

AGENDA
Public Safety Commission Meeting
February 11, 2021, 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. INVOCATION

III. PLEDGES

IV. APPROVAL OF MINUTES

V. PRESENTATIONS

VI. 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.)

VII. DIRECTORS REPORT

VIII. NEW BUSINESS

A. Report regarding the UT Appointment Solution Survey

B. Report and discussion regarding the Crime Laboratory Division 2020 Strategy – Completing Blood Alcohol Testing for Driving Cases within Thirty Days, the Toyota Process Improvement Project

C. Report, discussion, and possible action regarding appointment of members and designating a chair of the Texas Private Security Advisory Committee as required by Texas Occupations Code Section 1702.021 and 1702.026

D. Final Determination in Contested Cases – consideration and possible action on Proposals for Decision:

1. SOAH Docket No. 405-20-3987.MVI – Carlos Portillo Mendez and Charly Auto Care
2. SOAH Docket No. 405-20-4001.MVI – Eric Collins
3. SOAH Docket No. 405-20-4114.MVI – Silvestre Camargo
4. SOAH Docket No. 405-20-4573.MVI – Adam Abbad and Executive Motor Group, LLC
5. SOAH Docket No. 405-20-4578.MVI – Farris Barakat
6. SOAH Docket No. 405-20-4099.MVI – Jorge Maldonado
7. SOAH Docket No. 405-20-4537.MVI – Virgilio Salinas

E. Report, discussion, and possible action on the following rule proposals for publication to receive public comment:

1. Repeal of 37 TAC Sections 15.27, 15.28, and 15.39, concerning Application Requirements – Original, Renewal, Duplicate, Identification Certificates
2. Proposed new 37 TAC Section 15.27 and Section 15.28, concerning Application Requirements – Original, Renewal, Duplicate, Identification Certificates
3. Repeal and proposed new 37 TAC Section 15.57, concerning Restrictions, Physical
4. Proposed new 37 TAC Section 15.64, concerning Examinations Administered by Other Entities
5. Repeal 37 TAC Sections 18.1 – 18.4, concerning Issuance and Examination Requirements for Learner and Provisional Licenses

F. Intelligence Threat Briefing (Clearance Required – Executive Session Expected)

IX. ONGOING BUSINESS

A. Report, discussion and possible adoption of the following previously published rules:

1. Proposed new 37 TAC Section 15.29, concerning Alternative Methods for Driver License Transactions
2. Proposed amendments to 37 TAC Section 15.34, concerning Renewal Period Prior to Expiration
3. Proposed repeal of 37 TAC Section 15.59, concerning Alternative Methods for Driver License Transactions
4. Proposed amendments to 37 TAC Section 15.62, concerning Additional Requirements
5. Proposed new 37 TAC Section 1.92, concerning Reimbursement of Witnesses at Public Safety Commission Hearings

- 6. Proposed amendments to 37 TAC Sections 29.1 – 29.3, 29.5, 29.21, 29.24, 29.27, 29.29, 29.30, 29.32, and 29.33, concerning Practice and Procedure
- 7. Proposed repeal of 37 TAC Sections 29.4, 29.6 – 29.10, 29.12 – 29.19, 29.22, 29.23, 29.25, 29.26, 29.28, 29.34, and 29.201, concerning Practice and Procedure
- 8. New 37 TAC Sections 38.1 – 38.3, concerning Fusion Center Operations
- B.** 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
- C.** Report, discussion, and possible action regarding ongoing criminal investigations pursuant to Government Code § 411.0041 (Executive Session anticipated)

X. REPORTS

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

XI. 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 a certain probationary employee was found unsuitable for work during November 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: Dennis Wayne Brassfield, Craig Allen Cadan, Manuel Alfredo Castro, Jr., John Edward Cruddas, Joseph Randall Dillard, Mark Ray Elgin, Scott J. Garrison, Duane J. Maldonado, Olivia Mendez, Enrique Muniz, Billy Earnest Rowles, and Derome Daniel West; Special Texas Rangers: Arthur Richard Barrera and Andrew Lopez, Jr.
- C.** Donations:
 - 1. Capitol Region – security equipment and installation services by Garrett Metal Detectors
 - 2. Additional donation items, as needed

XII. ITEMS FOR FUTURE AGENDA

XIII. DATE FOR FUTURE MEETING

Discharge hearings will be scheduled for March 9, 2021 and April 28, 2021. The regular Public Safety Commission meeting is scheduled for April 29, 2021.

XIV. 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

XV. 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