
 - 2. Additional donation items, as needed

XI. ITEMS FOR FUTURE AGENDA

XII. DATE FOR FUTURE MEETING

Discharge hearings will be scheduled on December 9, 2020, and the regular Public Safety Commission meeting is scheduled for December 10, 2020.

XIII. 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

XIV. 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